

UNIVERSITY OF KWAZULU-NATAL

**DETERMINANTS OF PUBLIC POLICY IMPLEMENTATION IN A DECENTRALISED
STATE:
THE CASE OF THE LANGUAGE POLICY IN KWAZULU-NATAL**

By

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DECLARATION

I Bongumenzi Emmanuel Mpungose declare that

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ABSTRACT

This research project is based on the challenges that arise when a policy formulated by one level of government has to be implemented by a different (lower) level of government. This research project explored policy implementation in a decentralised state and did so through the lens of the National Language Policy (NLP) and its implementation in the Province of KwaZulu-Natal as its case study.

The South African government adopted the NLP in 2003 which, inter alia, recognised eleven official languages of the country. The NLP gave implementation responsibilities to government at national, provincial and local level and identified various structures and mechanisms that were crucial for the effective implementation of the Policy. Despite the existence of the policy framework it is clear that it is fraught with implementation problems and that some languages have not been given the prominence as envisaged by both the Constitution and the NLP. What then is the problem?

To answer this question, the study drew on the *5-C protocol on policy implementation*. Provincial government departments; district municipalities; universities and select representatives of stakeholder organisations which are recipients of language services in the Province were identified as the study's population. Appropriate sampling techniques to select respondents from the identified population were used. Data was collected through mailed questionnaires and interviews augmented by documentary analysis. The qualitative data was analysed using thematic analysis based on the conceptual framework developed for the study.

Findings of the study suggest, *inter-alia*, that factors relating to content, context, commitment, communication and client and coalitions were fundamental to successful policy implementation within a decentralised state.

Commitment to policy implementation (or the lack thereof), as this research established, does not only refer to the implementers in public service for a lot is dependent on political will to provide that much needed drive. It also depends on stakeholders and coalitions that have an interest in a given policy. The study further noted that, for a re-distributive policy as the NLP is, it is important to have the commitment of the citizenry who are the true beneficiaries of such policies.

The study noted the centrality of policy content conceptualisation by officials in the implementing level of government. The ability to comprehend the role of the policy and its relevance to work circumstances, coupled with an intrinsic level of flexibility together with the leeway to adapt the policy to local content, appeared to have a great impact on policy implementation in a decentralised state - as evidenced by vertical and horizontal adaptability.

The study drew conclusions from data received. One of the major conclusions was that there was lack of coordination of structures that could be used effectively to promote the use of official languages in an equitable manner. The study also concluded that, although the KwaZulu-Natal government had adopted its own language policy, it had failed to legislatively regulate the use of official languages because of the soft nature of the policies which made them not enforceable. Finally the study made recommendations on how the areas of weakness in the implementation of the policy could be addressed. It also commented on how the areas of success can be maintained and used as bench-mark for effective policy implementation in a decentralised state. Some of the major recommendations made by the study were that the policy content should be clear, unambiguous for vertical and horizontal adaptation, that there should be effective institutionalization of policy implementation, improving the capacity and budget for proper implementation, and that there should be proper monitoring and evaluation of the implementation of the language policy.

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Chapter 1: Introduction

1.1 Introduction

A number of different factors can influence the efficiency and effectiveness of public policy implementation at one stage or another. Research has shown that these factors include resources, coordination, policy objectives and the context within which the policy is implemented. In this regard, Hooghe and Marks (2003) have drawn attention to the peculiar problem of policy implementation in a multi-level system of governance. They observe that in multi-level systems of governance the implementation of public policies is often decentralised: policies adopted at the highest level are adapted, implemented and enforced by actors at the lower level. Difficulties often arise from disparities in the resource endowment of actors at the level where policy is to be implemented (local government) and actors at the level where policy is formulated (central government). While the former are under-resourced, the latter are better resourced, and the resource constraint (human and financial) often exacerbates problematic socio-cultural and structural realities at the level of policy implementation. This scenario is as applicable to South Africa's language policy implementation (which is the focus of this research) as it is to the implementation of policies elsewhere. The language question in South Africa, however, has a peculiar historical twist which is especially pertinent to this study.

This introduction outlines the issues on which the present study focussed in its examination of policy implementation in a decentralised state as exemplified in language policy implementation in KwaZulu-Natal (KZN).

1.2 Historical background to the Language Policy

Throughout the colonial period and the apartheid era, South Africa was marked by inequitable language policies in terms of which English and Afrikaans were the only official languages. This language inequality was further entrenched by unequal provision of resources for developing and advancing the country's multiple languages where speakers of African

languages, like isiZulu, were in a majority. These linguistic inequalities reflected the realities of South African society shaped by broader inequalities of race and class.

It is also worth noting that the language issue in South Africa has always been central in conflicts between those in power and those who felt marginalised by the regime at different stages, as language was always used as a tool for domination by the oppressor and regarded as a symbol of oppression by the oppressed. For instance, during the colonial times the conflicts between language groups in the country chiefly involved the Afrikaans- and English-speaking communities, with Afrikaners fighting, among other things, for the recognition of their language (Dutch, at that point in history) to be recognised as an official language, at a time when only English had recognition as an official language. These conflicts led to the first and second Anglo-Boer wars (1880-1881 and 1899-1902 respectively). From the time South Africa became a Republic in 1910 up to the end of the apartheid era (pre-1994) only English and Afrikaans were recognised as official languages of the country. It was for this reason, among many others, that African people fought to have African languages recognised as official languages – a struggle at the core, for instance, of the 1976 uprisings, when students fought against the use of Afrikaans as the medium of instruction for all content subjects at the expense of African languages.

With the advent of democracy, the South African government embarked on a process of reviewing policies which had been in existence previously and language policy was no exception. This was done with the intention of building a new plural and democratic society and rectifying the inequalities and legacies of South Africa's historical past. In this regard, the South African government has put in place a number of enabling statutes and created supportive policies which are aimed at promoting multilingualism and redressing the past inequalities in the sphere of language. These include the South African Constitution of 1996, the Pan South African Language Board (PanSALB) Act, No. 59 of 1995, the National Language Policy Framework in 2003, and the Language in Education Policy in 1997.

These measures were intended to ensure, in addition, that government policy intentions and pronouncements on language are in fact carried out. Highlights on these measures are discussed below to discuss what each entail.

1.2.1 The Constitution of the Republic of South Africa of 1996

In terms of the Constitution of the Republic of South Africa, 1996, hereafter referred to as the Constitution, eleven languages, including African indigenous languages, are given the status of official languages of the country:

Section 6 of the Constitution provides the principal legal framework for multilingualism, the development of official languages and the promotion of respect and tolerance for South Africa's linguistic diversity. It determines the language rights of citizens, which must be honoured through national language policies. (Department of Arts and Culture 2003a: 9).

Other provisions pertaining to language matters which are found elsewhere in the Constitution include section 9(3), which protects citizens against unfair discrimination on grounds of language, and sections 35(3) and (4), which outline the language rights of arrested, detained and accused persons.

1.2.2 Pan South African Language Board Act, No 59 of 1995

The Pan South African Language Board Act, No 59 of 1995, which emanates from section 6(5) of the Constitution, establishes the Pan South African Language Board (PanSALB) as the body charged with the promotion of multilingualism and the development of official languages and heritage languages, including, inter alia, South African Sign Language/s.

1.2.3 Language in Education Policy, 1997

The Language in Education policy, in addition to emphasising multilingualism as part of cultural diversity and nation building, deals with issues related to the language of learning and teaching in public schools and the language related duties of departments of education in provinces and those of school governing bodies. It is aimed at the protection, promotion, fulfilment and extension of the individual's language rights and means of communication in education. The policy is also aimed at redressing the neglect of the historically disadvantaged languages in school education and promoting multilingual development of all the official languages as enshrined in the Constitution.

1.2.4 National Language Policy Framework, 2003

The National Language Policy Framework was adopted in line with section 6 (ss1-4) of the Constitution, and its aims include promoting equitable use of all official languages;

facilitating equitable access to government services, knowledge and information; ensuring redress for the previously marginalised official indigenous languages; and encouraging the learning of other official indigenous languages to promote national unity and linguistic and cultural diversity.

Key elements in the framework include aims, principles, approach, provisions, implementation strategies, implementation structures and implementation mechanisms. These elements are briefly outlined below.

1.2.4.1 Aims of the Policy

The aims of the Policy are to promote the equitable use of all the 11 official languages, as prescribed by the Constitution and facilitate equitable access to government services, knowledge and information. This should be done through the provision of language facilitation services by government departments and government agencies and by providing translation, interpreting and editing services.

As noted earlier, the language policies of the colonial and apartheid regimes only recognised and provided resources for the development and promotion of English and Afrikaans as official languages of the country, to the detriment of the indigenous languages. In contrast the current policy is therefore also aimed at ensuring redress for the previously marginalised official indigenous languages through the provision of requisite resources aimed at the development and promotion of these languages.

The current policy is however aimed at initiating and sustaining a vibrant discourse on multilingualism with all language communities (ss-2.1). This would include having dialogues and discussions on the best possible form of language policy and plan for the country, and on mechanisms to effectively and efficiently implement it.

The other aim of the policy is to encourage the learning of other official indigenous languages to promote national unity and linguistic and cultural diversity. This is done to redress the linguistic imbalances of the past where citizens were encouraged to learn just English and Afrikaans as the only official languages of the country and were not encouraged to learn other indigenous languages. This was evident in the way the curriculum was structured at school level, and even tertiary-level institutions were established along the same linguistic lines.

Lastly, the policy is also aimed at promoting good language management for efficient public service administration to meet client expectations and needs. This would be done through the provision of adequate resources for the implementation of the policy at all levels of implementation.

1.2.4.2 Principles of the Policy

The Policy is based on the following principles (ss-2.2):

- commitment to the promotion of language equity and language rights as required by a democratic dispensation
- recognising that languages are a resource to maximize knowledge, expertise and full participation in the political and socio-economic domains
- working in collaborative partnerships to promote constitutional multilingualism
- preventing the use of any language for the purposes of exploitation, domination and discrimination; as has been the case during the colonial and the apartheid eras
- enhancing people-centeredness in addressing the interests, needs and aspirations of a wide range of language communities through on-going dialogue and debate

1.2.4.3 Approach followed by the Policy (ss-2.3)

The Policy takes an approach that recognises, among other things, that promoting multilingualism requires existing knowledge to be taken into account in societies where indigenous official languages are prominent. The Policy proposes that this be facilitated through the involvement of the communities in the process of language development. The Policy also recognises the need to engage language specialists to assist, through research, in the development of programmes aimed at promoting functional multilingualism.

It stresses the need for government, at all levels, to periodically conduct policy reviews aimed at monitoring progress towards a fully multilingual South African society. To emphasise the decentralised and participatory approach to language planning and policy implementation, which harnesses technical expertise for the transfer of requisite knowledge and skills, the policy encourages a community-based approach to the promotion of multilingualism in the country.

1.2.4.4 Provisions of the Policy (ss-2.2)

The Policy stipulates that all three spheres of government (national, provincial and local) as well as all governmental institutions are bound by the provisions of the Policy.

In promoting multilingualism, all provincial governments need to formulate their own policies in concert with the National Language Policy and taking into consideration their regional circumstances and the needs and preferences of their communities, as required by the Constitution. Local governments, on the other hand, are required to develop language policies according to the preferences of their communities and in line with their provincial language policy framework; such policies need to be a product of broad community consultation in order to promote ownership and effective implementation of the policies.

In Parliament, the Policy provides that official languages are to be used in all legislative activities, including Hansard publications, as a matter of right. In Provincial Legislatures official languages are to be used in all legislative activities, and are to be based on the regional circumstances of each province.

The policy requires government, at all levels, to encourage, and where necessary support private enterprises to develop and implement their own language policies in accordance with the National Language Policy. This will ensure that multilingualism – and, by extension, social cohesion – is promoted in all spheres of life, not only in government circles.

In its aim to promote multilingualism the National Language Policy stipulates that different languages should be used as follows by government structures:

- *Working language(s)/language(s) of record:* By consensus, each government structure must agree on a working language/s (for both intra and interdepartmental communication purposes), provided that where practically possible no person will be prevented from using the language/s of his or her preference. For the purposes of conducting meetings or performing specific tasks every effort must be made to utilise language facilitation facilities such as translation and / or interpreting (both consecutive and simultaneous, as well as whispered interpreting) where practically possible;
- *Communication with members of the public:* For official correspondence purposes, the language 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 facilitation facilities such as

interpreting (consecutive, simultaneous, telephone and whispered interpreting) where practically possible;

- *Government publications:* A publication programme of functional multilingualism should be followed by national government departments in those cases that do not require publication in all 11 official languages;
- Where effective and stable operation of government at any level requires comprehensive communication of information, it must be published in 11 official languages and, in the province, in all the official languages prescribed in the province;
- In cases where government documents will not be made available in all 11 official languages, national government departments must publish documents simultaneously in at least six languages. The selection of languages will be made as follows:
 - At least one from the Nguni group (isiNdebele, isiXhosa, isiZulu and siSwati);
 - At least one from the Sotho group (Sepedi, Sesotho, Setswana);
 - Tshivenda;
 - Xitsonga;
 - English; and
 - Afrikaans.
- A principle of rotation must be applied when selecting languages for publishing government documents in the Nguni and Sotho groups; and
- *International communication:* Government communication at the international level will normally be in English or ad hoc in the preferred language of the country concerned. (DAC:2003)

1.2.4.5 Language policy implementation strategies

The Policy proposes a progressive phasing in (short term, medium term and long term) of its implementation, as the preferred strategy at all level of government structures. For government publications, a publication programme of functional multilingualism, as referred to above, would be phased in flexibly and pragmatically by government structures over a period of about three years to allow the latter to, incrementally, develop capacity and manage the implementation process effectively.

1.2.4.6 Language policy implementation structures and mechanisms

The National Language Policy Framework identifies structures and mechanisms which would be important to support effective implementation of the Policy. These structures and mechanisms include the following:

Language units in national and provincial government departments

In terms of the Implementation Plan of the National Language Policy Framework (Department of Arts and Culture, 2003), all national government departments and all provincial governments are required to establish language units with appropriately funded human and material resources; examples of the functions they would be responsible for are listed 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,
- Advising the department or province on language use,
- Managing and facilitating training programmes for new recruits in translation, editing and terminology, and language programmes for the employees of the department or province in the official languages,
- Collaborating with DAC and PanSALB bodies to develop terminology,
- Acting as intermediary between the department or province and DAC and/or PanSALB with regard to development support and training provided by DAC and/ or PanSALB; and
- Encouraging the use of plain language in the public service.

(Department of Arts and Culture, 2003)

National Language Forum

This structure would be established to encourage discourse on the Policy. It would also be responsible for coordinating various language structures in implementing the Language Policy. The main function of the Forum would be to advise Arts and Culture Ministers and Members of Executive Councils (MINMEC) and their Technical Committee on the implementation of the Policy.

South African Language Practitioners' Council

This structure would be comprised of representatives of language professionals in the fields of translation, interpreting, lexicography, terminology and language editing, and representatives of the relevant government departments would be responsible for, inter alia, accrediting, registering, and developing and implementing a code of ethics for its members. It would be a statutory body which would be established through an Act of Parliament.

1.2.4.7 Mechanisms for the implementation of the Language Policy

The Implementation Plan identified a number of mechanisms as vehicles for effective implementation of the Language Policy, listed in terms of the following categories.

Terminology development

It was envisaged that with the implementation of the Language Policy the demand for translation and editing services would increase. The development of terminology in various fields would be very important to ensure that there was no lack of equivalent terms in the target languages (mostly official indigenous languages, the status of which was historically diminished) for terms and concepts used in the source language of a document (mostly English, the status of which has always been advantaged);

Interpreting, translation and editing

One of the problems noted in the Implementation Plan was inadequate infrastructure for interpreting, translation and editing (e.g., language units, practicing interpreters and translators, etc.). The Policy proposes that governmental structure responsible for implementation will have to examine the gap between the need and the demand for language services, and the capacity to provide such services.

Training

For effective implementation of the Policy, capacity building for implementing officials would be important, especially in the fields of translation, interpreting, editing and terminology development. The Implementation Plan envisaged collaboration between the Department of Arts and Culture (as the lead department in the implementation of the Policy), the South African Qualifications Authority (SAQA), the Department of Education, and educational institutions, as crucial for addressing the shortage of professional language workers.

Language technology

Technology is deemed to be very important in facilitating collaboration between language stakeholders and in the development of indigenous languages. As envisaged by the Implementation Plan, advances in terminology and translation management software [would] make it possible for terminologists and translators and translators to interact and collaborate, more especially in developing terminology. The national Term-bank [would] give translators

access to terminology via Internet, although access [would] also be provided through printed lists and dictionaries. (Department of Arts and Culture, 2003:17)

Language Code of Conduct for Public Servants

The Implementation Plan envisaged development of a Language Code of Conduct for Public Servants which would regulate the way they communicate and interact with the public in the interests of effective service delivery. The code of conduct would be in line with the Batho Pele principles in relation to the provision of information to customers that is complete and accurate as well as being in the language they understand best. “The code would emphasise the fact that no customer or public servant [might] be marginalised or disadvantaged through the use of language” (Department Arts and Culture 2003:17). The code of conduct was to be developed by the Department of Arts and Culture and the Department of Public Service and Administration (DPSA), in consultation with other departments, and be distributed to all relevant stakeholders, and “The Minister [of Arts and Culture would] publish regulations regarding the code in the Government Gazette by the end of 2005” (Department of Arts and Culture, 2003: 17).

Directory of services and information databank

The Language Policy Implementation Plan (Department of Arts and Culture, 2003:18) envisaged that a directory of services (translation, editing, terminology services, language planning, etc.) would be developed with copies distributed to all government structures and relevant stakeholders and available on the departmental website. It was hoped that this would enhance implementation of the policy and promote exchange of information, research and cooperation among various language stakeholders.

Language surveys and audits

For optimal implementation, the Implementation Plan proposed that language surveys and audits be conducted periodically by the Department in collaboration with the relevant language bodies. This would help to establish accurate data on language use patterns and current practices and identify strengths and weaknesses of the Policy.

Language units [would] be required to audit the available language skills and capacity in their department or province. The information [would] be valuable with regard to....determining the needs and requirements of the specific...province. (Department of Arts and Culture, 2003:19).

Language Awareness campaigns

It was envisaged that these campaigns would be conducted to raise awareness and arouse interest in language issues. There would be specific campaigns which would be conducted by language units both at national level and by provinces, targeting, mainly government departments, public servants and the general public (the consumers or the beneficiaries of the language services). The campaigns would be aimed at:

- aligning language policy and practice in all spheres of government;
- rolling out the Language Policy and raising awareness on the provisions of the Constitution on multilingualism;
- encouraging public servants to provide services to their clients in their own languages or languages preferred by the clients;
- promoting additive multilingualism where people use their own language and learn other languages in addition to their own;
- encouraging business and the private sector to implement multilingual policies, through highlighting the underlying benefits thereof;
- encouraging and fostering greater language tolerance and raising awareness on the value and benefits of South African linguistic diversity as part of our heritage; and
- ensuring correct understanding and interpretation of the provisions of the Policy at all levels.

Telephone interpreting

Telephone interpreting was seen as a cost-effective mechanism for language facilitation services. It is particularly suited for the South African environment, which is multilingual and where such service may be required at short notice and at service points like clinics and police stations.

Budgeting

In terms of the Implementation Plan, all government structures would have to provide adequate financial support for the implementation of the Policy linked with the Medium Term Expenditure Framework cycles. Budgeting would have to be phased in with effect from the 2003/2004 financial year. The costing exercise for the Policy done by the Department of Arts and Culture and the National Treasury showed that departments and provinces would require a budget increase of no more than 2 per cent at national level.

It was the intention of the National Language Policy Framework that all these structures and mechanisms would be established to ensure that government intentions and pronouncements on Language are carried out effectively and efficiently.

In conclusion, adoption of these policies and legislation by government brought some hope to language stakeholders (including academics, language practitioners, artists, teachers, learners, policy makers and communities, and the people who had been affected by the linguistic injustices of the previous regimes) that the situation was being vigorously addressed. The next step was for government, through its departments and agencies, to ensure that its policies or pronouncements or statements of intent were put into effect. It is against this backdrop that the present research was conceptualised.

1.3 The research problem

Since the initial adoption and implementation of the Language Policy nine years ago there have been several studies by scholars such as Beukes (2003 and 2008), Kamwendo, (2006) and Du Plessis (2006) on the policy at national level. Most of these studies have shown that government has not yet succeeded in carrying out its intentions on language. Beukes (2004: 21), for instance, maintains that the road travelled from the 1993 Kempton Park constitutional provisions, via the Lantag policy process, leading to the 2003 National Language Policy Framework, has not been the smooth ride envisaged at the initial transition to a new democracy in the early 1990s. The author argues that the journey has, on the contrary, been a bumpy and ideologically contested ride which has generated much debate and academic analysis. It would appear that in the euphoria of “the Transition” South Africa has been caught in a trap between intention and performance.

Kamwangamalu (2001:417), on the other hand, observes that

in South Africa...the linguistic behaviour of the elite is characterised by an almost exclusive use of the preferred language, English, irrespective of whether they interact among themselves or with the masses who have little or no knowledge of the language ... [and] in order to preserve the privileges associated with knowledge of the preferred language, the elite tend to resist any language planning efforts which seek to promote the languages of the masses.

Wading into the fray, a Pretoria High Court ruling on 16/03/2010 chastised the government for failing, in terms of the Constitution, to regulate and monitor the use of official languages” (*Legalbrief Today* 17 March 2010). Some language experts and stakeholders, including

Kamwangamalu (2000), Kamwendo (2006), Moodley (2000), Beukes (2008), Du Plessis (2006) and Web (2006), have also expressed concern about the government's apparently laissez-faire approach to language management.

Beukes (2008) and Du Plessis (2006), for instance, see the inadequate congruence between the government's stated language policy and the attitude at the level of implementation and practice as the reason why implementation of the Language Policy has failed, especially with regard to African languages.

The studies and reports cited above (which will be extended in the literature review chapter) indicated a need to investigate Language Policy implementation at provincial level. The reason for this study's focus at the provincial levels is based on the fact that in South Africa's governance system, which is a decentralised unitary system, the national government is mainly responsible for developing policies and the provinces are responsible for the implementation of those policies, however most studies on the implementation of language policy in the country focussed at national level of governance. The other reason is that most Schedule 4 of the Constitution of the Republic of South Africa, 1996, lists language policy and regulation and regulation of official languages as responsibility for national and provincial spheres of government. The need was therefore two-fold: (i) to ascertain whether the situation prevailing at national level also prevails at provincial level in KwaZulu-Natal, considering that Schedule 4 of the Constitution lists language policy and regulation of official languages as a functional area of concurrent national and provincial competence. What the studies conducted at national level found to be happening at national level, in terms of the implementation of the Language Policy can be similar or totally different at provincial level; and (ii) to determine and understand those factors which contribute to the failure or success of the implementation of the language policy in KwaZulu-Natal.

1.4 Objectives of the study

- a) To ascertain the extent to which the objectives of the National Language Policy are achieved in KwaZulu-Natal;
- b) To establish the effects of the Language Policy implementation on
 - Promotion of equitable use of the official languages in KwaZulu-Natal;

- Facilitation of equitable access to government services, knowledge and information;
 - Ensuring redress for the previously marginalised languages of KwaZulu-Natal;
- c) To establish the pre-conditions for effective implementation of national language policies at a provincial level

The following set of questions was accordingly formulated to delineate the research problem of this study:

- What are the policy, organisational structures, budgets and service delivery implications of the National Language Policy for various spheres of government, particularly the province of KwaZulu-Natal?
- To what extent are the objectives of the National Language Policy fulfilled in practice within KwaZulu-Natal?
- What are the effects of the Language Policy on
 - Promoting equitable use of the official languages in KwaZulu-Natal?
 - Facilitating equitable access to government services, knowledge and information?
 - Ensuring redress for the previously marginalised languages of KwaZulu-Natal?
- What are the pre-conditions for effective implementation of the National Language Policy Framework?

1.5 Research methodology

As this study is about investigating public policy implementation in a decentralised state, which is a contemporary phenomenon, a case study design was used, utilising both qualitative and quantitative research methods.

A combination of purposive, stratified and random sampling techniques was used to select the study sample. The relevant data collection instruments, i.e. questionnaires and interviews, were used to collect data from the identified respondents.

Thematic content analysis (TCA) was used to present the data obtained from the interviews with and the questionnaires from the respondents. TCA is a descriptive presentation of data through identification of common themes in the texts provided for analysis (Anderson, 2007), with the data being sorted according to themes without necessarily being interpreted.

Data analysis and interpreting was done using the conceptual framework developed in Chapter 2 of this study.

1.6 Organisation of the thesis

The rest of this thesis is organised as follows:

Chapter 2 presents a conceptual framework for the study. It is in this chapter that the concept of policy implementation is discussed, presenting a chronological ordered series of definitions by scholars of the term ‘implementation’ and the relevance thereof to this study.

This chapter looks at what public policy implementation entails, then goes on to explore the generations of research into implementation and outlines the ‘top-down versus bottom-up’ debate regarding the implementation process, along with attempts by various scholars to find alternative routes towards effective policy implementation and a middle ground between the ‘top-down and bottom-up’ approaches.

The sets of concepts and variables that affect policy implementation are outlined in a broad narrative form. Included in the discussion are specifically linguistic variables (as identified by linguistic scholars) which affect language policy implementation. This chapter also discusses the concept of decentralisation, outlining its variously proposed definitions and its various types and forms to see how this phenomenon affects policy implementation. Lastly a theoretical framework based on theories discussed is formulated to guide this research.

Chapter 3 outlines relevant theories on language policy implementation research and previous applied studies on the field. The chapter also explores factors affecting language policy implementation and examines literature on language policy implementation in South Africa. The second part of the chapter considers the decentralisation of the South African government, focusing on the legislative mandate, and concludes with a discussion of the way decentralisation manifests itself in language policy implementation in the country.

Chapter 4 presents and explains the research design and methodological approaches employed in the study. It is in this chapter where key assumptions and theoretical premises are offered.

Chapter 5 presents results and findings from the survey conducted through questionnaires, in-depth interviews and documentary analysis.

Chapter 6 presents analysis of results.

Chapter 7 presents conclusions and advances recommendations emanating from the study.

1.7 Conclusion

This introductory chapter outlined issues of public policy implementation in a decentralised state that are the focus of the present study as they pertain to language policy in KwaZulu-Natal. This included the brief overview of the National Language Policy; the research problem; the objectives of the study; research methodology; and the organisation of the thesis.

In Chapter 2 the conceptual framework for the study is presented and a theoretical framework, based on the theories discussed, is formulated to guide the study.

Chapter 2

Conceptual framework of the study

2.1 Introduction

The purpose of this chapter is to provide a conceptual framework that is used to frame this study. With this in mind, the chapter outlines significant considerations in relation to the concept of public policy implementation: how it may be defined, the development of theory pertaining to it, and issues or circumstances which can influence implementation. The conceptual framework of the study emerges from the factors principally identified in this discussion.

In the next section the study looks at the definition of the concept ‘policy implementation’ and what it entails. Then the study looks at the factors affecting policy implementation before formulating the conceptual framework of the study.

2.2 Definition of Implementation and what it entails

Pressman and Wildavsky, (1973:23) define policy implementation as the process of interactions between the setting of goals and the actions undertaken to achieve them. They point out that for true implementation to take place, government officials need to translate broad agreements into specifics. Furthermore, Pressman and Wildavsky (1979:26) argue that the degree of goals accomplished through a specific decision could be a measurement of the success of policy implementation.

Mazmanian and Sabatier (1983:20) define policy implementation as

the carrying out of a basic policy decision, usually incorporated in a statute but which can also take the form of important executive orders or court decisions. Ideally that decision identifies the problem(s) to be addressed, stipulates the objective(s) to be pursued, and, in a variety of ways, “structures” the implementation process. The process normally runs through a number of stages beginning with passage of the basic statute, followed by the policy outputs (decisions) of the implementing agencies, the compliance of target groups with those decisions, the actual impacts – both intended and unintended – of those outputs, the perceived impacts of

agency decisions, and, finally, important revisions (or attempted revisions) in the basic statute.

Hanekom (1987:55) defines policy implementation as “the translation of the declared intentions of the policy-maker into action”. He identifies public officials, legislators, courts, interests groups and community institutions as implementers of public policies. He argues that there are three potentially conflicting prerequisites for policy implementation:

- legal prerequisites, which are the guidelines for the implementation, as laid down by the policy maker and provided for in legislation
- the rational bureaucratic prerequisite, which refers to the conviction on the part of the policy maker that the policy is correct and implementable
- the consensual prerequisite, which ensures that preferences of the interest groups who are the supposed beneficiaries of the policy are catered for

Among the instruments which he identifies that governments should use to effect policy implementation are:

- legislation – which governments can enact to require compliance with policy
- provision of services – either directly by government institutions or indirectly through outsourcing or creation of entities or parastatals
- taxation – where special taxes are imposed to ensure compliance with policy
- incentives, such as tax incentives, which can be used to encourage or discourage certain activities
- persuasion

Nakamura and Smallwood (1980: 109) define policy implementation as “the set of activities and operations undertaken by various stakeholders towards the achievement of goals and objectives defined in an authorized policy”.

Merilee Grindle (1980a:5-6) defines it as “an on-going process of decision making by a variety of actors, the ultimate outcome of which is determined by the content of the programme being pursued and by interaction of the decision makers within a given politico-administrative context.”

Bardach (1980:30) sees policy implementation as part of the business of the political process since it is likely to be related to politics, which is a struggle among interests groups.

Kerr (1981: 352) defines it as the study of an organisation's capability to utilise resources to achieve the policy objectives.

Goggin et al. (1990:34) define policy implementation as a "process, a series of...decisions and actions directed towards putting an already decided ... mandate into effect."

Anderson (1994:38) argues that policy implementation is that stage of the policy process which focuses on "what is done to carry into effect or apply adopted policies." He further argues that it is at this stage where further development or elaboration of policies occurs.

O'Toole (1995:43), defines policy implementation as the connection between the expression of governmental intention and the results thereof.

Thornhill and Hanekom (1996: 56) define policy implementation as "the putting into effect of the ideals, intentions and course of action selected by the policymaker."

Lester and Goggin (1998: 7) define policy implementation as a process, "a series of sub-national decisions and actions directed towards putting a prior authoritative decision into effect."

Van Meter and Van Horn (in Cloete and Wissink, 2000:166) define implementation as "[encompassing] those actions by public or private individuals (or groups) that are directed at the achievement of objectives set forth in prior policy decisions."

Roux (2002: 89), defines policy implementation as "the setting in motion of policy directives as authorized by the decision makers and according to their prescriptions."

Coetzee (2004:185) argues that "policy implementation is far more than simply putting into effect the decisions of policymakers. It can be said that policy implementation is the umbrella term that covers all those activities that are created to carry out the policies enacted by the legislature. These activities could include, among others, either the establishment of new organisations or assignment of new functions to existing organisations."

DeGroff and Cargo (2009:48) argue that policy implementation is "a distinct stage in the policy process, unique for representing the transformation of a policy idea or expectation to

action aimed at remedying social problems.” They distinguish between policy implementation as a process towards the outcome and policy implementation as an outcome of the process. They identify the networked governance; socio-political context and the democratic turn; and the New Public Management as the factors affecting contemporary implementation processes.

Voradej Chandarasornas cited by Chompucot (2011:16) in defining policy implementation emphasises the importance of the implementing organisation. He argues that the organisation needs to exercise all its resources and mechanisms to attain policy objectives. This means that for the National Language Policy to be effectively implemented, government at all levels, needs to put enough resources and mechanisms.

Mthethwa (2012: 2) defines policy implementation as “the mechanisms, resources and relationships that link policies to programme action. More specifically it means to carry out, accomplish, fulfil, produce or complete a given task”. He points out further that implementation is more commonly a fragmented and interrupted process than a coherent and a continuous one. This is because it is usually stretched across spheres of government (central and sub-national governments) and across the agents of government, and involves an on-going process of decision making by key actors, who work in complex policy and institutional contexts and face pressures from both interested and opposing parties. He argues that there are three main reasons for assessing policy implementation:

- to promote accountability by holding policymakers and implementers accountable for achieving stated goals and by reigniting commitment thereto
- to enhance effectiveness, as having an understanding of and dealing with impediments towards policy implementation can improve service delivery
- to foster equity and quality – because if policy is implemented effectively this can help in setting minimum standards for quality, promoting access, and reducing or eliminating inconsistencies among implementers at various levels of implementation, thus enhancing quality

From the above definitions one can safely conclude that implementation is the process of putting into action policy objectives. That includes setting up and coordinating structures as well as committing resources thereto which are necessary for the achievement of the set policy objectives. The process of implementation is, however, shaped by various factors and these are discussed below.

Mthethwa then identifies seven factors or dimensions in policy implementation (adapted from Bhuyan et al. 2010:6):

- **The policy, its formulation and dissemination:** This refers to the extent to which these factors support the implementation of the policy. The content of the policy should clearly frame the issues being addressed by the policy, its goals and objectives and its beneficiaries or target audience to eliminate any confusion during implementation.
- **Social, political and economic context:** Policy formulation and implementation are interlinked with the contexts in which they take place. The social, political and economic contexts influence the policies developed and the way those policies are implemented. Contextual and environmental factors can provide both opportunities and constraints for effective policy implementation.
- **Leadership for policy implementation:** Strong leadership and commitment are crucial if there is to be satisfactory follow-through; resources and accountability are needed for putting policies into practice. But what can also happen is that the leaders responsible for policy formulation might find their attention diverted elsewhere once the policy is adopted, or the responsibility for leading implementation might shift to new individuals and groups. Whether there is effective leadership for implementation can thus be a critical issue.
- **Stakeholder involvement in policy implementation:** Policy formulation is increasingly a multi-sectoral endeavour, yet the mutual engagement might not continue during the policy implementation stage. The extent of stakeholder involvement in policy implementation and the nature of the relationship and collaboration among different stakeholders thus becomes a crucial issue.
- **Implementation planning and resource mobilization:** The planning, resources and capacity needed to facilitate policy implementation requires the development of a comprehensive implementation plan, complemented by identification and acquisition of the requisite political, financial, managerial and technical resources.
- **Operations and services:** Implementation hinges on the coordination mechanisms, operational systems, and capacity of individuals and organisations charged with delivering service outlined in the policy. Implementation at this level also involves coordination with other organisations, including those that may have no experience of working together, which may have either positive or negative effects on service delivery.

- **Feedback on progress and results:** Regularly gathering, disseminating and using feedback is important for assessing progress towards achievement of results. Feedback and information on how a policy implementation progress puts the key policy stakeholders in a better position to assess interim achievements and make necessary course corrections in steering the larger effort.

From the definitions and explanations that have been listed above, it is clear that effective and efficient management of public policies by implementing agents such as government departments and entities is dependent on a number of interrelated steps, since a policy is a dynamic combinations of purpose, rules, actions, resources, incentives, and behaviours leading to outcomes that cannot be perfectly predicted or controlled.

Brinkerhoff and Crosby (2002:23-6) make a number of points about the relationship between the legislative and implementation stages of a phenomenon, indicating clearly and with coherent examples that policy implementation is rarely a linear, coherent process. As history has shown, specific programmes and projects have a beginning and an end with specific time-lines, targets and objectives specified for each phase which means that change is rarely straightforward. Importantly, policy implementation can often be multidirectional, fragmented, frequently interrupted, unpredictable and very protracted.

In addition, given the multi-layered policy and implementation characteristics of South African governance realities (national, provincial and local), it becomes evident that no single agency can manage the policy implementation effort. Policy implementation requires the concerted actions of multiple agencies and groups, both within government and outside. This means that even if there is a lead agency, there is no one in charge and authority and responsibility are dispersed among actors involved, which means that traditional command and control is rarely applicable (<http://policyproject.co/policycircle/content.cfm> Accessed 10/2/2012).

Policy implementation is a complex phenomenon in that it involving a series of interrelated projects undertaken by a variety of state agencies and entities that have to be coordinated, cooperative and synchronised, no matter how urgently results may be desired. Managing policy implementation necessarily includes educating policy beneficiaries, managing expectations, allaying fears, explaining and reassuring, and policy managers in this process

need to obtain policy ownership from stakeholders as well as policy legitimacy (Brinkerhoff and Crosby, 2002:26).

Taking into account all these factors, one can safely argue that the correctness of a policy is no guarantee that it will be effectively implemented, or with the expected levels of service delivery. That requires the agreement and cooperation of stakeholders, layers of government, appropriate allocation of resources, sound investment of energies and time in its realisation, as well as appropriate human capital dynamics.

The introduction of new tasks and objectives accompanying policy reform, as in the case of South Africa, will likely cause modifications within the implementing organisation. This means that an organisational design or a modification of planning and implementation tools may give rise to various problems with entrenched procedures and routines, as may alliances with existing constituents or resistance to changes within the organisation or department (Rosenbloom et al. 2009:24).

The tasks assigned to language-driven state entities require human capital capacity for effective implementation. This means that significant policy change can affect the internal arrangements of a government entity or department and its relations with its operating environment (Smith 2009:111-113). Hence, new tasks call for new structures and procedures as well as appropriate and sufficient financial resources, coordination, cooperation and synergy. Above all, they require highly sophisticated and strategic management to guide the process of implementation (Cloete and Wissink, 2000:23-24).

A full appraisal of what implementation of the Language Policy and management of language services/programmes actually means for the various spheres and levels of government must take into account the flaws and deficiencies as well as the successes. This requires scrutiny of the strategic management imperatives of the relevant departments with special emphasis on “[orientation] towards the future through the absorption of the lessons of the past and the present through a scientific empirical inquiry” (Brynard & Hanekom 1997: 21-22). This will be done through an exploration of internal and external environmental dynamics associated with technology, political relationships, financial dimensions and social conditions (Brynard & Hanekom, 1997).

Internally, the key factors in endeavours by state entities and departments to develop continuity in their strategic approach will be missions and objectives, strategies, structures, resources and attempts to anticipate what will be required for effective on-going service delivery; at the same time they must also remain open to changing goals and activities in light of shifting political, economic, and social circumstances (Fischer and Forester 1993).

Brinkerhoff and Crosby (2002: 41-42) emphasise the fact that, unlike traditional public administration paradigms for routine service delivery and government functions, strategic management is ideally suited to the needs and challenges of policy change and implementation, allowing leadership and managers to respond appropriately to the challenges ahead.

While a strategic approach will need the cooperation and coordination of stakeholders at all government levels, it will ultimately also soften the landing for groups negatively affected by change and help to create a conducive environment for buy-in by previous winners who may now be losers in the new policy implementation but nonetheless have experience and skills that should be retained (Roe 2008).

The next section follows the evolution of research on what policy implementation entails by outlining successive “generations” in its history.

2.3 Evolution of policy implementation theory

Three main generations of research have been identified by scholars in the implementation field since the 1970s, evolving from an initial focus mainly on descriptive case studies, moving to a stage where analytical frameworks were developed, and most recently to the stage where these frameworks are synthesized, tested and revised (Goggin et al. 1990).

The first (“classical”) generation: This generation of studies mostly comprised “detailed accounts of how a single authoritative decision was **carried** out; i.e.,... case stud[ies]” (Lester et al. 1987:201). They were, according to Brynard (in Cloete & Wissink, 2000: 166), based on the assumption “that implementation would happen automatically once the appropriate policies had been authoritatively proclaimed”, and administration was regarded as “scientific”, “rational”, “predictable” and, eventually, “machine-like”:

The 'classical' model was based on three basic concepts which helped make the machine the metaphor and model for the study of administration, and helped foster the view that implementation was but an automatic cog within the rationalised administrative machine...The first was a Weberian framework of the ideal bureaucracy, being a firmly ordered 'system' with highly rationalised, legalistic, authoritarian and hierarchical structures where a small group of decision makers at the top create policy and subordinates at the bottom dutifully carry it out. (2000: 166)

The second of the three concepts was encapsulated in Woodrow Wilson's assertion in 1887 that policy formulation and policy implementation are two different activities, with implementation "being neutral, professionalized and non-political" (Cloete & Wissink, 2000: 167). The third was based on the rationale for adopting 'efficiency' as the basic criterion for evaluating administrative performance, taken from Frederick Taylor's *The Principles of Scientific Management*.

The first generation was criticised for tending to focus more on obstacles to successful implementation and paying insufficient attention to quantitative and deductive research.

The second generation: In stark contrast to the first generation, the second generation dispelled the earlier notion that public policy was efficient and orderly:

A number of case studies in the United States showed that the grand policies of the 1960s were not working the way they were supposed to under the classical model. At the same time, scholarship in public administration and organisational behaviour...was revealing that administration and implementation were far more complex and political, than the classical assumptions had suggested them to be. (Cloete and Wissink, 2000:168)

Characteristic of this generation was intense debate between top-down and bottom-up approaches to implementation. Top-down theorists essentially see policy makers at the central level as the key actors, whereas bottom-up theorists argue that street-level bureaucrats are the ones who put policy into practice (Mazmanian and Sabatier, 1983).The detailed discussion on this debate is outlined in below.

While the debates between the "top-down" and "bottom-up" approaches played an important role in the development of literature on implementation, the top-down approach has remained the more dominant of the two, with researchers such as Sabatier (1986)noting that it seeks to determine the extent to which the actions of implementing officials and target groups are

consistent with the objectives and procedures outlined in a given policy decision and the extent to which the objectives were attained over time. Furthermore, the top-down approach determines the principal factors that affect policy outputs and impacts and seeks to determine how the policy was reformulated over time on the basis of experience (Sabatier 1986).

As described by Hill (2005:178), on the other hand, the top-down model assumes that policy implementation commences with decisions from central government that clearly state the policy objectives, following which the administrative machinery of government will decide which administration will implement the policy. The designated administration will carry out the policy to fulfil its objectives, which are assumed to be clear at all levels of implementation and to all implementers.

Extending Hill's account, Chompucot (2011:20) argues that

the top-down approach begins with a decision of the central government and asks the following questions:

- To what extent are the actions of implementing officials and target groups consistent with policy decisions?
- To what extent are the objectives attained over time, i.e. to what extent are the impacts consistent with the objectives?
- What are the principal factors affecting policy outputs and impacts, both those relevant to the official policy as well as other politically significant ones? and
- How is the policy reformulated over time on the basis of experience?

The top-down model is criticised, however, for neglecting the role of street-level bureaucrats in the policy implementation process (Pressman & Wildavsky 1973; Van Meter & Van Horn 1975; Bardach 1977; Mazmanian & Sabatier 1983).

The bottom-up approach originated as a reaction to weaknesses identified in the top-down approach. Bottom-up proponents argue that the study of policy implementation should begin at the bottom, at the level of actual implementation. In this approach, the implementers first examine the goals, strategies and programmes they have created. In this approach the implementation works its way upward to find the goals, strategies, and contracts of those involved in executing the programmes.

This approach views implementers as active participants, as they are closer to local situation and local actors are involved in implementation.

It has, however, been criticised by some scholars for being too idealistic and over-emphasising trust in the implementers' discretion, and this led to the emergence of the third generation of research.

The third (“analytic”) generation: This generation is essentially a movement towards integrating and synthesizing the top-down and bottom-up approaches. It focuses less on specific implementation failures and more on exploring how implementation works and finding ways to improve it, with the ultimate aim of formulating a fully-fledged implementation theory. It is a development that came about in response to a lack of “...causal understanding, organising frameworks, conceptual models, analytic approaches, and ultimately explanatory and predictive theories...”(Brynard in Wissink and Cloete: 168), and has advanced the understanding of variables that affect implementation, despite a lack of consensus on the outlines of implementation theory.

Researchers such as Najam (1995:14), for instance, argue that both the top-down and the bottom-up “...approaches provide useful insights into the implementation process; both demonstrate significant explanatory strengths as well as weaknesses; each may be more relevant to particular sets of cases than to others; in some cases both may be equally relevant, albeit, at different stages of the complex and dynamic implementation process...[and therefore] there is a need to evolve new model of implementation which incorporates the strengths of both perspectives”. Other scholars like Elmore (1985) and Goggin et al (1990) advocate development of a new model that incorporates the two approaches.

Among the best known third generation models are the following:

Policy instrument model as advocated by Bressers & O’Toole, (1998): This model uses the concepts of cohesion (shared values and objectives) and interconnectedness (the contact and relations between actors in the policy process) to describe the policy network or relationships between government authorities and the set of actors at which policy is directed. The appropriateness of the policy instrument (i.e., the type of mechanism used to try to implement policy) is seen as dependent on the level of cohesion versus interconnectedness on a two-by-two matrix. Where there is strong cohesion and interconnectedness, practical and clear-cut policy instruments are adjudged to be effective for implementation.

Communication model as advocated by Lester et al. (1987) and Cline, 2000): This model is based on the assumption that organisational management issues are the primary implementation problem. It sees policy implementation as a function of incentives and constraints imposed on a sphere of government by another sphere: the propensity to act of the implementing government sphere. Capacity to act involves organisational capacity (structure, personnel, and financial resources) and ecological capacity (economic, political and institutional capacity). Although the model accepts that the choices of the implementing sphere of government may be the result of bargaining among both internal and external parties, it still regards conflict as a problem that can be addressed within an organisation, rather than being fundamental part of the policy process.

Ambiguity-conflict model (Matland, 1995): This model tries to determine when the top-down versus bottom-up approaches are appropriate. It assumes that conflict exists whenever more than one actor views policy as impacting on its interests and the different actors have contradictory goals and/or disparate views of acceptable policy solutions and intended outcomes. Matland (1995) suggests that these alternative approaches become applicable at different times, in differing situations:

One situation is where there is low-policy conflict and low-policy ambiguity “administrative implementation” i.e. top-down perspective is the relevant strategy. It is also applicable where there is high-policy conflict and low-policy ambiguity, with actors having clearly defined objectives, but differs on appropriate objectives, a top-down approach (“political implementation”) is relevant. It is also applicable where high-policy ambiguity and low-policy conflict bias should be towards the bottom-up perspective which is referred to as “experimental implementation” as well as in situations where there is low-policy conflict and high-policy ambiguity, the symbolic implementation, where local actors find local solutions (bottom-up), is the relevant strategy. (1995:160)

Vertical and horizontal dimensions of policy (Colebatch, 2002): This model combines top-down and bottom-up approaches, with policy processes seen as a product of two intersecting dimensions – the vertical (top-down) and the horizontal (bottom-up) sets of activities. In this model, the vertical dimension includes the activities of various actors (within and outside of government) in the policy process, underpinned by negotiations and consensus among the actors.

Having discussed the various generations of research on implementation, the next point of focus is factors and variables that affect the implementation process, such that the objectives of the policy being implemented are achieved or not achieved. Identifying these variables and factors helps the implementers to predict the likely success or failure of the intended implementation.

2.4 Variables that influence policy implementation process

Various studies have identified factors or variables that significantly affect the policy implementation process and are integral to any conceptual framework of the implementation process. Among these factors are context of the policy, content of the policy, commitment of policy stakeholders at all levels, capacity, clients and coalitions, and coordination. Each of these is discussed below.

2.4.1 Context: issues of decentralisation

Context, in this instance of this study, refers to the institutional and bureaucratic contexts within which a policy is implemented and whether or not such contexts are favourable to implementation. Commenting on this point, Brynard (in Cloete and Wissink (2000:180) argues that the principal issue is the institutional context, which will itself be shaped by the wider context of social economic, political and legal realities affecting the system. The institutional context includes the type of governance (centralised or decentralised) within which a policy is implemented. As the focus of this study is on the implementation of policy in a decentralised state, the next subsections look at what decentralisation is (as a form of governance), what it entails, and how it influences policy implementation.

2.4.1.1 Definition of a decentralised state

Various definitions of “decentralisation” have been offered by different scholars. As defined by Crook and Manor (2000), decentralisation refers to the transfer of powers and resources from higher to lower levels in a political system. Work (2002:5) concurs and adds that decentralisation goes beyond transfer of powers and resources and includes responsibility for planning, management and distribution of resources from central government and its agencies to lower levels of government.

Elsewhere, Work (1999:1) explains that decentralisation can be defined at two levels, the organisational level and the conceptual level.

At an organisational level he defines it as the restructuring or reorganisation of authority so that there is a system of co-responsibility between institutions of governance at the central, regional and local levels according to the principle of subsidiary, thus increasing the overall quality and effectiveness of the system of governance, while increasing the authority and capacities of sub-national levels.

At conceptual level he argues that it relates to the role of, and the relationship between, central and sub-national institutions, whether they are public, private or civic.

2.4.1.2 Types of decentralisation

In broad terms, Crook and Manor (2000), Work (2002), and others identify three types of decentralisation: administrative (or policy) decentralisation, political decentralisation, and fiscal decentralisation. Each of these is further discussed below.

Administrative or policy decentralisation refers to the relative authority or responsibility that state/provincial and local governments have to set goals, muster resources, and administer and implement public policy, and may result either from an actual transfer of policy responsibility from one level of government to another or from the assumption by an 'entrepreneurial' public official of responsibility for public policy in an area where central government coverage is lacking. Montero and Samuels (2004) argue that policy or administrative decentralisation has both *de jure* and *de facto* dimensions:

Sub-national autonomy varies *de jure* in terms of the categories of policies that are assigned (constitutionally or through legislation) to sub-national government and also in terms of conditions (earmarking or mandates) that national government place on the use of fiscal resources or on the range of policy choice. Policy autonomy varied *facto* by the capacity that sub-national governments have to be 'policy entrepreneur', which requires not only fiscal resources but also a capable bureaucracy, which is sometimes not the case. (Montero and Samuels, 2004:6)

Work (2002:6) argues that this type of decentralisation is further divided into two sub-types: de-concentration and delegation. De-concentration refers to the transfer of authority and responsibility from one level of the central government to another while maintaining the same hierarchical levels of accountability from the local units to the central government department which has been decentralised. Delegation refers to a redistribution of authority and

responsibility to local units of government that are may not necessarily be branches or local offices of the delegating authority. With this type of decentralisation the bulk of accountability is still vertical and retained by the delegating central unit.

Fiscal decentralisation applies to all forms of decentralisation. Here some resources are reallocated from central government to sub-national government so that the latter can function properly. Re-allocation of resources is done through arrangements which take into account factors such as interregional equity, availability of resources, etc. Montero and Samuels (2004) add that fiscal decentralisation is further subdivided into revenue decentralisation and expenditure decentralisation.

Revenue decentralisation refers to the relative degree to which sub-national governments come to control the sources of their revenues, usually taxes and/or national government transfers. Expenditure decentralisation refers to the degree to which sub-national governments may autonomously decide how to spend their revenues and how much of their revenues to spend, independently of central government guidelines or earmarking. In practice, fiscal decentralisation may over time occur in both of these forms in the same country.

Political decentralisation refers to the decentralisation of political power and authority to sub-national levels. This is normally done through elected and empowered sub-national forms of government, e.g. provincial and local government. It is done through the devolution of responsibility, decision making, resources and revenue generation to sub-national governments that are autonomous and fully independent from the devolving authority. Montero and Samuels (2004) add that this type of decentralisation is aimed at the executive and legislative offices occupied by politicians and implies that sub-national elections gain added importance for both politicians and citizens.

The next subsection considers the positive and negative effects of decentralisation as a contextual factor in policy implementation.

2.4.1.3 Advantages of decentralisation for policy implementation

Decentralisation is frequently cited as a significant contextual factor in policy implementation. Among its advantages, identified by scholars such as Azfar et al. (2001), Wittenburg (2003), Ehirika (2007) and Galle and Leahy (2009), are the following:

- It helps to promote of allocative efficiency, thus influencing macro-economic governance and promoting local growth and poverty alleviation both directly and through spill-overs.
- It increases productive efficiency and accountability.
- It facilitates cost recovery.
- It helps to promote democratisation (bringing government closer to the people).
- It helps to promote efficiency in provision of services.
- It facilitates development processes.
- It enables sub-national governments to take account of local differences in culture, environment, endowment of natural resources, and economic and social institutions.
- It enables information on local preferences and needs to be extracted more cheaply and accurately by local governments, which are closer to the people and hence more identified with local causes.
- Bringing expenditure assignments closer to revenue sources can enhance accountability and transparency in government actions.
- It can help promote streamlining of public sector activities and development of local democratic traditions.
- It allows citizens to sort themselves according to their preferences for the kind and amount of government services.
- It enhances democracy and protects rights better.
- It allows for innovativeness from an array of local governments as opposed to a single monolithic central authority.

2.4.1.4 Disadvantages of decentralisation for policy implementation

Azfar et al. (2001) group the arguments against decentralisation into two main categories: those focusing on national effects and those focusing on local effects.

With national effects there is a possibility of sub-national governments using their delegated power in ways that exceed the distribution of authority and resources from a national level. Azfar et al. (2001) also note the possibility of sub-national governments making policy in areas that would create inter-jurisdictional spill-over, which would be averted if the initiative remained at central government level. The other disadvantage is that local spheres of government may adopt policies that are in conflict with and thus undermine high-level policy.

Among the disadvantages at local level is the possibility of elite capture of local government through sharing of authority and resources with government units outside the capital, where political restraints on capture are likely to be weaker. There is also a general trend that people tend to pay less attention to local than to national elections, especially where election cycles are frequent, which can open the door to undue influence on local governments by narrow interests. It is also very common to find a situation where local government capacity to manage effectively is much less than that of central government.

Devas (2005) argues in addition that in many countries decentralisation has been driven by “local and national political elites, by certain political realities at the centre, and by external pressures rather than by local democratic demand”. He identifies the following factors that constrain performance and accountability of sub-national governments in a decentralised governance system:

Limited resources: Sub-national governments in most countries do not have sufficient taxing power from which to finance services assigned to them. As a result they are heavily dependent on national government, which eventually undermines effective service delivery and their accountability to local voters and tax payers.

Weak institutional capacity: Lack of financial resources, as noted above, leads to unsystematic decision-making processes, inadequate mechanisms of accountability between officials and elected representatives, and dearth of officials with requisite technical, financial and managerial skills. This is also exacerbated by the general lack of institutional capacity building at sub-national government level.

Inadequate mechanisms of accounting and accountability: Effective systems of accounting and auditing are a cornerstone of accountability – for politicians, administrators and citizens – as they give credibility to information on how resources have been used. Such mechanisms tend, however, to be lacking at sub-national levels of decentralised governments. This is made worse when central governments do not have sufficient capacity to perform external audits on sub-national governments.

Limited availability of information: In most decentralised governments, there is, on the one hand, a general lack of accurate, comprehensive and up-to-date information provided to

citizens on the utilisation of resources, and, on the other, an absence of citizenry able and eager to effectively engage government at all levels on these issues.

Elhiraika (2007) concurs with Devas (2005) in seeing lack of capacity at sub-national government level as a brake on service delivery or policy implementation at local level. He argues further that decentralisation may lead to misalignment of responsibilities owing to incomplete decentralisation or to political factors –as when local authorities are responsible for education, while central government pays teachers. Other problems include a soft budget constraint that leads to over-borrowing by sub-national governments.

Galle and Leahy (2009) argue in addition that decentralisation negatively affects policy implementation in that it leads to inefficiencies when local governments fail to internalise the positive or negative spill-overs generated by their choice. They also argue that it reduces transparency, making it harder to hold officials at all levels to account for their decisions, and can lead to policy diffusion from one level to another.

Charbit (2011:15-16) offers a useful summary of the disadvantages discussed above. His identification, as listed below, of seven generic gaps affecting public policy implementation in decentralised governance can be used as a diagnostic tool for pinpointing policy implementation difficulties in decentralised contexts:

- **Information gaps:** This type of gap is characterised by information asymmetries between levels of government when designing, implementing and delivering public policies.
- **Capacity gaps:** The capacity gap arises where there is a lack of human resources, knowledge resources or infrastructural resources needed to carry out tasks, regardless of the level of government.
- **Fiscal gaps:** This is the difference (or gap) between sub-national government revenue and the actual required expenditures for a sub-national government to meet its responsibilities and implement appropriate development strategies. In some dynamic cases, fiscal gaps may also be characterised by mismatch between budget practices and policy needs.
- **Policy gaps:** This type of gap arises when line ministries take a purely vertical approach to territorial implementation, while sub-national governments may be better placed to customise complementarities between policy fields and concretise cross-sectoral approaches. Limited coordination among line ministries may give rise to problems such as administrative overload or differences in timing and agenda in managing correlated actions.

- **Administrative gaps:** The administrative gap occurs when administration scale for policy making, in terms of spending as well as strategic planning, does not correspond with functionally relevant areas.
- **Objective gaps:** Objective gaps occur when differing rationalities from national and sub-national policy makers obstruct the adoption of convergent strategies.
- **Accountability gaps:** Accountability gaps result from inadequate transparency of practice across different constituencies and levels of government or from integrity issues in relation to policy makers involved in the management of public investment.

Taking a different line, Hill and Hupe (2002) argue that discussions of implementation often fail to deal adequately with the fact that policy processes commonly involve several layers and levels of government. Conceptually, they distinguish between ‘layers’ and ‘levels’:

- ‘Layers’ refer to the formal politico-administrative institutions, including representative organs that have certain territorial competence – in common parlance, the spheres of government: national, provincial and local, etc.
- ‘Levels’ are constitutional, collective or operational. The constitutional level is concerned with institution creation, the collective level is concerned with policy formulation, and the operational level is concerned with implementation.

Hill and Hupe (2002) reiterate the need, acknowledged by some implementation scholars, to specify contexts. In particular they emphasise on the multi-level character of institutional contexts in the research design of implementation studies. They accordingly develop an analytical framework that can be helpful for assessing the context in which practitioners must act, emphasising that it is important to recognise the specific character of that context, and to acknowledge the consequences of certain ways of acting in relation to normative judgement and political will.

2.4.2 Content

Content refers, firstly, to the type of policy – whether the policy is distributive, regulatory or redistributive in nature. Winter, in Palumbo and Calista (1990), argues that the design of a policy determines the extent to which the policy can be implemented and also provides insight into the social and political context in which the policy is set. On the issue of policy type, Brynard (in Cloete and Wissink, 2000:180) argues that there is a widespread implicit realisation that the content of policy is important not only in relation to the means it employs

to achieve its end, but also in relation to its determination of the ends themselves and how it chooses the specific means to reach those ends. Policy characteristics and types have influence on their implementation.

Anderson (1994) identifies five groups of policies, which can be listed as follows:

- **Substantive and procedural policies:** Substantive policies refer to what government is going to do and they directly distribute (to the target population) advantages and disadvantages as well as benefits and costs. Procedural policies, on the other hand, deal with the manner in which things are to be done or who is to take action on particular matters.
- **Distributive, regulatory, self-regulatory, and redistributive policies:** These are policies where the focus is an effect on society. Distributive policies
 - involve allocation of services or benefits to particular segments of the population – individuals, groups, corporations and communities... and they involve using public funds to assist particular groups, communities, or industries.(1994:10)

Regulatory policies impose restrictions or limit the behaviour of individuals or groups and thus restrict the freedom or discretion to act of those who are being regulated. Self-regulatory policies are similar to regulatory policies in that they impose restrictions on individuals or group of people and they differ in that they are sought and supported by the regulated group as a means of protecting or promoting their interests. With the self-regulatory policies, a professional or occupational group acts on its own to seek licensing legislation from the state legislature.

- **Material and symbolic policies:** Whether a policy is material or symbolic is determined by the kinds of benefits it allocates. With material policies, beneficiaries are provided tangible resources or substantive power, and real disadvantages may be imposed on those to whom such a policy is detrimental. Symbolic policies are hollow, as they do not deliver what they appear to deliver to their supposed beneficiaries. Instead they appeal to values such as patriotism, social justice and social cohesion.
- **Policies involving collective goods or private goods:** The concept of collective goods refers to the indivisible goods or services that are provided to the beneficiaries by a policy. National defence is a standard example of a collective good. On the other hand private goods are divisible and may be purchased or charged for by individual

beneficiaries or users and are also available in the market place. Examples of private goods are garbage collection, public housing, health services, etc.

- **Liberal and Conservative Policies:** Liberal policies are those that advocate for or likely to produce change, while conservative policies are those that are likely to preserve status quo in issues being addressed by the policy.

Secondly, policy content refers to the objective of the policy and actions geared towards achieving those objectives. Among the scholars who have stressed the importance of this factor as in the implementation of public policy are Mazmanian and Sabatier (1989), who highlight a number of issues relating to policy content. They argue that policy outputs of implementation agencies, or outcomes of the implementation process, need to be consistent with the official objectives enunciated in the original statute, court case, or other authoritative directive and that other politically significant impacts must be assessed. The authors also emphasise the importance of establishing the extent to which objectives and basic strategies outlined and anticipated in the original directive (or modified during the course of implementation or during the period of policy formulation by the original policymaker) are achieved. They further argue that it is important to identify the principal factors affecting goal attainment, the modifications in goal and strategies, and any other politically significant impacts.

A general conceptual framework for implementation analysis focusing on this issue, developed by Mazmanian and Sabatier (1989), distinguishes three set of factors which affect policy implementation: tractability of the problem(s); ability of the statute to structure the implementation process favourably (statutory variables); and net effect of political variables on the balance of support for statutory objectives (non-statutory variables).

- **Tractability of the problem(s):** This refers to the level of ability to comprehend the problem(s) being addressed by the policy. Variables grouped within this category are:
 - *Technical difficulties:* variables emanating from various technical prerequisites for the achievement of the policy goal;
 - *Diversity of target group behaviour:* diversity of the behaviour to be regulated as a determining factor for level of difficulty in framing clear regulations and thus the amount of discretion to be given to street-level bureaucrats.

- *Target group as percentage of population*: The smaller the group that is targeted by the policy, the easier it would be to implement it, whereas the bigger the group the more difficult it would be to implement the policy.
 - *Extent of behavioural change required*: the degree of behavioural modifications required to achieve statutory objectives, as a function of the absolute number of people in the ultimate target groups and the amount of change required of them.
- **Ability of statute to structure implementation process favourably (statutory variables)**: These variables include clear and consistent objectives, incorporation of adequate causal theory, initial allocation of financial resources, hierarchical integration within and among implementing institutions, decisions rules implementing agencies, recruitment of implementing officials, and formal access by outsiders.
- **Net effect of political variables on balance of support for statutory objectives (non-statutory variables)**: These variables include socio-economic conditions and technology, public support, attitudes and resources of constituency groups, support from sovereigns, and commitment and leadership skill of implementing officials.

Mazmanian and Sabatier (1989) next identify six conditions for effective policy implementation:

- The enabling legislation or other legal directive should mandate policy objectives which are clear and consistent, or at least provide substantive criteria for resolving policy goal conflicts.
- The enabling legislation should incorporate a sound theory that identifies principal factors and causal linkages affecting a policy objective and gives implementing officials sufficient jurisdiction over target groups and other points of leverage, conducive to attainment of the desired goals.
- The enabling legislation should structure the implementation process so as to maximize potential for the implementing officials and target groups to perform as required.
- The leaders of the implementing agency should possess requisite managerial and political skills and should be committed to the attainment of the set goals.
- There should be support throughout the implementation process from organised constituency groups and relevant legislators.
- The relative priority of statutory objectives should not, over time, be undermined by the emergence of conflicting public policies or by changes in relevant socio-economic conditions which weaken the statute's causal theory or political support.

Elmore (1978:195) identifies four main ingredients for effective implementation that are related to the content of the policy: clearly specified tasks and objectives that accurately reflect the intent of policy; a management plan that allocates tasks and performance standards to sub-units; an objective means of measuring sub-unit performance; and a system of management controls and social sanctions sufficient to hold subordinates accountable for their performance. He attributes failures of performance to lapses of planning, specification and control.

Nakamura and Smallwood (1980) argue that policy implementation is an integral part of the policy process and dependent on other parts that form the entire process. They see the policy process as a system comprised of three main functional environments –policy formulation, policy implementation and policy evaluation – each of which contains a number of actors and arenas, all interconnected through communications and compliance linkages. They argue that what takes place in the implementation process is linked to what happens in the policy formulation and evaluation process. In addition, Nakamura (1987:152) notes that

[since] policy functions can be performed by various agents at various times, the formal sequence and nominal division of labour are not useful boundaries along which to divide scholarly efforts. Rather than trying to fit activities into a preconceived mode vis-à-vis other hypothetical stages, the generic problems of each set of activities could be discussed in light of the context in which they are encountered.

Zheng (1999: 28) comments that the suggestion by Nakamura and Smallwood (1980)

for disregarding the boundaries of policy stages may bring the discussions back to where implementation studies got started: retracing the trajectory of a policy's development from beginning to end and enumerating each significant happening during the process, is not very useful if one's purposes were to develop more generalisable knowledge about implementation behaviours and to understand what factors are critical for successful policy implementation.

2.4.3 Commitment

Commitment refers to the degree of loyalty to a policy implementation which is exhibited by those responsible for carrying it out.

Commitment is important not only at the 'street-level' but also at all levels through which policy passes – in cases of international commitment, this

includes the regime level, the state level, the street-level, and all levels in between. (Brynard, 2000:181).

Extending this point' Makinde (2005) notes that most implementers are able to exercise substantial discretion in the implementation of policies either because they are independent from their nominal superiors who formulate the policies or as a result of the complexity of the policy itself. He argues further that the way implementers exercise their discretion depends to a large extent on their disposition towards the policy itself, meaning that the level of success depends on how the implementers think the policy will affect their organisational and personal interest. For example, where a policy will affect them negatively, their attitude towards its implementation will be affected negatively, and where it will affect them positively their disposition towards its implementation will be a positive one.

2.4.4 Capacity

Capacity refers the structural, functional and cultural ability of an institution to implement the policy objectives of government. It includes resources (human and material) such as an adequate complement of appropriately qualified and equipped personnel to carry out the implement, coupled with relevant and adequate information on implementation process, authority to ensure that policies are carried out as they are intended, and facilities such as buildings and equipment, as may be deemed necessary for the successful implementation of the policy (Makinde, 2005:64). Without adequate resources it would be impossible to implement policies.

2.4.5 Clients and coalitions

Clients and coalitions refer to cooperative merging of interest groups, opinion leaders and other relevant outside stakeholders with whom government may join forces to implement a policy. Sutton (1999: 7) defines a policy coalition as "individuals and organisations which share similar belief systems, codes of conduct and established patterns of behaviour".

2.4.6 Coordination

Policy implementation is affected by horizontal and vertical coordination of implementers at different levels. Policy implementation takes place in a variety of institutional settings, each characterised by its own organisational behaviour, and it requires that these diverse participants must be able to work together. On this point, Makinde (2005:64) argues that, even though other factors are in place, problems in implementation can still arise if there is no

efficient bureaucratic structure – especially when dealing with complex policies. A similar point is made by Edward III (1980), who warns that organisational fragmentation may hinder the coordination which is necessary for the successful implementation of a complex policy – especially one that requires the cooperation of various stakeholders and implementers. There is a possibility of confusion that leads to policies working at cross-purposes, with important functions being overlooked.

2.4.7 Communication

Communication plays a crucial role in the effective implementation of public policy. On this point, Makinde (2005:64) notes that orders to implement policies need to be clearly, accurately and consistently communicated to the appropriate personnel to avoid confusion or misunderstanding on their part as to what is required of them. And while implementation instructions that fail to be transmitted or are distorted in transmission or vague or inconsistent may seriously hinder policy implementation, it is equally possible that directives that are too precise may negatively affect implementation by stifling creativity and adaptability, not allowing implementers room to exercise discretion and flexibility where needed (Makinde, 2005).

2.5 Development of a conceptual framework for this study

This study will use the seven factors affecting policy implementation, as discussed above, as a paradigm within which the study is situated and as a tool of analysis to detect levels of implementation of the Language Policy in KwaZulu-Natal. The data collected will be subjected to rigorous scrutiny of the seven factors as follows:

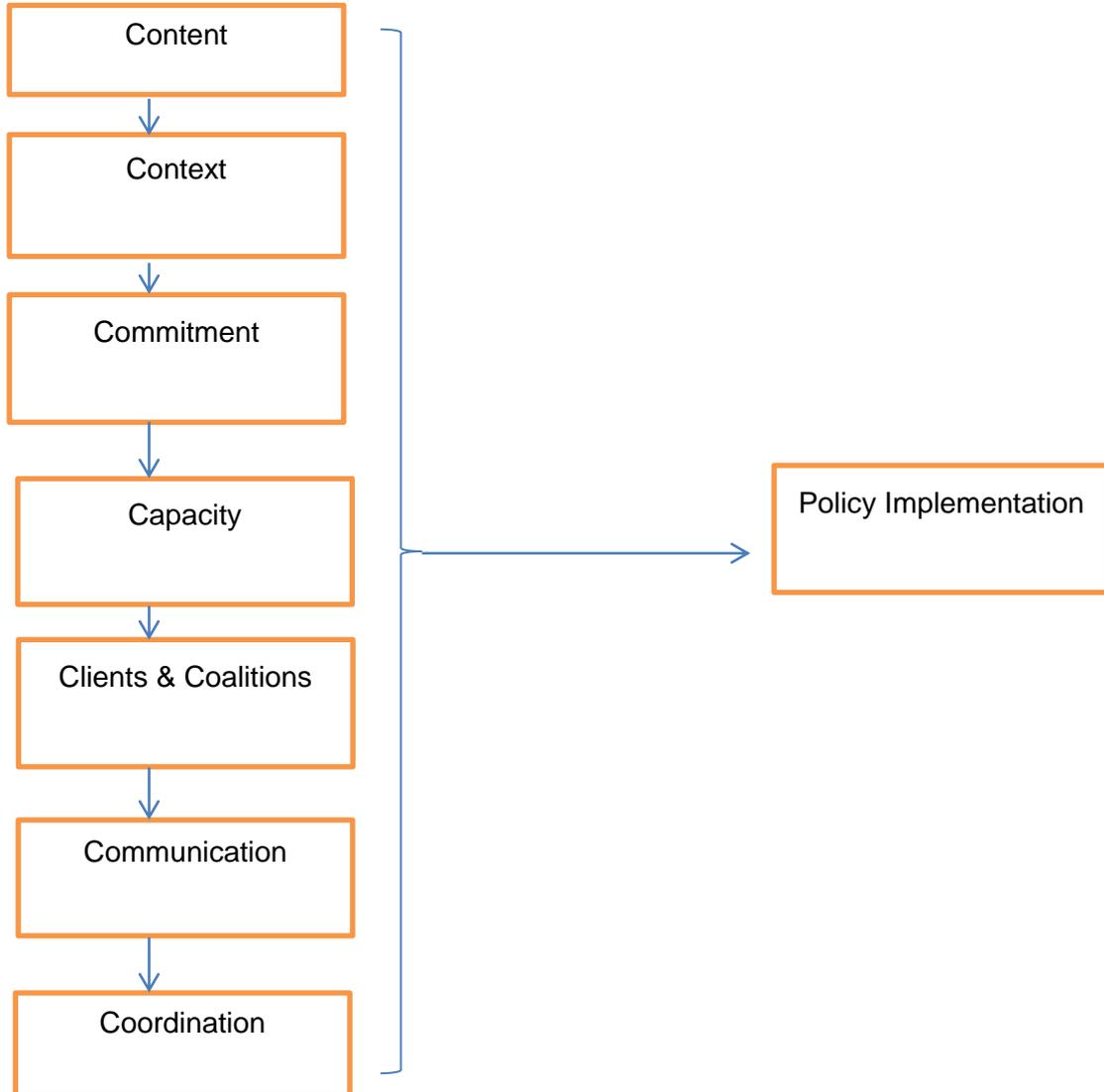
- **Content:** The focus will be on establishing what type of a policy the Language Policy is – whether it is distributive, regulatory or redistributive – in view of the

widespread implicit realisation that the content of policy is important not only in the means it employs to achieve its ends, but also in its determination of the ends themselves and how it chooses the specific means to reach those ends” (Brynard, in Cloete and Wissink,2000:180).

- **Context:** The aim will be to establish the role played by the institutional context as a corridor for effective implementation of the policy. Institutional context will include, inter alia, the social, economic, political and legal realities of the system within which the Language Policy is implemented. It is in relation to this variable that the issue of the nature of governance (decentralised state) will be intensively explored to determine,

among other things, whether the generic advantages and disadvantages of decentralisation (as discussed above) have any effect on the implementation of the Language Policy.

- **Commitment:** This variable will be used to establish the commitment of actors, at all levels, to implementation of the Policy. This is important because a policy cannot be implemented if those responsible for the implementation are unwilling, no matter how good the policy might be and no matter the amount of resources are put aside for that.
- **Capacity:** This is aimed at establishing the (structural, functional and cultural) capacity of the province to implement the policy. The focus will be on the type of capacity required, where it is required and the manner in which it is created and operationalized by the province in implementing the Policy.
- **Client and coalitions:** The role of clients and coalitions (key relevant stakeholders) in the implementation of the Language Policy in the province will be scrutinized.
- **Communication:** This variable or factor will be used to establish whether the orders to implement language policy were transmitted to the appropriate personnel in a clear manner, with accurate and consistent orders.
- **Coordination:** This variable or factor will be used to establish whether an efficient bureaucratic structure is in place that has responsibility for coordinating the implementation of the Language Policy by all relevant implementers.

Independent Variables**Dependant Variable****Figure 2-1 Conceptual Framework**

2.6 Conclusion

This chapter looked into the definition of policy implementation by various scholars and what it (policy implementation) entails. Taking from the various definitions discussed above, for the purpose of this study I would define policy implementation as referring to *the plan for, the activities towards and the achievement of the policy objectives*.

The chapter also looked at the three generations of research into implementation. The first generation, referred to as the classical model, held the view that implementation is rational, like an automatic cog within a rationalised administrative machine; the second generation came about in recognition of the inefficiency of the first generation. It springs from the realisation, through various case studies, that policy implementation is a complex process and is an important part of the policy-making process. It is in this generation that the debate between top-down and bottom-up proponents originated, as researchers disagreed on what should constitute successful implementation, especially in multi-actor settings. The third generation entails a search for a holistic implementation theory. This involves the evolvement of new models of implementation that incorporate the strengths of both the top-down and bottom-up perspectives.

The discussion in this chapter has also established that a range of factors and variables influence public policy implementation. It is these factors and variables that form the basis for the conceptual framework of this study.

Chapter 3

Literature review

3.1 Introduction

Following the definitions in the previous chapter of public policy implementation and the factors that affect it, on which the conceptual framework of this study is based, this chapter focuses on the studies that have been done relating to public policy implementation in a decentralised state in general, and on language policy implementation in particular, within a decentralised state, both internationally and in South Africa. The focus will be on how the factors identified in the previous chapter affect public policy in a decentralised state. The aim is to relate the study to other studies done in the field and to identify gaps in terms the related knowledge which provided grounds for this research.

3.2 Factors affecting public policy implementation in a decentralised state

International experience indicates that policies, once adopted, are not necessarily implemented as intended and do not always achieve the intended results (Pressman & Wildavsky 1973:32; Bhuyan et al. 2010:1). As indicated in the previous chapter, there are various factors which have been identified as affecting the implementation of policies, and the literature studied to establish how they affect public policy in a decentralised state is discussed below.

3.2.1 Context

Context as a factor includes the type of governance (central or decentralised state). Public policy implementation in decentralised states is often fraught with problems that arise from a policy being implemented by one level of government which was formulated by a different level of government. In decentralised states a policy implementation gap can occur when policy is imposed from the centre without considering how it might be received or perceived at sub-national level.

South Africa is a decentralised state and the discussion below, which consider show the country is decentralised, is recalled later in this study in establishing how the decentralisation has affected implementation of language policy.

Based on the definitions of decentralisation and its various types discussed in Chapter 2, it is clear that South Africa is a decentralised state with three spheres of government, that is, national, provincial and local spheres. The basis for South Africa's decentralisation is the 1996 Constitution, which is the supreme law of the country. The Constitution provides for the three types of decentralisation: political administrative and fiscal.

3.2.1.1 Political decentralisation

At a political level the Constitution stipulates that there are three tiers of government in the country: national government, provincial governments and local governments.

In terms of the Constitution, national government is made up of the Legislative Authority (Parliament, which consists of the National Assembly and the National Council of Provinces), the Executive Authority (the Cabinet, which consists of the State President, the Deputy President and Ministers) and the Judicial Authority (which consists of the Constitutional Court, the Supreme Court of Appeal, the high Courts and the magistrates' courts).

South Africa has nine provinces, created by Chapter 6 (sections 104-124) of the Constitution: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West and Western Cape. Each provincial government consists of the legislative authority (a Provincial Legislature) and the Executive Authority (comprised of the Premier and Members of provincial Executive Council); there is no Judicial Authority in provinces.

Schedule 4 of the Constitution outlines the functional areas of concurrent national and provincial legislative competence. Part A of Schedule 4 lists "language policy and the regulation of official languages to the extent that the provision of section 6 of the Constitution expressly confer upon the Provincial Legislatures legislative competence" as one of the areas of concurrent national and provincial legislative competence.

Schedule 5 of the Constitution lists functional areas of exclusive provincial legislative competence. In terms of section 104 of the Constitution, Provincial Legislatures have the power, firstly, to pass a constitution for their provinces; secondly, to pass legislation for their

provinces with regard to any matter within a functional areas listed in Schedules 4 and 5 and any matter outside those functional areas, expressly assigned to the province/s by national legislation, and/or any matter for which a provision of the Constitution envisages the enactment of provincial legislation; and lastly, to assign any of their legislative powers to a municipal council in their respective provinces.

Section 105 of the Constitution outlines the process for the election and composition of Provincial Legislatures, the system of which is prescribed by national legislation and based on each province's segment of the national voters' roll.

Within each province there are municipal councils (district, metropolitan and local councils) which constitute local governments. Local governments are established by Chapter 7 (sections 151-164) of the Constitution. The executive and legislative authority of a municipality is vested in its Municipal Council. Section 151(4) of the Constitution stipulates that "the national or a provincial government may not compromise or impede a municipality's ability or right to exercise its powers or perform its functions."

The objects of local government as outlined in section 152 of the Constitution are to provide democratic and accountable government for local communities; ensure the provision of services to communities in a sustainable manner; promote social and economic development; promote a safe and healthy environment; and encourage the involvement of communities and community organisations in the matters of local government.

Municipalities are expected to try and achieve these objectives within their financial and administrative capacity.

3.2.1.2 Administrative decentralisation

At an administrative level, decentralisation is catered for in Chapter 10 of the Constitution. In terms of Section 125 of the Constitution, each provincial Executive Council, led by its Premier has the responsibility, among other things, to implement provincial legislation in the province; implement all national legislation within the functional areas listed in Schedule 4 or 5 except where the Constitution or an Act of Parliament provides otherwise; administer in the province, national legislation not included in Schedule 4 or 5, assigned to it by an Act of Parliament; develop and implement provincial policy; coordinate the functions of the provincial administration and its department; and to prepare and initiate provincial legislation.

In terms of section 7(2) of the Public Service Act (Proclamation 103 of 1994), each province has its own provincial administration headed by a Director-General, and these provincial administrations have a duty, among other things, to develop provincial policies and legislation aimed at developing their respective provinces, through the application of the principles contained in national policy and legislation.

Momoniati (2001: 4) identifies two important aspects in the administrative decentralisation in South Africa that need to be noted.

Firstly, the one million public servants employed by national and provincial governments comprise one single public service (with similar remuneration for similar rankings, irrespective of function)... Municipal employees are [neither] part of this public service, nor any uniform municipal service, but employees of their respective municipalities only. Secondly there is a high level of unionisation, and collective bargaining. This reinforces the uniform nature of the public service, not only at national and provincial level, but it drives municipalities to converge towards similar conditions of service and salary structures”

3.2.1.3 Fiscal decentralisation

At a fiscal level decentralisation is catered for in Chapter 13 of the Constitution.

Section 213(1) of the Constitution stipulates that “there is a National Revenue Fund into which all money received by the national government must be paid, except money reasonably excluded by an Act of Parliament’.

Section 214(1) stipulates that an Act of Parliament should provide for the equitable division of revenue raised nationally among the national, provincial and local spheres of government; the determination of each province’s equitable share of the provincial share of that revenue; and any other allocations to provinces, local government or municipalities from the national government’s share of that revenue, and any conditions on which those allocations may be made.

Public Finance Management Act (Act 1 of 1999 as amended by Act 29 of 1999) gives effect to sections 213, 215, 216, 217, and 219 of the Constitution, which, inter alia, require national legislation to introduce uniform treasury norms and standards, to prescribe measures to ensure transparency and expenditure control in all spheres of government and procurement and oversight over the various national and provincial revenue funds.

Municipal Finance Management Act No. 56 of 2003 gives effect to the provisions of the Constitution that require regulation of the management of public funds at local government level. This Act provides legal mandate, at local government level, for the sound and sustainable management of the fiscal and financial affairs of municipalities and municipal entities, by establishing norms and standards, as well as other requirements for the management of their finances.

Elhiraika (2007) notes that South Africa “is characterised by a relatively high degree of fiscal decentralisation in terms of expenditure responsibilities and administration ... [but] owing to acute historical imbalances across provinces and municipalities, constitutional and institutional arrangements allow for extremely limited revenue autonomy”. This situation causes South African sub-national governments to be highly dependent on intergovernmental transfer from the central government, compared with those in other developing countries.

Momoniati (2001: 18) notes both that

decentralisation is more likely to be successful if all allocations to perform functions are properly budgeted for in sub-national budgets. A problem with grants-in-aid kind is that they are often budgeted for at the national level but are not taken into account in sub-national budgets. This can undermine transparency and accountability at the sub-national level.

and that

[decentralisation] will not work if problems of capacity, budgeting, financial management, reporting, information and transparency are not addressed simultaneously. These are fundamental building blocks of good and effective government. They are probably more critical in decentralised context, because if these are not addressed the problem surrounding assignment of functions and sequencing cannot be solved anyway.

Although governance in South Africa is significantly decentralised, Chapter 3 of the Constitution nonetheless emphasises the importance of cooperative governance. Intergovernmental relations in the country are regulated by the Intergovernmental Relations Framework Act No 13 Of 2005 the object of which is to provide, in line with Chapter 3 of the Constitution, a framework for the three spheres of government to facilitate coordination in the implementation of policy and legislation that includes coherent government, effective provision of services, monitoring implementation of policy and legislation, and realisation of national priorities.

The Department of Local Government (2008), in its report on the state of intergovernmental relations in South Africa, notes that the “creation by the Constitution of [the] decentralised governance system which comprised the three distinct but interrelated spheres of government ... gave rise to the need for a systematic system of intergovernmental relations (IGR) to give effect to the principles of cooperative government.” (2008:5)

The Constitution binds all three spheres of government and organs of state within each sphere to the following three basic principles, which are aimed at realising the objectives of cooperative governance:

- A common loyalty to the Republic as a whole. This means that all spheres of government are committed to secure the well-being of the citizens of the country and therefore must provide effective, transparent, accountable and coherent government, which is the object of cooperative government.
- The distinctiveness of the spheres should be respected. This means that each sphere must remain within its constitutional mandate, and when exercising its powers, must not do so in a manner that encroaches on the geographical, functional or institutional integrity of another sphere, except where specifically declared otherwise.
- The spheres of government must take concrete steps to realise cooperative government by fostering friendly relations; assisting and supporting one another; informing one another of, and consulting one another on, matters of common interest; coordinating their actions and legislation with one another; adhering to agreed procedures; and avoiding legal proceedings against one another.

Other factors that affect implementation in decentralised states relate to issues such as capacity, coordination, communication and commitment of the implementers and stakeholders, and these are discussed in detail below.

3.2.2 Content

Content refers to the type of policy that is to be implemented, with policies being either distributive, regulatory or redistributive (Brynard, in Cloete and Wissink, 2000: 179). Distributive policies are those that create public goods for the general public; regulatory policies specify rules of conduct with sanctions for failure to comply; redistributive policies

are aimed at changing allocation of resources or power from one group to the other. The content of policy is important not only in the means it employs to achieve its objective but also in its resolve to achieve its objective.

On this point, Mthethwa (2012:40) argues that “the starting point for a policy implementation assessment is the policy itself. The policy’s content, formulation process, and extent of its dissemination influence whether the necessary content is in place to support effective implementation.” Similarly Klein and Knight (2005: 245) note that a policy designed without meaningful stakeholder engagement may be more difficult to implement because it does not consider the needs of, or engender buy-in and ownership from, those who will implement or benefit from it.

3.2.3 Capacity

Literature has shown that capacity is one of the factors on which policy success crucially depends. Capacity refers to the availability of and access to concrete or tangible (human, financial, material, technological, logistical, etc.) resources. It “also includes the intangible requirements of leadership, motivation, commitment, willingness, courage, and other intangible attributes to transform rhetoric into action” (Brynard in Cloete and Wissink 2000:182).

For any policy to be implemented successfully, a combination of adequate resources (as defined and outlined above) must be made available. In decentralised states, though, the reality is that policies are normally made at central government, which is better resourced than sub-national governments. Sub-national governments are then expected to prioritise within their limited resources to ensure that the policy is implemented, which leads, in most cases, to ineffective implementation or no implementation at all. For any policy to be implemented successfully in a decentralised state, government must ensure that there is adequate capacity to do so at all levels. That should include the strengthening of provincial planning and micro-planning mechanisms.

3.2.4 Commitment

Capacity, admittedly a difficult issue, is something that policy can address, but commitment, which refers to the will, attitudes, motivation, and beliefs that underlie an implementer’s response to a policy’s goals or strategies, is less amenable to policy intervention

(McLaughlin, 1987: 172). No matter how good and logical the policy maybe, and with well-resourced bureaucratic structure to implement it, if those tasked with implementing it are unwilling or unable to do so, little, if anything, will happen (Warwick, 1982:135).

Commitment is important at all levels of implementation. Among the many factors that influence commitment are contending policy priorities, presence or lack of incentives, environmental stability, competing centres of authority, and limited resources (McLaughlin, 1987). Some implementing agencies, for instance, may see the policy or its implementation as impeding local initiatives or affecting them negatively and then decide not to implement it (Spratt 2009).

On this point, Wilson (2006) argues that ambiguous definitions and responsibilities, at times exacerbated by resistance from bureaucratic officials at higher levels, can generate conflict. He cites the example of Mexico, where the process of decentralisation encountered major resistance, even though it was federally mandated and embodied a serious commitment to devolve responsibilities to sub-national governments. In education, for instance, there was little ambiguity in the legislative guidelines, but fears about possible resource withholding by central government, resistance from teachers' union over implementation and effective control of hiring practices, and the anomalies arising from an existing dual system in some states all emerged as important constraints on implementation.

3.2.5 Coordination

Implementation involves different actors with different agendas. Coordinating and linking these actors is one of the indispensable elements of policy implementation, as public policy implementation relies on joint efforts of different implementers and authorities at various levels for it to be effective. Emphasising this point, scholars such as Bardach (1998); and O'Toole and Monjoy (1984) all agree that inter-organisational relationships need to be taken into account when policies are carried out at local level. This is particularly so because imperfect coordination of policy implementation among different levels or spheres of government has been identified as a frequent problem in implementation, especially in decentralised states.

Resource interdependence, goal congruence and mutual trust have been identified as important factors that increase inter-organisational cooperation when policies are implemented (Lundin, 2007). During implementation, organisations cooperate; they exchange

and share (normally scarce) resources and this enhances achievement of organisational goals. Thompson (cited in O'Toole&Monjoy1984) distinguishes between three types of interdependence:

- Pooled interdependence, where each agency/actor provides its own contributions but they do not deal with each other directly.
- Sequential interdependence, where actors work one after the other in a dependent sequence (as a value chain) to implement a programme. The problem with this type of interdependence, however, is that if a delay occurs at any point, it delays and influences everyone else in the chain.
- Reciprocal interdependence, where the organisations have to adjust mutually to coordinate with each other. Although this type of interdependence gives rise to a great deal of uncertainty, it has the potential advantage of forcing greater inter-organisational adoption of policy.

Shared interests and similar commitment to a policy promote cooperation among implementers at different levels (O'Toole 2003, 239-42). Mutual trust also increases cooperation, as it facilitates interpersonal acceptance and openness of expression. Lundin (2007:52) argues that the effect of goal congruence is dependent on mutual trust and that, if organisations do not trust each other, similar priorities are irrelevant. He further argues that if the authorities' objectives diverge widely, trust does not increase cooperation.

Expanding on the issue of coordination, Charbit (2011) points out that there are several mechanisms for coordinating public policy implementation in decentralised contexts and reinforcing capacity at different levels of government. These mechanisms are to a greater or lesser degree binding, flexible and formal. Each mechanism can be of practical help in bridging various gaps, and a specific difficulty may require the combination of several mechanisms. These mechanisms include signing of contracts between levels of government; evaluation and performance measurement, including financial control; grants and co-funding agreements; strategic planning and multi-annual budgeting; inter-government and inter-sectoral coordination; legal mechanisms and standard settings; and institutional capacity indicators.

Coordination can include the establishment or appointing of a structure that would coordinate all activities related to the implementation of the policy or programme. Such a structure

would be responsible for, among other things, the development and execution of implementation plans, and providing progress reports to the policymakers on regular basis. It can also include the creation of another structure that will be responsible for monitoring and evaluating the implementation of the policy. These structures would be intra-, inter- and extra-governmental in nature to ensure inclusivity and participation of all relevant stakeholders.

3.2.6 Clients and coalitions

Clients and coalitions are the entities and coalitions of interest groups, opinion leaders and other outside stakeholders with which government can join hands to support implementation of a policy. In emphasising this point, Kroon (2000) argues that the relationship between the actors that implement the policy and the specific target group to which it is directed is very important. Without the meaningful cooperation of the target group, a policy cannot be successfully implemented. A clear vision of the policy means and aims, and of the benefits that are to be expected when they are implemented, is crucial for willingness of the target group to cooperate in the implementation of the policy. As an example of limited cooperation by the target group in the field of language policy Kroon cites the case of Eritrea, where language policy had been based on the fundamental belief that all languages are equal and should get equal opportunity and attention to grow. In this country, all children of school-going age have a right to begin schooling in their mother tongue (i.e., in one of the nine languages that are spoken by its ethno-linguistic communities). However the implementation has been constrained not only by problems related to shortage of teachers and teaching material, but also problems of resistance from the intended beneficiaries, who regard use of their mother tongues as languages of instruction as a serious drawback for their children in a society where Arabic and Tigrigna have dominance and prestige.

3.2.7 Communication

Communication failures between policy makers and subordinates are also identified as a problem area for implementation of policy in decentralised states. National policies are normally broad frameworks, not always accompanied by guidelines or plans that specify implementation mechanisms and clarify the means, roles and responsibilities of specific agencies (Kai Spratt 2009). Clarification of the means refers to both the tools to be used in the

implementation of policy, as well as the variations in such means across implementation sites (Lester et al. 1987; Cline, 2000).

There is therefore a need for broader consultation with various stakeholders at different stages of the implementation process if such implementation is to be effective. Lack of clarity or information on policy can also lead to implementers failing to commit to the implementation.

All the factors that have been discussed above are interrelated and interdependent. Lack or absence of anyone of these can negatively affect policy implementation and they must therefore all be taken into account for a policy to be implemented effectively at all levels of government.

3.3 Language policy and its implementation

Language policy can be defined from two main perspectives, the linguistic perspective (language planning) and the public policy perspective. Kaplan and Baldauf (1997), for instance, see language policy as a body of ideas, laws, regulations, rules and practices intended to achieve planned language change in the society, group or system, and suggest that there are four different categories of language policy and planning: status planning, which is about society (external factors); corpus planning, which is about the language itself; language-in-education planning, which refers to language learning and acquisition; and prestige and image planning, pertaining to the image of the language in society.

Kaplan and Widdowson (cited in Lo Bianco, 2000) suggest that “in the language planning field the systematic study of languages falls within either a pedagogical framework or a sociologically oriented framework”.

Language planning from a sociological oriented framework, which is the main focus of this study, is divided into three main categories: status planning, which refers to a relative position and role of different languages or their varieties within an administrative or political unit; corpus planning, which refers to the technical work to the internal resources, (words, grammar, sounds, orthography, terminology, etc.) of a language; and acquisition planning, which refers to the policies that public authorities adopt towards the learning and use of languages.

Among those approaching language policies from the linguistic perspective, Lo Bianco, (2000) argues that the dominant theoretical framework in the field of making policy around language issues emerges from the applied linguistics and sociolinguistics fields, commonly known as language planning.

Grin (1996:31), on the other hand, approaching language policy from the public policy perspective, defines language policy as

a systematic, rational theory-based effort at the societal level to solve language problems with a view to increasing welfare. It is typically conducted by official bodies or their surrogates and aimed at part or all of the population living under its jurisdiction.

In a different account of language policy as a public policy entails, Baldauf Jr. (2012) makes a distinction between language policy as the plan (the laws, regulations, rules and pronouncements or statement of intent, which may be substantive or symbolic) and language planning as the implementation (how plans are put into practice). He points out that these terms are normally used interchangeably within the linguistic field.

Expanding on the theme of language policy as public policy, Grin (2005) argues that since public policies are developed as a legitimate societal and political response to conflicts associated with both diversity and threat to diversity, language policy is one of those policies broadly characterised as diversity management policies. The other main aim for language policy, like any form of public policy, is to solve problems with a view to increasing welfare of the citizens.

Linking the two views of language policy Kamwangamulu (2009) sees language planning as a multi-dimensional affair, which means that language problems cannot be solved by giving attention to language alone; what must also be taken into account are the social, economic and political contexts in which a language functions.

He argues that language planning involves the formulation of goals to be achieved, the codification of strategies which would allow for the goals to be achieved, and the elaboration of policy to determine whether the choices made are the best to the proposed goals. It also involves the assessment of commitments to, and allocation of, valuable resources for the implementation of the policy to ensure that the desired outcomes or goals are achieved, combined with evaluation of the policy to determine its success or failure.

3.3.1 Factors affecting language policy implementation

Implementation of a multilingual language policy as an aspect of public policy implementation is subject to the constraints and tensions associated with public policy implementation. And as is the case with other public policies, there is a perpetual search for optimal approaches that will facilitate the implementation of multilingual policies (Mwaniki, in Cuvelier et al. 2010: 68).

Schiffman (2006) regards implementation as the ‘Achilles heel’ of Language Policy. He attributes failure of language policy to two main causes: One is the fact that language policy is often set (decreed, determined and ordained) by amateurs, people who are neither qualified nor experienced to do so. The second is the fact that people who are “novices at language planning who would hand down a few decrees, make grandiloquent statements, promulgations, decrees, [then] sit back and expect things to just happen” (Schiffman, 2006:3). This relates to lack of capacity at both the level of policymaking and the level of policy implementation.

Schiffman (2006) also points to three factors that affect language policy implementation – deciding on concrete steps towards policy implementation, allocation of financial resources, and need to devise time tables for completion, evaluation, enforcement, and cross-checking among implementers– and cautions that taking the ‘long view’ of the process may not outlast the impatience of politicians seeking quick fixes for a problem. This relates to capacity and coordination that is necessary for any policy to be implemented effectively.

Schiffman (2006) also sees language policy as consisting of overt and covert elements. The overt element refers to the official top-down written policy. Within it are the covert elements: the unofficial, grass-root, implicit, unwritten and de facto elements of the policy:

Covert policy may be subversive, complicit (meant as ‘window-dressing’ or ‘face-saving’ devices). [This] may be something unintended –the seeds of the destruction or failure of the policy are in the policy [itself], but the policy makers don’t know it. Covert policy may also be cynically subversive, where the authorities want it to fail and have planned for it to fail – by setting unrealistic goals. It can also be nefarious and hypocritical, in that policy makers deny that they want it to fail [because of hidden agendas] and policy makers have chosen it on condition that it never be implemented or that it be guaranteed to fail. (2006:42)

Schiffman goes on to advise that for language policies to be effective they need to have explicit and realistic goals and should not be too ambitious or try to be too egalitarian. This relates to policy content which may have an impact on the commitment of implementers to implement the policy.

In contrast, Webb (2002: 42) argues that

language planning is, essentially, a top/down activity, as it needs to be authoritative, requires governmental resources and needs to be effectively managed. However, if language planning does not have the support of the communities it is intended for, it cannot succeed (without excessive force). To be effective, language planning needs to be complemented by a bottom/up approach.... language policy development as well as implementation needs the direct involvement of citizens, through awareness campaigns, and with continual dialogue between government agencies, the private sector, labour organisations and the union movement, non- governmental organisations and any other bodies which are involved.

Wright (2007), on the other hand, argues that for a language policy to be successful it needs to harness prevailing social motivation. This is particularly the case with macro-policy, where the broad scale of social language practice is typically at odds with the very modest language planning resources available. In consequence, language practice in the upper levels of society tend to follow the axis of power, and specifically to support the needs of the central economy where capitalist wealth is created.

A number of studies on language policy implementation generally, and in South Africa in particular, have used the 'language management approach' as the tool of analysis. Mwaniki (2004:222), for instance, points out that

language management as a discipline...serves to critique and question the established traditions in language planning research and scholarship, especially with regard to the adequacy of language planning theory in generating frameworks that can be deployed to facilitate multilingual language policy and language planning implementation.

Kaplan and Baldauf Jr. (1997:3) define language planning as

a body of ideas, laws and regulations (language policy), change rules, beliefs, and practices intended to achieve a planned change (or to stop change from happening) in the language use in one or more communities [which] involves deliberate, although not always overt, future oriented change in systems of language code and/ or speaking in a societal context.

The language management approach, as reconstructed by Mwaniki (2004), identifies eight variables as important for multilingual language policy implementation, which Mwaniki (2004:242) describes as

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 to succeed, actors involved in the implementation process must strive to ensure that they secure the greatest possible mix of [these] variables.

The eight variables may be outlined as follows:

- Linguistic variables: These relate to language planning, as an organised activity to study language issues for solving language problems. It is comprised of various types of planning: status language planning, corpus planning, prestige planning, and acquisition planning. This variable deals with the issue of development and promotion of official languages to a level where they are able to serve all functions (communication, education, cultural, socio-economic, etc.) in the society.
- Political variables: These relate to issues such as political will, support and elite closure, as factors that need to be taken into consideration and addressed for effective and efficient language policy implementation.
- Legal variables: These relate to the requisite legal instruments (such as the provisions of the Constitution on languages and language legislation) which are and should be in place to ensure effective language policy implementation.
- Economic variables: These relate to the setting aside of the resources which are necessary for the effective, efficient and economical implementation of the Language Policy and the way the setting aside of such resources is regarded by the relevant authorities (whether they are seen as investment or waste)
- Socio-cultural variables: These relate to the extent to which implementation of the Language Policy takes into consideration socio-cultural issues of the community in which it is implemented.
- Management variables: These relate to the management principles which entail the establishment of effective means and strategies for the implementation of policies.
- Educational variables: As described by (Mwaniki, 2004:231), “Educational variables for multilingual policy implementation relate to the insight...that multilingual policy

implementation must remain conscious to the educational needs of the society in which the language policy is being implemented.”

- Technological variables: These relate to the need to take into account the technological advances which can play a role in the implementation of the policy. There are opportunities that are offered by technology, especially the role that it can play in the human language technology field.

Although the language management approach variables can provide some assistance in this study, they mainly focus on language planning, whereas this study is focused on public policy implementation and as such looks at the Language Policy as a public policy. Some of the language management approach variables can and will be accommodated in the seven factors affecting public policy implementation as discussed above. For instance, the economic variables of the language management approach can and will be accommodated under the “Capacity” variable; political variables can and will be accommodated under “Commitment”; linguistic, legal, economic, educational, technological and socio-cultural variables can and will be accommodated under “Context”.

Closer to home, Kamwangamulu (2009) points out that language policies in Africa have been affected by a range of ideologies, among which are the ideology of development, as set against the ideology of decolonisation, the ideology of globalisation, as set against the ideology of localisation, and the legacy of inherited colonial language policies. He defines the ideology of development as a set of beliefs that perpetuates the colonial myth that indigenous African languages are inferior and therefore cannot be used in higher domains, and that these languages are good only for preserving African cultures and traditions. This relates to the context within which policies are developed and implemented.

3.3.2 Implementation of language policy in South Africa

South Africa is a decentralised state. Its policies are accordingly implemented in a context of decentralisation, and language policy is no exception. Language policy is linked to all three levels of governance in terms of constitutional provisions. As discussed earlier, Schedule 4 A of the Constitution lists language policy and the regulation of official languages as a functional area of concurrent national and provincial legislative competence. Section 6(4) of the Constitution requires the national government and the provincial governments to regulate and monitor their use of official languages, which they must do through legislative and other

measures. In addition, the same section of the Constitution emphasises the need for all eleven official languages to enjoy parity of esteem and to be treated equitably.

In outlining the implementation of language policy in South Africa, Beukes (2004:6) notes that at national level the responsibilities for language management are shared by four government departments: the Department of Arts and Culture, responsible for macro policy; the Department of Education, responsible for Language in Education Policy which includes learning and teaching in public schools, schools curricula, language-related duties of provincial departments of education and school governing bodies, and policy for higher education; the Department of Communication, responsible for language policy in respect of the public broadcaster; and the Department of Justice and Constitutional Development, responsible for language matters in courts.

In terms of the Constitution, provincial governments in South Africa are required to develop their own legislative and other measures to regulate and monitor their use of official languages. In other words, the provinces must have their own language policies based on their demographics and regional circumstances. The provincial language policies must in turn serve as a framework for local government policies within their territories.

Any conflicts between national and provincial legislation are to be dealt with in terms of Sections 146 of the Constitution. Subsection (2) of section 146 stipulates, among other things, that national legislation that applies uniformly with regard to the country as a whole takes precedence over provincial legislation if the national legislation deals with a matter that, to be dealt with effectively, requires uniformity across the nation, and the national legislation provides for uniformity by establishing norms and standards, frameworks, or national policies.

In terms of the National Language Policy Framework Implementation Plan (DAC 2003b) each government department at national level and each province must have a language unit to manage the implementation of multilingualism in each department or province and must liaise with relevant stakeholders on language matters.

At local government level, subsection 6(3)(b) of the Constitution stipulates that municipalities must take into account the language usage and preferences of their residents in implementing the Language Policy.

Section 18 (2) of the Municipal Systems Act stipulates that when communicating information concerning community participation, a municipality must take into account both language preferences and usage in the municipality, and the special needs of people who cannot read or write. In other words, each municipality must provide language facilitation services, as a matter of right, for its citizens and clients.

The other structure that is responsible for implementation of the Language Policy in South Africa is the Pan South African Language Board (PanSALB), which, in terms of section 6(5) of the Constitution, is required to promote, and create conditions for, the development and use of all official languages, plus the Khoi, Nama, and San languages and Sign Language; and to promote and ensure that all languages commonly used by communities in South Africa are respected. The PanSALB has decentralised some of its functions to its various substructures. These are the Provincial Language Committees (whose functions are mainly concerned with status language planning and policy), the National Lexicography Units, and the National Language Bodies (the functions of latter two being concerned with corpus language planning).

- **Provincial Language Committees:** These structures were established in all nine provinces by PanSALB Act 59 of 1995. Their objectives are to promote and support multilingualism in their respective provinces, monitor the implementation of the constitutional clauses on languages and provincial language legislation in their provinces, advise PanSALB and the Member of the Executive Committee (MEC) responsible for language matters in the province, ensure the implementation of language projects in the province, and establish cooperation with other relevant bodies.
- **National Lexicographic Units (NLUs):** These are language specific bodies which were established by PanSALB Act 59 of 1995. There is a lexicographic unit for each of the eleven official languages of the country, and each unit is based in the province where the majority of the speakers of the language are presumed to be. For instance, the isiZulu Lexicography Unit is based in KwaZulu-Natal, isiXhosa in the Eastern Cape, etc. The NLUs are responsible for compilation of comprehensive monolingual and other types of dictionaries, such as translation, etymological and technical dictionaries.
- **National Language Bodies:** Like the NLUs, the National Language Bodies are language specific and each Body is based in the province where the majority of speakers of the language are. They are responsible for standardisation of language (spelling and

orthography); terminology development; literature and media; dialects; research; and education.

The point has frequently been made by scholars and observers that the South African Language Policy is one of the most progressive language policies in the world. Despite these accolades, there is also, however, almost unanimously expressed disappointment at the failure of its implementation.

Mmusi (in Kibbee, 1998) in her study on the official languages of South Africa concedes that the South African Language Policy is democratic and was well researched and widely consulted on. Unlike the language policies of the past regimes, this one acknowledges and embraces the linguistic diversity of the country while simultaneously elevating the status of the indigenous languages which were previously marginalised. She cautions, however, that the policy would be little more than a symbolic gesture if the eleven official languages are not treated equally as languages of wider communication and in the same functional domains where English and Afrikaans are used.

[The] language policy as it stands is very idealistic and might never be implemented because the eleven languages will never be equal... [for] as long as English remains the prestige language of commerce, education and politics.... The practical reality could be extended further to say that English and Afrikaans remain the official languages of South Africa while the indigenous languages have been elevated to the status of regional official languages. The practical reality of the policy conflicts with the theoretical policy as proposed. (1998:229)

Mmusi (in Kibbee, 1998) then proposes a solution to the concerns raised above. Firstly, she argues that the South African government should be seen to be serious in implementing the policy. She then urges that the country's language policy implementation to be re-examined and re-evaluated regularly; and lastly she proposes that an affirmative action policy regarding the development and promotion of African languages be set in motion through financial assistance of the provincial governments and the national government.

Beukes (2004) argues, on the other hand, that language practice in South Africa has been decidedly retrogressive. She points out that noticeably low priority has been given to the 'language issue' on the national agenda, citing a *Sunday Times* editorial of 25 April 2004 which laments the abandonment of the indigenous languages by the political elite.

The work of government is entirely in English and the language of our culturally diverse Parliament is almost exclusively English. Many senior politicians stay away from African language radio stations, presumably because they perceive those audiences as not sophisticated enough ... Universities are battling to keep African language departments open as student numbers dwindle... book publishing in indigenous languages is on its deathbed and ...the use of these languages among native speakers is becoming unfashionable. (Beukes2004:14).

Similarly, the literature consulted gives a gloomy account of language policy implementation not just by government but also by PanSALB and its substructures. Pienaar (2006) for instance, in his investigation of the decline in language rights violation complaints received by PanSALB, especially from Afrikaans speakers, found that the decline was due to PanSALB's ineffectiveness in carrying out its mandate to protect language rights and the consequent tendency on the part of affected communities to shift from top-down to bottom-up language planning, with individuals and organisations no longer lodging their complaints with PanSALB and its substructures but instead taking it upon themselves to pursue language planning activities.

Mwaniki (2004) identifies three broad explanations for non-implementation of language policy in South Africa, as provided by the language planning theory: political, economic and sociolinguistic.

- **Political explanations:** Mwaniki (2004) cites lack of political will and support as one of the reasons that have been advanced for the failure of implementation of the policy. Also cited as part of this explanation is *elite closure*, which refers to linguistic divergence created as a result of using a language which is only known to or preferred by the elite – in this case English. This divergence may be purposeful, as a measure of control. A similar point is made by Alexander (2003:15) when he maintains that

the African elites who inherited the colonial kingdom from the ostensibly departing colonial overlords, for the reasons of convenience and in order to maintain their grip on the power, have made no more than nominal gestures towards equipping the indigenous languages of the continent with the wherewithal for use in powerful and high-status contexts. The result is a vicious downward spiral where the fact that these languages are not used is the cause of stagnation and the belief that they cannot be used in these functions. The failure of leadership and willingness of the elites to follow in the wake of their colonial forerunners are, naturally, reflected in the language attitudes that characterise the generality of the population.

Alexander argues further that this behaviour by the elite has an effect on the people on the ground who “begin to accept as ‘natural’ the supposed inferiority of their own languages and adopt an approach that is determined by considerations that are related only to the market and social status value of the set of languages in their multilingual societies”. Scot ([1990] in Kamwangamalu 2001:417) comments similarly that in South Africa “the linguistic behaviour of the elite is characterised by an almost exclusive use of the preferred language, English, irrespective of whether they interact among themselves or with the masses who have little or no knowledge of the language.”

- **Economic explanations:** Under this category two main factors are identified as leading to non-implementation of the Language Policy: financial constraints and market forces. Financial constraints have been identified as the reason why implementing structures like PanSALB have failed to implement the policy effectively. In regard to market forces, Kamwangamulu (2001) cites lack of sustained demand for multilingual skills in the African languages for academic, economic, administrative and labour market purposes, as contributing to the lack of implementation of the policy, maintaining that

the lack of this demand has ensured that English and to some extent Afrikaans remain central to virtually all the higher domains of language use... [and] the demand for multilingual skills in the African languages would contribute towards raising the status of these languages and change the way they are perceived by the various communities. (2001: 416–417)

- **Sociolinguistic explanations:** This refers to the way language is used by the individual speaker and groups of speakers in its social context.

Mwaniki (2004:26) takes issue with these explanations, however, arguing that they “do not question the adequacy of contemporary language theory and practice in providing frameworks and/or approaches that can be deployed by policy makers and practitioners to facilitate the implementation of South Africa’s Language Policy and Plan as envisioned in the Constitution.” He goes on to suggest that these explanations seem to follow a technicist approach which is antithetical to the theoretical, ideological and discourse foundations of the South African Constitution .He cites this as probably the most important explanation for the non-implementation of the South African Language Policy and Plan as envisioned in the Constitution.

In response, he then proposes the language management variables that crucially determine the success of multilingual policy implementation. These variables are adopted from Cluver’s

(1991) seminal paper on a “Systems approach to language planning: the case of Namibia” and informed by Mwaniki’s experiences with multilingual policy implementation at local government level in the Free State Province.

Another crucial component of Mwaniki’s proposed approach for facilitating multilingual policy implementation are language management methodologies and strategies, which Mwaniki (2004) groups into three categories: management-oriented methodologies and strategies, sociolinguistically oriented methodologies and strategies, and development-oriented methodologies and strategies.

- **Management oriented methodologies and strategies:** these are derived from insights drawn from management in the public sector. They have to be applied to the processes that constitute multilingual policy implementation from the strategic management perspective. What make strategic management to be crucial in the implementation of multilingual policies is the value that is added by multilingual policies to services provided by government to its citizens and the complexities that underlie the implementation of multilingual policies.

Multilingual policies serve to add value to the services provided by the public sector. In a multilingual country like South Africa, when public services are rendered in many languages, these services become more accessible to a majority of the citizenry. A strategic management approach to multilingual policy implementation identifies multilingual policies as an integral part of the strategic management process in the public sector, especially with regard to the provision of equitable public services. Multilingual policies and equitable provision of public services complement each other. The challenge in this regard is the linking of the two in the process of multilingual policy implementation. Mwaniki (2004:249).

Management-oriented methodologies and strategies comprise the following activities:

- *Planning:* This entails setting objectives and determining activities to accomplish the objectives at all levels. In the context of Language Policy implementation, planning should serve as a foundation for successful implementation, and during the planning stage the objectives of the multilingual policy implementation need to be stated clearly and the resources and processes that are crucial for the successful implementation of the policy need to be determined.
- *Organising:* This is the process that ensures that the requisite resources for the attainment of the set objectives are in place. These would include human, capital

and physical resources. It is at this stage, as well, where roles and responsibilities are defined and allocated.

- *Leading:* This includes supervision and motivation of personnel involved in the implementation process. It is very important for managers charged with responsibility of implementation to have the knowledge, skill and attitudes required to oversee the implementation process and to motivate people they manage and supervise.

However, managers charged with implementation must at all times provide strategic direction to the implementation process. This process involves the motivation of staff and the communication of the overall objective of multilingual policy implementation to all stakeholders. (Mwaniki: 2004:251).

- *Controlling:* This is done to ensure that the actual activities are carried out and conform to planned activities. This involves measuring progress towards meeting the set objectives. It includes establishing of standards, measuring of performance, comparing measured performance with set standards, and taking corrective action if and when required.
- *Staffing:* This entails the selection, recruitment and retention of appropriate managerial and technical personnel who will be responsible for the implementation of policy. In the context of the implementation of a multilingual policy personnel would include technical language specialists like interpreters, translators, lexicographers, terminologists and language technologists.
- *Conceptual skills development:* According to Mwaniki (2004), Successful implementation of multilingual policies will have to depend on the conceptual skills of the language managers and technical language specialists involved in the processes of implementation. This calls for conceptual skills development as a key to multilingual policy implementation. This mitigates for scenario whereby the human resources involved in the process of multilingual policy implementation should be able to conceptualise the entire multilingual policy implementation process and how it buttresses into other processes within the South African society. (Mwaniki, 2004: 253).
- *Technical skills development:* In the context of multilingual policy implementation this refers to skills like interpreting, translation, lexicography and terminology development, human language technology, etc. which are critical for this purpose.

- *Human skills development*: In the context of multilingual policy implementation implementers need human skills for them to be able to change people's perceptions to the importance of multilingual policies.
- **Sociolinguistic oriented methodologies and strategies**: These refer to the language part of multilingual policy and planning. They are aimed at preparing
 - [the] languages involved in multilingual policy implementation so that they are 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 implementation. (Mwaniki, 2004:255).

These methodologies and strategies include language surveys, corpus planning, acquisition planning, status planning.

- *Functional language planning*: This refers to “the management of planning process, research activities and the planning of various activities which lead to changes in language attitudes, levels of ability and usage, and changes in the levels of intergenerational transmission of the language” (Mwaniki, 2004: 258).
 - *Linguistic auditing*: (as discussed earlier)
 - *Technological customisation*: This refers to the adaptation of languages for compatibility with diverse technological applications and changes thereto; and multilingual services provision.
- **Development oriented methodologies and strategies**: “These are those methodologies and strategies that need to be deployed in a multilingual policy implementation scenario so as to provide linkages between multilingual policy implementation and the macro and the micro contexts for language management” (Mwaniki, 2004: 261) These include legislation, advocacy, litigation, development communication, participatory action research, dialogical intervention strategies, indigenisation and project management.

Mwaniki (in Cuvelier et al. 2010) concedes that multilingual language policy implementation is problematic, but argues that if it is done with the right approach it can be achieved. Based on his participation in the “Language Management for Local Government in the Free State Province Project”, he then proposes a mixed approach, where aspects of both top-down and bottom-up approaches to public policy implementation are incorporated, with specific and deliberate reference to the peculiarities of South Africa's public sector. The approach is in

line with the constitutional principle of cooperative governance and its relevance in multilingual language policy formulation and implementation in South Africa. It proposes that in implementing multilingual language policy government should harness cooperative efforts of the national or provincial sphere of government and local government sphere on a localised area. It is in this setting where the advantages of the implementation of the policy would be communicated to all stakeholders in a dialogical manner, which allows them to make inputs to planned interventions regarding the nature, timing and resource requirement thereof. The approach entails the following:

- **Development communication:** This includes the deployment of methodologies and tools specifically designed to disseminate information and contribute to behaviour change. It is at this stage that specific groups and audiences who are stakeholder are identified, segmented and targeted, with various mass media and other forms of communication.
- **Dialogical intervention strategies:** These strategies are used to establish possibilities for participation and to engage differing views in establishing consensus. It is these views that are integrated into the implementation process.
- **Ward-based language surveys:** Language surveys help in providing data on language demographics in the area. Such data serves to provide informed basis for multilingual language policy implementation.
- **Municipality linguistic skills audit:** This would be conducted to determine the availability or the shortage of skills required for the successful implementation of the multilingual language policy. Interventions would then be designed to address the skills shortages.
- **Multilingual language policy bye-laws, debate and adoption (legislative process):**
This is based on

need to back the constitutional, legislative and policy precepts supporting multilingual policy implementation in South Africa with multilingual language policy bye-laws at municipal level. A municipality has the constitutional and legal authority to enforce its own bye-laws within its area of jurisdiction. A multilingual language policy in the form of a bye-law stands a high chance of being implemented. (Mwaniki, in Cuvelier et al.2010:88).
- **Mainstreaming multilingual language policy into integrated development planning processes:** This is done to enable integration of multilingualism in all the municipality's planning and development processes on annual basis.

- **Budgeting for financing of multilingual language policy implementation:** For any policy to be successfully implemented, financial resources have to be provided.

Political and executive functionaries at municipal level in South Africa rarely consider multilingual language policy implementation as a matter worth budgeting for and using finances on. The argument has always been that there are not enough resources to be expended on multilingual language policy implementation considering other perceived important and pressing development challenges” (Mwaniki, in Cuvelier et al. 2010:89).

- **Staffing, training and development:** Competent and adequately capacitated personnel are important for the effective implementation of a multilingual language policy. Managerial language specialists and technical language specialists are the two types of staff required for the successful implementation of a multilingual language policy. Staffing should be complemented by regular and up-to-date training on the managerial and technical aspects of the implementation of a multilingual language policy implementation.
- **Implementation, evaluation and development of a regime of best practices:** Once the activities outlined above have been done adequately, the implementation of the policy can commence. This entails coordination for maximum mix of situational variables aimed at feedback integrated into the implementation process that would eventually assist in developing a framework for best practices for the implementation of a multilingual language policy implementation.
- **Replication:** Replication is at the core of the mixed approach to multilingual policy formulation and implementation. The regime of best practices modelled, tested and perfected in one municipality can be replicated in another municipality. Diligence should be exercised in the process of replication because real possibilities exist that each municipality has unique situational realities. However these unique situational realities should be identified and aligned with the formulation and implementation processes during the stages of development communication and dialogical intervention strategies. (Mwaniki, in Cuvelier et al.2010:91)

Kaschula (2004:24) takes an optimistic view and argues that there appears to be a definite movement by government to implement South Africa’s Language Policy. Backing his assertion, he cites the establishment of various language structures, such as the Constitution and its provisions on multilingualism, PanSALB and its substructures, the development and approval of the Language Policy Implementation Plan, the establishment of lexicography

units to develop dictionaries in eleven languages, the establishment of the National Language Forum, and the proposed formation of the Language Practitioners' Council.

He also points out that the “trickle-down effect of the National Language Policy is already been felt, for example, at tertiary institutions and media. Universities are presently re-assessing their internal language policies [and the] intention is to develop multilingual awareness among [their] communities” (Kaschula2004:22). He cites the example of the media where television programmes, for instance, are broadcast in eleven official languages.

Kamwendo (2006), in a critical review of the first decade of the democratic South Africa's language planning, identifies some successes that the country has achieved and also highlights some concerns to the implementability of its language policy. As positives in progress towards implementation of the policy he points to the central position assigned to linguistic rights in the Constitution, the constitutional provision for the creation of bodies (PanSALB and the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities) whose task is to serve as language rights watchdogs, the decentralisation of language planning, and the culture of consultation and participatory democracy in the formulation of language policies.

But notwithstanding these positives, most of which pertain to the content of the country's language policy, he also notes other factors that raise concern about the language policy situation in the country. Firstly, he argues that the government has drifted towards unilingualism, with English becoming the dominant language. He is also criticises the presence of escape clauses in the constitutional provisions on language. Other problematic issues are the invisibility of the language factor in high-profile programmes such as the Reconstruction and Development Programme, African Renaissance, NEPAD, etc.; low funding priority for language issues and low esteem in which African languages are held, including the low level of corpus development of African languages; and lastly the lack of political will to turn the language plan (policy) into reality.

Ngcobo (2007) criticises the implementation of the Language policy in South Africa as being focused on status language planning only, to the detriment of the corpus planning, and he also takes issue with continued use of English at the national level. Also linked to the problem of implementation in his view is “...discourse which emphasises concepts like ‘equality and equity’ and language rights versus language and other use and practicality’, used to mobilize

language stakeholders. (2007:11) The discourse he is referring to is found mainly in section 6(3)(a) of the Constitution which reads: “The national government and provincial governments may use 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 ...” He argues that the way these concepts are used in the policy they have the effect escape clauses which could be used to undermine the stipulations of the policy.

3.4 Conclusion

In this chapter the study has looked at the way factors identified in Chapter 2 as affecting public policy implementation in general pertain more specifically to public policy implementation in a decentralised state. It has also explored studies conducted by various scholars on the implementation of the Language Policy generally, and in South Africa in particular.

A point that emerges is that most studies on the implementation of language policy in South Africa have focused on implementation at national level, with only very few at local level. No studies have had a specific focus on the provincial level and this study will, hopefully, help to fill this gap in the overall understanding of language policy implementation in South African governance.

Chapter 4

Research methodology

4.1 Introduction

This chapter focuses on the research methodology used to carry out this study, outlining the particular steps undertaken to address the research questions of the study. Beginning with a general overview of research methodology, the chapter then details the research method for this study in relation to population, sampling and data collection, data analysis and ethical considerations.

4.2 Research design and approach

Methodology is defined as the overall approach and perspective of the research process as a whole and is mainly concerned with what data is collected, why such data is collected, where and how the data is collected, and how it will be analysed (Collis and Hussey, 2003:55). This study mainly adopted a qualitative approach, supplemented in certain areas by a quantitative approach.

4.2.1 Quantitative method

Quantitative method may be defined as a formal, objective, systematic process to describe and test relationships and examine cause and effect interactions among variables

(Burns and Grove, 1993: 777). In this type of research, statistical analysis is conducted to reduce and organise data, determine significant relationships and identify differences and/or similarities within and between different categories of data. Quantitative methods provide an accurate account of characteristics of particular individuals, groups or situations.

Warwick and Lininger (1975) and Patton (1986) explain that with the quantitative approach, with proper sampling, it is possible to measure the reactions of multiple subjects to a set of

questions, and (because each question has a limited set of answers) then generalise the results to a larger population within known limits of error.

4.2.2 Qualitative methods

Qualitative methods are concerned with understanding the meaning of social phenomena, and focus on links among a larger number of attributes across relatively few cases. (Tuli, 2010:106). These methods capture what people have to say in their own words and describe their experiences in depth. Patton (1986) argues that this approach provides greater richness and more detailed information about a smaller number of people.

4.3 Population

Population is defined as the totality of all subjects that conform to a set of specifications that comprise the entire group of persons that is of interest to the researcher and to whom the research results can be generalised. (Polit and Hungler, 1999:43)

The population of this study was accordingly all 15 KwaZulu-Natal government departments; language policy stakeholders, based in the province; recipients of government services in KwaZulu-Natal, such as school governing bodies, and clients of service government departments such as Home Affairs and the South African Social Security Agency; public schools (former model C schools as well as township and rural schools); language structures (mainly PanSALB structures based in KwaZulu-Natal) and other government departments in other provinces (mainly arts and culture departments) responsible for the language implementation of language policy in those provinces, municipalities in KwaZulu-Natal and the National Department of Arts and Culture's National Language Service.

4.4 Sample Size and Sampling

Sampling is defined as the process of finding people to study, gaining access to study, and establishing a rapport so that participants provide relevant data (Cresswell, 1998:110). According to LoBiondo-Wood and Haber (1998), a sample is a portion or sub-set of the research population selected to participate in a study, representing the research population.

According to Teddlie and Yu (2007:77-92) there are four broad categories of sampling procedures: probability sampling, purposive sampling, convenience sampling and mixed method sampling. Each of these has subcategories as follows:

- **Probability sampling:** Probability sampling techniques are used mainly in quantitative studies and entail selecting a relatively large number of units from a population, or specific sub-groups of a population, in a random manner where the probability of inclusion for every member of the population is determinable. (Teddlie & Yu 2007:77). These samples aim to achieve representativeness, this being the level at which the sample accurately represents the whole population. These techniques may be subdivided into random sampling, stratified sampling, cluster sampling and sampling using multiple probability techniques. In this study probability sampling was used to select clients of the Department of Home Affairs and South African Social Security Agency in some of their service offices in KwaZulu-Natal.
- **Purposive sampling:** Purposive sampling techniques are used mainly in qualitative studies and involve units of selection (individuals, groups of individuals, institutions, etc.) which are based on purposes associated with answering a research study's questions. Maxwell (cited in Teddlie & Yu 2007:77) defines these sampling techniques as a type of sampling in which "particular settings, persons, or events are deliberately selected for the important information they can provide that cannot be gotten as well from other choices". These techniques are as follows:
 - sampling to achieve representativeness or comparability
 - sampling special or unique cases
 - sequential sampling
 - sampling using multiple purposive techniques

In this study, purposive sampling was used to select all heads of components responsible for implementing Language Policy. All heads of 14 KwaZulu-Natal provincial government departments and 11 District Municipalities (including one metropolitan municipality) in the province were used as the sample. Heads of provincial Language Units or departments responsible for language matters in the other eight provinces were also selected as a purposive sample. Tongco (2007:147) defines purposive sampling as deliberate choice of an informant based on the qualities he/she possesses. With this technique, the researcher decides what needs to be known and sets out to find people who can, and are willing to, provide the information by virtue of their knowledge or experience (Bernard, 2002)

These components/municipalities were:

- Head of the KZN provincial Language Services Unit in the KwaZulu-Natal Department of Arts and Culture;
- Head of the Language Unit of the KwaZulu-Natal Provincial Legislature;
- Heads of components responsible for language and or communication in 13 KwaZulu-Natal provincial departments, excluding the Department of Arts and Culture which houses the provincial Language Services Unit;
- Heads of components responsible for language matters in 10 KwaZulu-Natal District Municipalities and eThekweni Metro;
- Provincial Manager of the Department of Home Affairs in the KwaZulu-Natal Regional Office;
- Provincial head of the South African Social Security Agency in the KwaZulu-Natal provincial office;
- IsiZulu Lexicography Unit, a PanSALB unit for the development of isiZulu Dictionary
- Heads of provincial Language Units from other eight provinces or departments responsible for language matters;

The representatives of the following language structures also responsible for the language Policy implementation in the province were used as the sample for the purposive study:

- Provincial Language Committee, which is the PanSALB structure responsible for promoting and supporting multilingualism in provinces, for monitoring the implementation of the constitutional clauses on languages and provincial language legislation in the provinces, for advising PanSALB and MEC responsible for language matters in the province and ensuring implementation of language projects in the province, and for establishing cooperation with other relevant bodies.
- IsiZulu National Language Body, which is also the PanSALB structure responsible for standardisation of language (spelling and orthography), terminology development, literature and media, dialects, research, and education.
- Coordinator of the KwaZulu-Natal Intergovernmental Language Forum, the structure established by the provincial government to institutionalise coordinated implementation of the Language Policy in the province.
- Coordinator of the National Language Forum, established by the National Department of Arts and Culture to institutionalise coordinated implementation of the Language Policy in all spheres of government.

A stratified sampling technique was used in the selection of representatives of stakeholder organisations which are recipients of language services from various language policy implementers. This was done to get greater precision than using simple random sample of the same size and to ensure focus on important sub-populations. These are:

- Members of school governing bodies randomly selected from all twelve of the Department of Education Districts in the province;
- Two school governing bodies per district, one representing former Model C schools, which were traditionally English/ Afrikaans medium schools, and the other representing formerly township/ rural schools, were selected as the sample for the study.

These were needed to provide information on the implementation of language policy in schools.

A purposive sampling technique was also used to select academics from each of the three tertiary institutions in the province (University of KwaZulu-Natal; Durban University of Technology and University of Zululand) which offer the broad field of linguistics or languages as a discipline. The academics were chosen based on their knowledge and experience in the field of language policy and planning. Some had participated in the process of formulation of language policies in their institutions and/ or the National Language Policy Framework.

Table 4-1 Summary of the population and number/sample size

Category	Number / sample size
KZN government departments	All 14 heads of components responsible for language matters in 14 departments
KZN municipalities	10 District Municipalities plus one Metropolitan Municipality
Government departments in other provinces responsible for language matters	All 8 government departments in other provinces
Language stakeholders in KwaZulu-Natal	<ul style="list-style-type: none"> • 1 language planning/ policy specialist/ academic from each of the three universities in KwaZulu-Natal (University of KwaZulu-Natal, University of Zululand and Durban University of Technology) that provide language planning/ policy as a subject • One representative from Usiba Writers' Guild • 3 representatives each drawn from the three Pan South Africa Languages Board structures in KwaZulu-Natal
Schools in KwaZulu-Natal	<ul style="list-style-type: none"> • 12 members of the school governing bodies drawn from 12 former model C schools each from each KwaZulu-Natal education districts; and • 12 members of the school governing drawn from 12 rural and township schools each from each of the 12 KwaZulu-Natal education districts.
Recipients of language services in KwaZulu-Natal	<ul style="list-style-type: none"> • 55 clients of the Department of Home Affairs in KwaZulu-Natal; • 55 clients of the South African Social Security Agency 5 drawn from each of the 10 municipal districts and from one metropolitan municipality in the province.
Service departments / governmental institutions based in KwaZulu-Natal	<ul style="list-style-type: none"> • KwaZulu-Natal Provincial Head of the Department of Home Affairs; • KwaZulu-Natal Provincial Manager of the South African Social Security Agency.

4.5 Data collection methods

Data collection is defined as “...the process of obtaining and measuring information on variables of interest in an established systematic way that enables the researcher to answer stated research questions, test hypothesis and evaluate outcomes” <http://ori.dhhs.gov>).

In this study data was collected by means of mailed questionnaire, in-depth interviews and documentary analysis.

4.5.1 Mailed questionnaires

A questionnaire was chosen as one of the data-collection instruments for this study. Babbie (1990:377) defines a questionnaire as “a document containing questions and other types of items designed to solicit information appropriate to [the study being conducted]”.

The researcher developed structured self-administered questionnaires for the identified participating respondents. The researcher provided clear instructions to the respondents as to how specific items in the questionnaire should be completed. The mailed questionnaires were used to collect data from the following respondents: KZN provincial departments responsible for implementing language policy in the province; components responsible for language policy implementation within all District Municipalities in KZN; government departments in other provinces that are responsible for implementing the language policy.

Questionnaires were used to produce both quantitative and qualitative data, and the researcher administered these to identified language stakeholders and implementers of the policy. Generally, the use of questionnaires is preferred when responses are needed from large numbers of respondents. The questionnaires consisted of a list of pre-set questions. The same questions were given to the same category of respondents (sample), in the same order, so that the same information was collected from every member of the sample. The questionnaires were designed so that the data could be easily captured. The researcher was guided by the research objectives, the conceptual framework and the literature review in the formulation of questions.

The questionnaire for KZN provincial departments (see appendix A) and municipalities consisted of 11 questions. This questionnaire was sent to heads of language units where such units existed – and where such units did not exist, to components where issues related to language are dealt with – in all provincial government departments except the Department of

Arts and Culture (which was covered under provincial Language Units as indicated below), to the Provincial Legislature, and to all 10 heads of units responsible for language matters in 10 District Municipalities and the Metro in the province. The departments in question were the following:

- Department of Social Development
- Department of Economic Development and Tourism
- Department of Agriculture and Environmental Affairs
- Department of Human Settlement
- Department of Public Works
- Department of Transport
- Department of Community Safety and Liaison
- Provincial Treasury
- Department of Sport and Recreation
- Office of the Premier
- Department of Health
- Department of Cooperative Governance and Traditional Affairs
- Provincial Legislature
- Department of Education

Of these fourteen respondents from the provincial departments, twelve responded, one declined to participate in the survey and one did not return the questionnaire.

The respondents from District Municipalities and Metro to which the questionnaire was sent were from the following municipalities:

- Amajuba District Municipality
- eThekweni Metro
- iLembe District Municipality
- Sisonke District Municipality
- Ugu District Municipality
- uMgungundlovu District Municipality
- Umkhanyakude District Municipality
- Umzinyathi District Municipality
- uThukela District Municipality
- uThungulu District Municipality

- Zululand District Municipality

The questionnaire was sent to head of language service units, where such existed; where they did not exist, they were sent to heads of components where language service matters are dealt with, in municipalities. Of these eleven municipalities, nine responded, one declined to participate in the survey and one did not return the questionnaire.

The questionnaire for provincial Language Units consisted of 14 questions. The questionnaire was sent to Department of Arts and Culture units in all nine provinces responsible for implementing language policy in those provinces. The intended respondents for the questionnaires were heads of provincial Language Units where such units existed, and where such units did not exist, to the head of a directorate where language services matters were housed in the relevant province. These were chosen as they were (or were supposed to be) in the forefront of Language Policy implementation in their provinces (Eastern Cape; Free State; Gauteng; KwaZulu-Natal; Limpopo; Mpumalanga; Northern Cape; North-West; Western Cape). Responses were received from eight of the head of components responsible for language matters in nine provinces and one did not return the questionnaire.

The questionnaire for clients of the Department of Home Affairs and South African Social Security Agency consisted of five closed-ended questions. This was done to allow all the respondents to answer the same questions, so that answers could be meaningfully compared. The questionnaires were made available in isiZulu, English, isiXhosa and Afrikaans (the official languages of the province of KwaZulu-Natal in terms of the KwaZulu-Natal provincial Language Policy) and the respondents were asked to choose the questionnaire according to their language preferences. The questionnaire was administered personally by the researcher to the respondents, who were selected randomly in the relevant district offices in KwaZulu-Natal. Each respondent was given a printed questionnaire which they personally had to fill out using a pen.

All questionnaires included both open-ended and closed-ended questions. At the end of each questionnaire the respondents were given an opportunity, or requested, to provide documentary proof of any kind for some of their responses. The questionnaires, together with an informed consent letter from the University, were sent by e-mail, posted or delivered by hand to all respondents. The respondents were afforded enough time to complete the questionnaires, which required them to respond by filling in the relevant information or in

other parts by marking with a tick where required. All questionnaires for each sector of respondents consisted of basically the same questions, which were carefully considered to solicit responses that would assist in answering the research questions. The completed questionnaires, together with the informed consent letter, were to be returned by e-mail or post, or were personally collected from the respondents.

4.5.2 In-depth interviews

In-depth interviews are a qualitative research technique that involves close two-way communication in individual interviews with a small number of key informants to explore their opinions on a particular issue or situation (Yoddumnern-Attig et al., 1993:45-46). Its particular value is that it enables the researcher to obtain detailed information about the respondent's thoughts and behaviours, coupled with in-depth exploration of new issues. Interviews are normally used to establish a complete picture of what has happened in a given set of circumstances, and why. The main advantage of in-depth interviews is that they provide much more detailed information than is available through other data collection methods and have a high response rate (Pichit Pitaktepsombat, cited in Chompucot 2011:82). They also take place where the respondent is in his or her natural surroundings and is relaxed and willing to reply to exhaustive questions.

Interviews were an essential tool for data collection in this research, enabling well-informed respondents to provide new and varied perspectives on the issues in question. There are different types of interviews ranging from structured, to semi-structured, to unstructured. In this study, in-depth interviews were conducted with key language policy experts and some stakeholders. The following were key informants for the study: academic specialists in the field of linguistics at the University of Zululand (one informant), University of KwaZulu-Natal (one informant) and Durban University of Technology (one informant), the Chief Director of the National Language Service (who is also the coordinator of the National Language Forum), the Chairperson of Usiba Writers' Guild, the Chairperson of KwaZulu-Natal Provincial Language Committee, representatives of the School Governing Bodies, two representatives from each of the twelve Department of Education districts in KwaZulu-Natal, the Chairperson of isiZulu National Language Body in KwaZulu-Natal, and provincial Heads of the South African Social Security Agency and the Department of Home Affairs. The interviews were tape-recorded to be analysed later.

At the start of each interview, informed written consent of the interviewee was sought (using the informed consent form provided by the University of KwaZulu-Natal). Next, the purpose of the interview, as aligned with the objectives of the study, was clarified and explanation was given as to why the stakeholder had been chosen and how the information would be kept confidential. The interview followed the guide which was pre-designed to help the interviewer during the interview process. The interview guide consisted of questions that helped the interviewer to remain on track and be consistent throughout the interviews with different respondents. All the interviewees were formally notified in advance of the scheduled interview. Some interviews took place in the respondents' offices, while others were done telephonically, and all lasted between 45 and 60 minutes. Once the interviews were finalised the information sourced from the interviews was classified and analysed to support the objectives of the study.

4.5.3 Documentary analysis

Document analysis is a way of collecting data by reviewing existing documents. In this research a wide range of documents were examined to extract the necessary information, including statutes, departmental policies, rules and regulations, correspondence between government at various levels and their clients (publics), Service Commitment Charters at various levels of government, books, newspapers and journal articles dealing with public policy implementation, decentralisation and language policy implementation.

In conducting the document analysis, the researcher first assessed the existing documents within the departments and institutions responsible for implementing the Language Policy in order to discover what type of documents exist and determine which ones would assist in answering the research question. As some documents required the permission of various authorities for them to be released, the researcher then sought permission to access the documents thus identified and developed a system to ensure confidentiality of the documents.

4.6 Data analysis

Analysis involves "breaking up" data into manageable themes, patterns, trends and relationships. Its aim is to understand the various constitutive elements of one's data through an inspection of the relationships between concepts, constructs or variables, and to see whether there are any patterns or trends that can be identified or isolated, or to establish themes in the data (Mouton, 2001: 108). Brockopp and Hastings-Tolsma (1995:255) indicate

that commonly followed steps in the process of data analysis include identification of themes, verifying the selected themes through reflection on the data and discussion with other researchers or experts in the area, categorising the themes, and analysing and recording support data for the categories.

The data in this study consisted of returned questionnaires, transcripts and notes from in-depth interviews as well as policy documents and other relevant documents obtained from participating language policy implementation agencies. The analysis of this data was carried out by using thematic content analysis, according to the conceptual framework developed for this research.

Textual analysis was used to subject relevant documentation to a rigorous process of analysis. Textual analysis is a standard method used particularly in the social sciences to study the content of communication and gather information on how other human beings make sense of the world. It is data-gathering which guides the researcher in understanding the ways in which people belonging to a variety of cultures make sense of who they are, and how they deal with their social environment. Textual analysis is useful for researchers working in cultural studies, media studies, mass communication, and sociology as well as public management.

The type of data that was extracted from the relevant policies, reports and strategic documents of the relevant provincial departments, municipalities and other language policy implementing agencies required that extensive textual analysis of these documents be undertaken. The Constitution, the National Language Policy Framework, provincial and institutional language policies, along with other important and pertinent documents, were analysed to identify objectives and other important aspects of provisions within the wider policy context and also to identify content relating to the nature of the policy and its implementation by the implementers: policy makers, administrators, etc. Progress on the implementation of the policy – and lack of progress – was also captured in the relevant reports made to various stakeholders responsible for monitoring implementation of the policy.

Pierce (2007: 82) advises that, as a general principle, all primary information should be treated with caution and researchers should always ask themselves the following questions:

- Who prepared the record?
- Why?
- For who was it prepared?

- For whom was it intended?
- For what purpose was it made?
- Who would have ‘corrected’ or otherwise altered the record before it was finalised?

Doing this helped to ensure the validity, reliability and accuracy of the documents or of the research data obtained from such documents.

4.7 Ethical considerations

Before data collection was conducted there were ethical considerations that had to be attended to. In compliance with the UKZN Research Ethics Policy the researcher completed the Ethical Clearance Application Form for approval by the University Research Ethics Committee. This was to ensure that, among other things, the identity and autonomy of participants would be protected through the use of an informed consent form which specified (in language understood by the respondents) the nature and purpose of the research, and the identity and institutional association of the researcher and supervisor and their contact details, and stipulated that their participation would be voluntary. The form also guaranteed the confidentiality of the information provided by the respondent to the researcher. The completed form was duly considered and approved by the University Research and Ethics Committee. Before the interview and questionnaires process commenced, Informed Consent Forms were given to each respondent for completion. The first part of the form, signed by the researcher, was kept by the respondent and the second part, signed by the respondent, was returned to the researcher for record purposes.

4.8 Conclusion

In this chapter I have discussed and analysed the research methodology which was used for the study. The method (mixed method sampling strategy) used to identify the sample from the entire population of the study is discussed, as is the data-collection method. Data collection was done through mailed questionnaires, in-depth interviews and document analysis. Also discussed are the ethical conditions that were observed (in line with UKZN Research and Ethics Policy) in the collection of data, and the method to be used to analyse data.

Chapter 5 presents results and findings on the data obtained from the sample discussed and described above through questionnaires and in-depth interviews and examination of texts and documents.

Chapter 5

Presentation and analysis of findings

5.1 Introduction

In this chapter the findings obtained from the data collected are presented and analysed. The implications of these results are discussed in the next chapter.

As discussed in the previous chapter, questionnaires, interviews, in-depth interviews and documentary evidence were used to solicit data potentially applicable to the study objectives. The data obtained from responses to the questionnaires and interviews is then combined with data extracted from relevant documentation obtained from the respondents and others. The presentation and analysis of data is carried out using thematic content analysis (TCA) as advocated by scholars such as Professor Rosemarie Anderson, who has taught Qualitative Research Methods since the mid-1990s. TCA is a descriptive presentation of qualitative data which reveals thematic content (or other texts) through identification of common themes in the texts provided for analysis (Anderson, 2007). In this type of data presentation, the researcher sorts and names themes, keeping interpretation of the data to a minimum, as that is dealt with later in the research report.

In this study the findings are presented and analysed in line with the conceptual framework developed in Chapter.

5.2 Data from questionnaires

Questionnaires were administered to KwaZulu-Natal provincial government departments, KwaZulu-Natal District Municipalities, and provincial departments in other provinces responsible for language matters. Questionnaires were also administered to officials of the Department of Home Affairs and the South African Social Security Agency and their clients

in KwaZulu-Natal, as governmental bodies which interact on a daily basis with communities accessing the services they provide.

5.2.1 Questionnaire data from KZN provincial departments

The questionnaire was sent to all 14 KwaZulu-Natal provincial departments, including the Office of the Premier and the Provincial Legislature. Of those departments, eleven responded to the questionnaire, two did not return the questionnaire and one declined to participate in the study. The respondents were mostly managers responsible for language and or communication matters in their departments. In the following sub-sections the data from questionnaires is presented and also backed up with data from documentary analysis.

5.2.1.1 Content and Language Policy implementation

Section 6 (4) of the Constitution requires provincial governments to regulate and monitor their use of official languages through legislative and other measures. This implies that the first step towards implementing the National Language Policy, for provincial governments, would be to develop their own language legislation (or policies), in line with the provisions of the Constitution.

The data collected indicates that KwaZulu-Natal does have an approved provincial Language Policy, adopted by the provincial Executive (Cabinet) in 2008 as a mechanism to regulate its use of official languages in the province.

Following a case brought by a Mr C J Lourens to the Gauteng South High Court, claiming that the government of South Africa has failed, as provided by the country's Constitution, to regulate and monitor the use of official languages through legislative measures, the court ordered the Minister of Arts and Culture to comply with the provisions of the Constitution within two years from the date of the order, which was 16 March 2010. The court decision was applicable to the provincial governments which did not have legislations in place to regulate their use of official languages. The KwaZulu-Natal government consequently drafted its own language legislation in the form of the KwaZulu-Natal Languages Bill, 2011. The contents of these mechanisms are discussed in detail below.

KwaZulu-Natal provincial Language Policy

The KwaZulu-Natal provincial Language Policy was adopted by the provincial government in 2008, in terms of section 6(4) of the Constitution of the Republic of South Africa, which requires national government and the provincial governments, by legislative and other measures to regulate and monitor their use of official languages and to ensure that all official languages enjoy the parity of esteem. The aims of the Policy are to:

- Promote equitable use of the main official languages of the province.
- Facilitate equitable access to government services, knowledge and information.
- Ensure redress for the previously marginalised official indigenous languages of the province, including encouraging and influencing mother tongue instruction where applicable.
- Initiate and sustain a vibrant discourse on multilingualism with all language communities.
- Encourage the learning of all provincial main official languages to promote provincial unity and linguistic and cultural diversity; and
- Promote good language management for efficient public service administration to meet client expectations and needs.

The Policy stipulates, among other things, that:

- All government structures and institutions exercising a public power or performing a public function are bound by the provisions.
- The main official languages of the province, that is isiZulu, English, isiXhosa and Afrikaans, will be used as required in all legislative activities, including provincial Hansard publications as a matter of right.
- To promote multilingualism, each government structure in the province must agree on working languages, for both intra and interdepartmental purposes, ensuring that no person will be prevented from using the language of his/her choice. In meetings and during special occasions efforts should be made to utilise language facilitation services, such as translation and interpreting.
- In communicating with the members of the public, the language of the citizen's choice must be used. Where that is impossible efforts must be made to utilise language facilitation services.
- All publications by provincial government structures should be in isiZulu and English (as the most spoken official languages in the province) and isiXhosa and Afrikaans versions

should be made available on request within 30 days of the date in which such a request is made.

- Local government will take into consideration the language use and preferences of their communities when implementing this Policy.

The Policy puts additional responsibilities on government to, inter alia, support special redress efforts and programmes for the historically marginalised indigenous languages of the province, including Sign Language; and to support the learning and teaching of all official languages of the province at all level of schooling. As part of the monitoring mechanism for the implementation of the Policy all government structures in the province are expected to report quarterly to the provincial Cabinet, through the Member of Executive Committee responsible for language matters in the province on progress made with regard to the implementation of the Policy.

KwaZulu-Natal Languages Bill, 2012

Like the KwaZulu-Natal provincial Language Policy of 2008, the KwaZulu-Natal Languages Bill was developed in terms of section 6(4) of the Constitution and is aimed at providing for the following:

- Determination of provincial official languages in the province of KwaZulu-Natal. The Bill declares isiZulu, English and Afrikaans as the official languages of the province. It also stipulates that all governmental bodies, through their internal language policies need to designate at least two provincial official languages for internal, written and oral communication as well as for publication purposes. This should be done subject, inter alia, to language use and preference of the majority of the customers and clients of the relevant governmental body.
- Regulation and monitoring of the use of provincial official languages by all governmental bodies in the province. Governmental bodies in the province, as part of the monitoring mechanism, are required to, periodically, report on their implementation of the Language Policy to the MEC (provincial Cabinet) responsible for language matters in the province, which report should in turn be tabled to the Provincial Legislature.
- Elevating the status of and advancing the use of indigenous languages spoken in the province.
- Establishment of the KwaZulu-Natal provincial Language Services Unit. This component would serve as a specialist unit in the province within the Department of Arts and

Culture, which is the department with a mandate for language matters in the province. The powers, functions and duties of the unit would include, inter alia, monitoring the implementation of the Bill (once it has been promulgated as a statute); regulations and internal or institutional language policies of governmental language bodies in the province. The unit would also be responsible for promoting and monitoring good language management by governmental bodies and respect for language rights of citizens of the province by all governmental bodies. It is the responsibility of this unit to provide or coordinate translation, editing and editing services as may be required by the Provincial Legislature, the Executive Council (provincial Cabinet), any municipal council in the province and any governmental body in the province. The unit would also be responsible for facilitating training programmes on translation, editing and interpreting techniques.

- Establishment of the KwaZulu-Natal Intergovernmental Language Forum. The Forum would be responsible for, among other things, promoting general coordination and cooperation between all governmental bodies in the province on language matters; coordinating, aligning and monitoring the implementation of internal or institutional language policies; promoting consultation and dialogue between the provincial government and any language stakeholder; and representing the province and participating in any national intergovernmental language forum. Membership of the Forum would include staff from the provincial Language Services Unit and language practitioners representing all governmental bodies in the province.
- Development of internal language policies by governmental bodies in the province. Section 13(1) of the Bill stipulates that all governmental bodies in the province must, within 18 months of the commencement of the Act, and after consultation with the provincial Language Services Unit, develop and approve their respective internal language policies. Such internal language policies should be consistent with the provisions of the Act and any regulations made under it. Each internal language policy should identify at least two of the provincial official languages to be used for purposes of internal and external, written and oral communication and publication purposes. It should also stipulate how the relevant governmental body communicates with any member of the public wishing to communicate with that governmental body, using any other language not designated as a provincial official language. The Bill also stipulate that each internal language policy must provide for an internal complaints mechanism which, among other things, may be used by any member of the public wishing to lodge a language complaint for any alleged violation of any language right enshrined in the Constitution.

- Development and adoption of the KwaZulu-Natal Development and Advancement of Indigenous Language Policy
- Repeal of the KwaZulu-Natal Parliamentary Official Languages Act, 1998, and matters related thereto.

(c) Institutional language policies

Clause 2.4.5.1 of the KwaZulu-Natal provincial Language Policy stipulates that each government structure must agree on a working language or languages for both intra- and interdepartmental communication purposes. Such agreement can be stated better in an institutional or departmental language policies which each government structure in the province is encouraged to have.

At provincial department level, in the data collected for this study two of the twelve departments that returned the questionnaire responded that they have approved institutional language policies. Nine departments responded that they did not have their own approved institutional language policies, with two of those responding that they had adopted the KwaZulu-Natal provincial Language Policy as their institutional language policy. The contents of the internal or institutional language policies for the two departments are generally similar. In line with the KwaZulu-Natal Language Policy (KwaZulu-Natal Department of Arts and Culture: 2008) the objectives of the policies are, inter alia, to promote in the departments the equitable use of isiZulu, English, isiXhosa and Afrikaans as the main official languages of the province, and to ensure redress for isiZulu and isiXhosa as historically marginalised official indigenous languages spoken in the province. Both of the two internal policies stipulate isiZulu and English as the working languages of record for the departments, but provide in addition that no person will be prevented from using the language or languages of his/her preference, provided such language/s are espoused in the KwaZulu-Natal provincial Language Policy.

The policies stipulate that translations will be provided for documents originally written in any of the four provincial official languages and that meetings of the departments shall be conducted in either isiZulu or English, on condition that no person will be prevented from using a language of his/her choice during the meeting proceedings. The policies also stipulate that chairpersons in departmental meetings, and also supervisors in the performance of specific functions, must actively and overtly encourage the use of indigenous language in order to elevate their status and advance their diminished usage, and also that Sign Language

interpreting will be provided where needed. The policies further stipulate that all official correspondence as well as oral communication with clients of the departments must be done in any of the official languages of the province preferred by the clients/target audience, and where it is both necessary and practically possible to do so, every effort must be expended to utilise language facilitation interventions like interpreting. The policies stipulate that the provincial Language Services Unit will be responsible for monitoring their implementation. In addition, the departments would submit quarterly reports on the implementation of their language policies to the provincial Language Services Unit and their heads of departments.

KwaZulu-Natal Parliamentary Official Languages Act No, 10 of 1998

The objective of the KwaZulu-Natal Parliamentary Official Languages Act No 10 of 1998 is to provide for the official languages of the Parliament of the province of KwaZulu-Natal. The Act declares English, Afrikaans and isiZulu to be the official languages of the KwaZulu-Natal Provincial Legislature and stipulates that these languages shall have equal status, rights and privileges as to their use in the Legislature.

The Act further guarantees the right for all persons to use any of the official languages, as declared in the Constitution, in any debates and other proceedings of the Legislature. It stipulates that any records of and regulations, notices and proclamations from the Legislature are to be printed in any of the three official languages of the Legislature, taking into account usage, practicality, expense, regional circumstances and the balance of the needs and preferences of the population in KwaZulu-Natal. It also guarantees the right of any member of the public to communicate in any of the official languages of the country and to receive any service from the Legislature in English, isiZulu, or Afrikaans.

5.2.1.2 Context and language policy implementation

Having established the mechanism/s used to regulate the use of official languages in KwaZulu-Natal, it was necessary for the researcher to establish how the implementation of the Language Policy was, in fact, institutionalised.

For the purpose of this study institutionalisation refers to the process of embedding policy implementation within the structured and well-established system of the implementing agent, in this case the government structure. The National Language Policy Framework identifies various implementation structures which are crucial for the institutionalisation of the

implementation of the Language Policy. Among these are language units: agencies in government departments whose function is to deal with specific language issues of that department arising from the Constitution, the National Language Policy and the provincial Language Policy. They are therefore central to ensuring the sustained use of the official languages as required by the Policy.

Data collected from responses to questionnaire indicates that eight out of eleven provincial departments that returned the questionnaire did not have language units and only three had established these. Of those departments that did have them, one department responded that its unit provided translation, interpreting and editing services, which are language facilitation services. It also provided terminology development, literature development and status language planning services. Two departments responded that they provided translation, interpreting, editing services and terminology development services. Language services and implementation of the Language Policy were included in these departments' strategic plans.

In the strategic plan of one of the departments, its strategic objectives included promotion of multilingualism, development of historically marginalised languages, and facilitation of access to government information and services through the provision of translation, interpreting and editing services. The same department identified the following performance indicators as important for the achievement of its objective on languages in general and implementation of the Language Policy specifically:

- number of language coordinating structures supported
- number of literary exhibitions conducted
- number of documents translated
- number of interpreting service conducted
- number of persons empowered to deliver translations
- number of documents edited
- number of status planning and corpus planning programmes conducted
- number of multilingualism promotion programmes conducted

Data collected from an annual report of the Department in the 2012/13 financial year indicated that it had achieved the following milestones in implementation of the Language Policy:

- Increased awareness and promoted access to information in languages preferred by clients, achieved through the provision of translation (160 documents translated during the financial year), interpreting (26 interpreting services provided) and editing (197 documents were edited for language correction) for the provincial governmental structures.
- Promotion of multilingualism through the projects such as “Learn- Another -Language”, a Language Festival, and celebration of special days like the International Mother Tongue Day (celebrated annually on the 21February) and the International Translation Day (celebrated annually on the 30 September).
- Coordinated establishment of 45 reading and writing clubs, as part of its indigenous languages literature development programme. As part of its programme to develop terminology, especially in indigenous official languages, the Department finalised a bilingual (English and isiZulu) terminology list for general terms and another bilingual (English and isiZulu) terminology list for economic terms.

In the report the Department promised to intensify the implementation of the Language Policy in the new Medium Term Expenditure Framework (2013-2015).

While plans are in place and notable milestones have been achieved in the implementation of the Language Policy, it is worth emphasising that, as noted, eight out of eleven provincial departments that returned the questionnaire do not have language units and only three had established such units. This suggests implementation problems within the provincial government department. It was thus necessary to establish what capacity existed in the province to implement the language policy.

5.2.1.3 Capacity for implementation of the Language Policy

Staff complement of language units within government structures

Human resource capacity is regarded as a critical factor in the effective implementation of a policy.

Data collected from departments who responded that they had language units indicated the following:

- Staff complement of one department was 5, comprising 1 Deputy Manager, 1 Chief Language Practitioner, 3 Principal Language Practitioners.
- Staff complement of a second department was 17, comprising 1 Hansard Unit manager, 2 Control Editors, 8 Senior Language Practitioners, 6 Transcribers.

- Staff complement of a third department was 17, comprising 1 Senior Manager, 3 Deputy Managers, 4 Assistant Managers, 2 Chief Language Practitioners, 5 Language Practitioners, 2 Admin staff. All staff members from the three departments are appropriately and suitably qualified.

As a way of building capacity in the area of translation and interpreting, KwaZulu-Natal province has developed a “Training Manual for Translators and Interpreters”. This document was developed jointly by the KwaZulu-Natal Department of Arts and Culture (Language Services) and PanSALB, in collaboration with other relevant stakeholders in the province, to address the training needs of translators and interpreters as personnel at the coal-face of Language Policy implementation. Translation and interpreting services play a pivotal role in ensuring that no person is denied the option of using the language of his/her choice. The document serves as an important tool for the effective implementation of the Policy, as it helps to ensure that implementers are capacitated to perform their work effectively.

Budgeting for the established language units within provincial government structures

- Six departments responded that they did not have a budget for language services.
- Three departments responded that there was no budget designated specifically for language service although they did provide language services
- One department responded that it had a budget amounting to R 10,3million in 2012/13 financial year
- One department responded that it had a budget of R9,051million in the same financial year (2012/13).

On whether the budget they current have is sufficient, the two provincial departments which had responded that they have budget allocations for their units, one responded that the budget was sufficient and the other responded that it was not sufficient.

Other support provided by the provincial Language Services Unit and other structures to supplement existing capacity of departmental and municipal language units.

This sub-theme considers the support provided by the provincial Language Services Unit to augment the capacity of those departments and District Municipalities that have their own internal language units.

- Five departments responded that they were assisted in drafting their departmental language policies.

- Two responded that they were assisted with translation interpreting and editing services, but one of these two pointed out that it takes the provincial Language Services Unit too long to finalise the translations and they therefore sometimes have to ask the Communications section of their department to assist with translations.

Other departments responded as follows:

There has not been any interaction from the provincial Language Services Unit to officially check or monitor whether the Department was fully complying with the prescripts of the Policy, and one would have expected the former to take an active role of encouraging departments to use its services to ensure equitable utilisation of the province's official languages.

We participated in the formulation of the provincial Language Policy. The provincial Language Services Unit did not offer any form of support with regards to the implementation of the Policy.

We normally interact with the Department of Arts and Culture at the level of terminology workshops. We were also actively involved in their compilation of the Manual for Translators and Interpreters. This language manual has been distributed to language practitioners to give them theoretical overviews of language services. Otherwise we provide our own in-house language facilitation services and send our language practitioners for training in various aspects of our operations (editing, translation, proofreading, indexing and interpreting).

For those departments that do not have their own internal language units the data collected shows that two departments outsourced the language facilitation services to private language service providers, and three provided their own in-house translation and editing services done by personnel whose normal jobs are not language-related and who are not necessarily qualified language practitioners.

At a district municipality level, three of the municipalities that had indicated that they did not have established language units responded that they did not provide language services at all, and two municipalities responded that they used private service providers for language facilitation services.

The capacity to implement the Language Policy was established through an analysis of staff compliment, budget, and level of support that the various departments could garner from the provincial Language Services Unit. In each case the departments were found wanting.

5.2.1.4 Commitment and language policy implementation

Commitment by street level bureaucrats as shown by actual language practice by government structures in KZN

In seeking to establish whether the government structures in the province comply with the KwaZulu-Natal provincial Language Policy, various questions, based on the provisions of the Policy, were posed and the following data was obtained.

(a) Government structures: official language/s of record

A language of record is a language in which all official records of an institution are recorded. This question sought to establish the language/s of record for each department in terms of Clause 2.4.5.1 of the KwaZulu-Natal provincial Language Policy. More particularly, the question sought to establish whether the language/s chosen by each department as its language/s of record was an official language of the province, whether such choice was informed by the language demographics of the province, and whether such choice was in line with the letter and spirit of the Constitution and the National Language Policy.

The graph below indicates how the departments responded to the question, with the majority (seven out of eleven departments) indicating that only English was their official language of record.

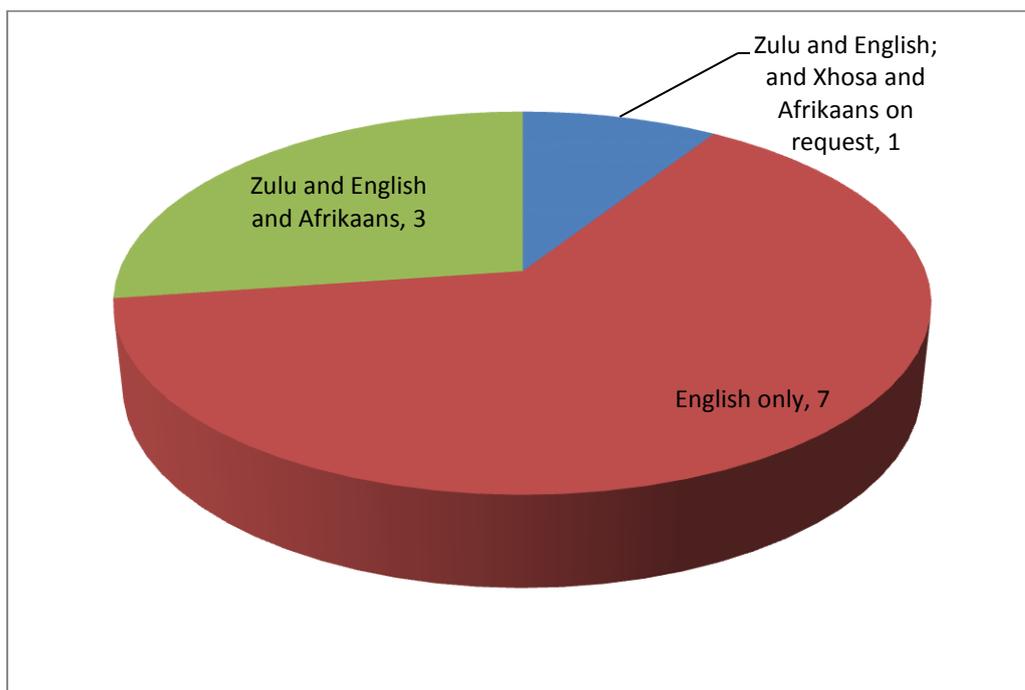


Figure 5-1 Languages of record in KZN government structures

(b) Language/s used in meetings between provincial government departments and clients

The National Language Policy stipulates that in communicating with members of the public, the language of the citizen's choice must be used, and, where necessary, every effort must be made to utilise language facilitation facilities such as interpreting and translation services. The responses received indicated the language used by the provincial departments in the following instances.

One-to-one communication between the department and an individual client

- Seven departments responded that they used language preferred by client in a one-to-one communication between a department and individual clients.
- Two departments responded that they used isiZulu and English.
- One department did not respond to this question.
- One department responded as follows:

The nature of interaction and profile of the clients determines the language to be used. For business discussions, especially with potential investors, English is often the preferred while isiZulu is commonly used when addressing members of the general public or interacting with

individuals that frequently visit our offices to secure various details required mainly by those wishing to seize specific business opportunities and those wanting consumer advice.

Meetings between the department and a group of clients

- Four departments responded that they used isiZulu and English to conduct meetings between the department and a group of clients.
- Two departments responded that they used language preferred by clients.
- Four departments responded that they used English only.
- One department responded as follows:

The nature of interaction and profile of the clients determines the language to be used. For business discussions, especially with potential investors, English is often the preferred while isiZulu is commonly used when addressing members of the general public or interacting with individuals that frequently visit our offices to secure various details required mainly by those wishing to seize specific business opportunities and those wanting consumer advice.

Figure 5-2 collates the responses on language use in meetings between departments and clients.

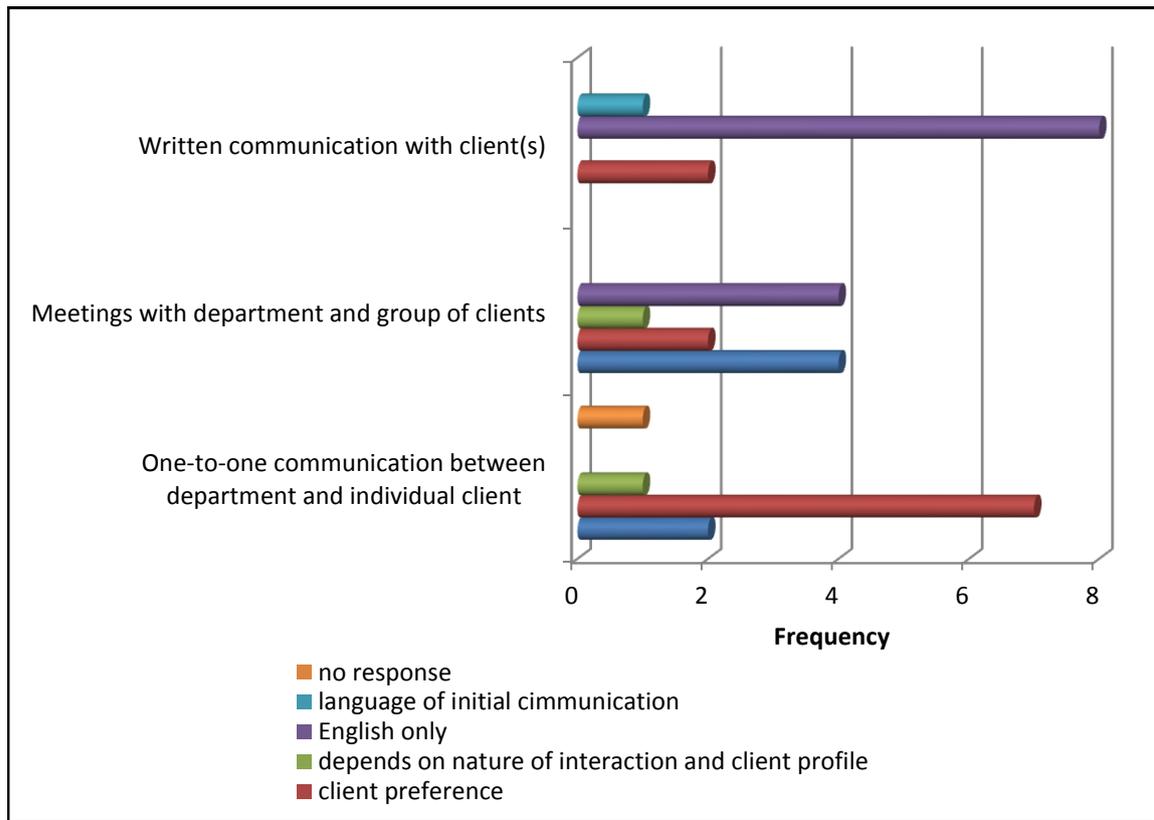


Figure 5-2 Language used in meetings between department and clients

(c) Language/s used in written communication from department to clients

- Eight departments responded that they used English only.
- One department responded that it used the language preferred by the client.
- One department responded as follows:

The language used by the customer in the initial communication with the Department often sets the tone for the kind of language that such client would like to be responded to. Due to the fact that the Department deals mainly with business people it often occurs that most of the correspondence would be in the commercial language, which is English, but the organisation is flexible to accommodate the linguistic preferences of its clients unless there are challenges with respect to the availability of officials that could converse in the language normally preferred by the customers.

(d) Languages used in one-to-one communication between departmental staff members

- Nine departments responded that they used isiZulu and English.
- One department responded that it used English only.
- One department responded that it used the language preferred by the staff members.

(e) Language used by the department in departmental staff meetings:

- Nine departments responded that they used isiZulu and English.
- One department responded that it used English only.
- One department responded that they used the language preferred by the staff.

(f) Language used for written communication from the department to the staff:

- Nine departments responded that they used English only.
- One department responded that it used isiZulu and English.
- One department responded that it used the language preferred by the staff.

(g) Language/s used by the department in adverts for vacant posts

This question sought to establish whether departments comply with Clause 2.4.5.3 of the KwaZulu-Natal provincial Language Policy, which stipulates that government structure publications should always be in isiZulu and English, which are the main official languages of the province, with the condition that isiXhosa and Afrikaans publications will be available on request within 30 days of the date of request. The responses were as follows:

- Ten departments responded that they issued their adverts in English only
- One department responded that its adverts were issued in English, with some notices issued in isiZulu and Afrikaans as well.

(h) Language/s used by the department conduct job interviews for vacant posts

This question sought to establish whether departments complied with Clause 2.4.5.2 of the KwaZulu-Natal Language Policy, which stipulates that all oral communication must take place in the preferred official language of the target audience, and that where necessary every effort be made to utilise language facilitation facilities.

All departments responded that they used English to conduct job interviews, with one department indicating that applicants were sometimes allowed to express themselves in the language of their choice, in particular isiZulu.

(i) South African Sign Language usage

An additional responsibility in the implementation of the provincial Language Policy is that special redress efforts and/or programmes should be put in place to accommodate historically marginalised language groups including South African Sign Language. Furthermore, Clause 5 of the KwaZulu-Natal Citizens' Charter stipulates that citizens will be given full and accurate information about the public services they are entitled to receive, and that, to this end, all provincial departments as signatories of the Charter are committed to improve the flow of information by, inter alia, making use of visual aids (including Sign Language) in order to cross language and literacy barriers.

On whether there was an official (employed full time or on temporal basis) literate in Sign Language who is always available to assist clients who use only Sign Language to communicate, should such a need arise in any of the departmental work stations,

- 10 departments responded that they did not have an official who was literate in Sign Language to assist clients who use Sign Language, should such a need arise.
- One department indicated that one of its officials could communicate in basic Sign Language.

On how departments with no official literate in Sign Language communicate with clients who can only communicate in Sign Language, the responses were as follows:

- Two departments did not respond to this question.
- Two departments responded that they relied on colleagues who understand Sign Language to assist such clients.
- One department responded that it normally outsourced this function.
- Five departments responded that they had never had such an experience, with one of those departments noting, however, that in recent years there had been pressing situations where Sign Language Practitioners had to be hired when the department had been alerted that some members of the target audience would be people with special language needs.

(j) Language/s in which departmental signage and notice boards are written

This question sought to establish if the departments complied with Clause 2.4.5.3, which requires all government structure publications to be in both isiZulu and English, as the main official languages of the province.

- Nine departments responded that their signage and notice boards were in English only.
- Two departments responded that their signage and notice boards were in isiZulu and English.

Commitment of political leadership in KZN towards language policy implementation

The provincial Cabinet played a leading role in the development and approval of the KwaZulu-Natal provincial Language Policy (2008), as well as in the drafting of the KwaZulu-Natal Languages Bill (2008). The establishment of the KwaZulu-Natal Intergovernmental Language Forum referred to above was also sanctioned by the provincial Cabinet through a Cabinet decision. The provincial Department of Arts and Culture, as a department responsible for language matters in KwaZulu-Natal, includes in its organisational structure a provincial Language Services Unit headed by a senior manager. The departmental organisational structure was approved by the MEC. Through the KwaZulu-Natal Service Commitment Charter (2009–2014) the provincial government has committed itself to providing all information to the public in the official languages of the province. The KwaZulu-Natal Citizens' Charter was developed from the Bill of Rights, as outlined in Chapter 2, and from Sections 7 to 39 of the Constitution of the Republic of South Africa. This citizens' charter is a commitment by the KwaZulu-Natal provincial Government to providing the citizens of the province with information mapping out what route to follow should service standards (including language services standards) be compromised. Through this document, the government undertakes to uphold the citizens' rights as enshrined in the Constitution. Language rights are enshrined in the Constitution and as such the KwaZulu-Natal Citizens' Charter is applicable thereto.

Perusal of the Strategic Plan of the Department of Arts and Culture in the province indicates that one of its objectives is to “promote multilingualism, redress past imbalances and develop the previously marginalised languages” (KwaZulu-Natal Department of Arts and Culture Strategic Plan 2012 – 2014: 7). In the overview contained in the Strategic Plan, the Department promises, among other things, to fully implement the KwaZulu-Natal Provincial Languages Bill once passed into law. It will do this to ensure that the above stated objective is achieved.

The MEC for the Department of Arts and Culture has also been vocal on the implementation of the Language Policy. In her 2011/12 Budget Speech, for instance, she made the case that language is an integral part of culture and a cornerstone of South African heritage, pointing

out that “our Constitution spells out explicitly that all languages must enjoy parity of esteem and must be treated equitably, however, there is little attempt by all spheres of government to realise this noble expression”. She warned that if the status quo remains unchanged, and if the choice of a particular language, either for political or economic reasons, forces indigenous official languages to remain at the periphery, communities will never co-exist harmoniously. In her 2012/13 Budget Speech she announced that she had commissioned the department to embark vigorously language exchange programmes, wherein a space for communities to converse and debate on language related matters will be created. [These] language programmes will be structured such that they accommodate two critical variables, namely, intergenerational and intercultural aspects of our communities. The linguistic discourse will be both provincially and nationally focused with a potential of tapping into countries in the continent and beyond in the future, particularly those that we have signed cooperative trade agreements with.

Since her initial appointment as the MEC in 2011, all her speeches, including budget speeches, were delivered in both isiZulu and English, which are the main official languages of the province.

5.2.1.5 Clients and coalitions in language policy implementation

Clients, in this context, refer to the intended beneficiaries of a policy, while *coalitions* refer to interest groups, opinion leaders, and other relevant outside stakeholders whom government may cooperate with to implement a policy. The support of clients and coalitions is therefore an important factor in the effective implementation of a public policy, and identification of the key stakeholders is an important step in the successful implementation of a policy.

The clients/beneficiaries of the National Language Policy in KwaZulu-Natal are all citizens of South Africa who are beneficiaries of government goods and services.

According to Census 2011 statistics, KwaZulu-Natal is the second largest province by population, with 10,3 million inhabitants, representing 19,8 per cent of the national population. The language demographics of the province of KwaZulu-Natal are shown in Table 5-1.

Table 5-1 KZN language demographics

Language	% of population who are first language speakers
IsiZulu	77.82
English	13.17
IsiXhosa	3.36
Afrikaans	1.59
IsiNdebele	1.10
Sesotho	0.78
Other	0.76
Setswana	0.51
Sign Language	0.48
Sepedi	0.20
Xitsonga	0.09
SiSwati	0.08
Tshivenda	0.04

Source: Statistics South Africa, Census 2011

Stakeholders in the implementation of the Language Policy in the province are those persons or entities who are bound by law to implement the Language Policy and those persons or entities who by nature of their business in government or outside of government have an interest in the implementation of the Policy. The stakeholders who are bound by law to implement the Language Policy include the following:

- provincial government departments (including national government departments based in the province and the national department responsible for coordination of the implementation of the Policy) and institutions exercising a public power or performing a public function in accordance with the provisions of KwaZulu-Natal Language Policy, 2008, the National Language Policy, and the Constitution
- all municipalities in the province, which, in terms of the Constitution, the National Language Policy Framework and the KwaZulu-Natal Language Policy, 2008, are required to take into account the language use and preferences of their communities
- PanSALB and its structures in the province (Provincial Language Committee; National Language Bodies; isiZulu National Language Lexicography Unit)

The coalitions or stakeholders who are not necessarily bound by the law to implement the Language Policy but due to the nature of their work have an interest in the implementation of

the Language Policy include tertiary institutions, language organisations, individual citizens, language experts and NGOs.

Data collected indicated that the KwaZulu-Natal government has taken cognizance of all these stakeholders in their process of the implementation of the Language Policy. There was some evidence of their involvement in the process of the development of both the KwaZulu-Natal Language Policy and the KwaZulu-Natal provincial Languages Bill, 2011. Some of the clients and coalitions participated in this study as indicated in the data presented below.

Questionnaire data from Department of Home Affairs clients

It was necessary and important for the research to gauge the implementation of the Language Policy from the perspective of the public. This was done through a distribution of questionnaires to randomly selected clients who had visited two particular public offices: the Department of Home Affairs and the South African Social Security Agency. These departments were chosen because their clients flocked to them in numbers on daily basis and it was possible to interview them while they were waiting in notoriously long queues. Most people being served in those offices come from the district within which they are served. These are people whose lives are in one way or the other affected by the language policy practices carried out in such offices. The language barrier between the clients and the front desk officials is one reason why in some instances peoples' legal documents (identity documents, birth certificates, etc.) are wrongly spelt. Services to which clients were seeking access at Home Affairs

Of 55 participants,

- 34 had come to apply for identity documents.
- 10 had come to apply for birth certificates for their children.
- 8 had come to apply for death certificates.
- 3 had come to apply for passports.

Language/s in which clients were served by officials

Of 55 participants,

- 40 responded that they had been served in isiZulu, but the forms had been in English.
- 9 responded that they had been served in isiXhosa, but the forms had been in English.
- 6 responded that they had been served in English.

Whether clients understood the language in which they were served

Of 55 participants,

- 52 responded that they had fully understood the language in which they were served.
- 3 responded that they had not fully understood the language in which they were served.

whether clients were asked which language they preferred

All 55 participants responded that they had not been asked the language which they preferred to be served in.

Awareness of statutory provisions on official language use by government institutions

Of 55 participants,

- 4 responded that they were aware of the provisions of the Constitution on the use of official languages.
- 51 responded that they were not aware of the provisions of the Constitution on the use of languages.

And of those who responded that they were aware of the those provisions

- 3 had heard of them on the media.
- 1 had read about them from the government documents.

Questionnaire data from SASSA clients

Services to which clients were seeking access at SASSA offices

Of 55 participants,

- 33 had come to apply for child support grants.
- 16 had come to apply for disability grants.
- 6 had come to apply for old age pensions.

Language/s in which clients were served by officials

Of 55 participants,

- 35 responded that they had been served in isiZulu but the forms had been in English;
- 12 responded that they had been served in isiXhosa, but the forms had been in English;

- 8 responded that they had been served in English.

Whether clients understood the language in which they were served

Of 55 participants,

- 48 responded that they had fully understood the language in which they were served.
- 7 responded that they had not fully understood the language in which they were served.

Whether clients were asked which language they preferred

All 55 participants responded that they had not been asked which language they preferred to be served in.

Awareness of statutory provisions on official language use by government institutions

All 55 participants responded that they had not been aware of the provisions of the Constitution on the use of languages.

It is clear from the findings that there were low levels of awareness of the Language Policy and that the use of preferred language was not an option in many instances. To corroborate and substantiate the findings from the public, it was necessary establish the views of the provincial heads of the two departments.

Data from interviews with provincial heads of Department of Health and South African Social Security Agency

The provincial heads of both institutions indicated that they did not have approved language policies but mainly used English and isiZulu in their interactions with their clients in KwaZulu-Natal. They indicated that that they serve clients in the language preferred by clients, as they normally asked them which languages they prefer to be served in.

The respondent from SASSA indicated that when they employed front office staff they made sure that these were people who spoke and understood the language/s spoken by the people they would be serving. They had also made a special effort to have all their front office staff trained in Sign Language so that they would be able to serve clients with special language needs. Both institution heads indicated that their written correspondence with their clients (including application forms) was only in English.

Both respondents indicated that they had not been aware of the National Language Policy or the KwaZulu-Natal provincial Language Policy, but conceded that they were aware of the fact that there are eleven official languages in the country. Both reported out that they had never been consulted by the KwaZulu-Natal provincial Language Services Unit on the Language Policy.

Data from interviews with members of school governing bodies in KZN

One of the aims of the National Language Policy Framework (2003) is to encourage the learning of other official indigenous languages in order to promote national unity, as well as linguistic and cultural diversity. To this end the National Department of Education introduced the Language in Education Policy in 1997. The Policy puts an emphasis on multilingualism as a key element of multiculturalism and an integral part of nation building. The policy was, therefore developed as part of a national language plan (policy), encompassing all sectors of society. The Policy mandates governing bodies of schools to stipulate how their schools will promote multilingualism through using more than one language of learning and teaching, and/or by offering additional languages as fully-fledged subjects.

The interviews with members of school governing bodies sought to determine whether the school governing bodies were carrying out this function as mandated by the Policy.

Awareness of Language in Education Policy i.r.o. constitutional language provisions

All twelve respondents from the former Model C schools indicated that they were aware of the provisions of both the Language in Education Policy and the Constitution on the use, teaching and learning of languages in schools.

Seven out of twelve respondents from township/rural schools said that they were not aware of the Language in Education Policy or the provisions of the Constitution on the use, teaching and learning of languages in schools, and five indicated that they were aware of these provisions of the two documents.

Language in Education Policy implementation supportive of additive multilingualism

The respondents from township and rural schools indicated that, in practice, English was the main language of learning and teaching of content subjects, although code-switching (in

English and isiZulu/isiXhosa) did take place in a classroom situation to help learners who did not fully understand English. In former Model C schools English was used as a language of learning and teaching and no code-switching took place.

The responses indicated further that in township and rural schools indigenous official languages were taught as a home language for learners whose mother tongue was an official indigenous language, with English taught as a first additional language. All former Model C schools, on the other hand, taught English as a home language, and indigenous official languages as either first additional or second additional languages, even to mother-tongue speakers of the indigenous official languages.

Various reasons were given for the teaching of indigenous languages as first or second additional languages to mother-tongue speakers of these languages in the former Model C schools. Some cite the inadequate number of learners who choose to learn these languages as home languages; some cite the shortage of adequately qualified educators; and some cite pressure from parents of the affected learners insisting that they had brought their children to these schools to learn English.

On the question of languages used for communication between the school and individual parents, the respondents from the rural and township schools said that the language preferred by the parent was used for such communication, and all respondents from former Model C schools said that English was the only medium of communication with parents.

Data from interviews with language experts and stakeholders

These interviews were held with language experts and specialists who are stakeholders in the implementation of the language policy in KwaZulu-Natal. They included academics from the three universities in KwaZulu-Natal (University of KwaZulu-Natal; Durban University of Technology and University of Zululand) which offer language and or linguistics in their curriculum. Other stakeholders were the Chairperson of Usiba Writers' Guild, which is an isiZulu writers association responsible for developing and promoting literature writing in indigenous languages; the Provincial Manager of PanSALB in KwaZulu-Natal; and the Editor-in-Chief of isiZulu Lexicographic Unit based in KwaZulu-Natal. Interviews with these stakeholders were included in recognition of the National Language Policy Framework (2003) and KwaZulu-Natal provincial Language Policy (2008) recommendations that language

specialists should be engaged to assist in developing functional multilingual programmes through research and the dissemination of findings.

Views on programme of action for KZN implementation of the Language Policy

The first question raised with the informants was about the steps that needed to have been taken by KwaZulu-Natal for full and effective implementation of the Language Policy as contained in the Constitution and the National Language Policy Framework.

The respondents were unanimous that the province had started off very well by conducting consultative workshops with all relevant stakeholders in the province on the National Language Policy. They noted that this consultative process had assisted the province in developing its own Language Policy, which was approved by the provincial Cabinet in February 2008. They pointed out, however, that there had been no feedback to the workshop participant stakeholders on progress made towards the implementation of the Language Policy.

One respondent emphasised that monitoring of the implementation and collaboration with relevant stakeholders was important for effective implementation of the Policy, adding that action needed to be taken against departments that fail to comply. The respondents unanimously agreed that there was a great need for the provincial government to engage the business sector for buy-in, as this sector plays a significant role in making languages an economic resource.

A further point made by a respondent was that the provincial government should see to it that all government structures provincially and locally adhere to the provisions of the Constitution and the National Language Policy Framework, and that the way to do this would be by means of an appropriate and compulsory reporting mechanism that would require all governmental structures to report regularly on their implementation of the Language Policy.

Views on levels of implementation of the Language Policy in the province

The second question focused on the level of implementation of the Language Policy in the province, with special reference to the constitutional provision that all official languages must “enjoy parity of esteem” and be treated equitably, thereby enhancing the status and use of indigenous languages. The respondents’ opinions were solicited on whether this is being achieved.

All but one of respondents were in agreement that the official languages did not enjoy parity of esteem and were not treated equitable. In the words of one respondent,

English hegemony still continues. Many government departments still prioritise the use of English at the expense of African languages. [In the Department of Education, for example], if African languages, in this case isiZulu and isiXhosa, are official languages, why are they not languages of teaching and learning alongside English? Why should learners write their examinations only in English? KZN is a big province and it can influence other provinces if it starts to recognise African languages to make the education of our province meaningful to our learners.

Similarly, another respondent commented that

English still dominates in all spheres of life. Be it in government, legislature, municipalities, courts, education, tertiary institutions and in schools. Even in public gatherings, like government imbizos [gatherings] English dominates. It is worse in the private sector. Government documents and notices are mostly available in English.

Another respondent agreed that English was still dominant and pointed out that *the province of KwaZulu-Natal should be playing a leading role in the promotion of indigenous languages, most especially isiZulu, because it is spoken by more than 77 per cent of the population of the province. The process of the promotion of the official indigenous languages should start from primary schools and progress to tertiary institutions. Teaching of the so-called communicative isiZulu to mother tongue speakers of the language should not be allowed.*

A different respondent felt on the other hand that “*the province of KwaZulu-Natal has managed to rise above the challenge although it is still a process that is far from being accomplished.*” He conceded, however, that the status of English was still higher than that of

indigenous languages in all official business of government and the business sector. On a positive note, he pointed out that in the Provincial Legislature the bilingual mode of communication had become a norm, with members of the legislature conducting their business in English and isiZulu. He also pointed out that the MEC for Arts and Culture provided her speeches in both English and isiZulu.

Views on mechanisms put in place by KZN to develop indigenous official languages

The third question focused on section 6(2) of the Constitution which requires mechanisms to be put in place to develop the indigenous languages. The respondents were asked if they were aware of any mechanisms that the KwaZulu-Natal provincial government has put in place to develop indigenous languages in the province.

The first respondent reported that the Department of Arts and Culture, in collaboration with various universities and PanSALB, had conducted terminology development workshops and that her institution was involved in these. She pointed out, however, that

the process of finalising the developed and verified terms is slow. Also such term lists are not distributed to everybody for usage, including the universities themselves, the media and the community at large.

Similarly, another respondent confirmed that she was aware of the terminology development initiatives but noted that sharing of the terminology that has been developed remains a challenge.

The terminology that has been developed is not publicised. I understand that there are spell-checkers. I have not seen one, which is very problematic. These spell-checkers are supposed to fast-track localisation in African languages.

Another respondent said that he had only limited knowledge of mechanisms that had been put in place by the province relating to translation and interpreting services, which operated on a very low scale. Mechanisms which he said he did know about were reading and writing clubs, terminology development, and interpreting in courts.

Three other respondents said that they were not aware of any mechanism that the province had put in place to develop indigenous languages. One of these three argued that the provincial government should engage NGOs that promote indigenous languages in the province and support needed to give financial support to up-liftment efforts for these languages, and that there should be more scholarships for students who study languages at local and international universities to increase the number of competent language practitioners. In addition, he said, “*The government has to create more job opportunities for language practitioners in ... KwaZulu-Natal.*” He also argued that all official documents and interviews should be conducted in the mother tongue of the people of KwaZulu-Natal if the government is committed to the development of isiZulu in the province.

Views on consultation of stakeholders on development of multilingual programmes

The fourth question put to the respondents was whether they or their institutions had been consulted by the province for assistance in the process of developing and implementing multilingual programmes through research and dissemination of findings, as proposed in the National Language Policy Framework.

Of the six respondents interviewed on this point, only one reported having been consulted by the province on the development and implementation of multilingual programmes. One respondent explained that the consultation used to be through a structure called the KwaZulu-Natal Intergovernmental Language Forum, where all government departments and municipalities, together with some tertiary institutions in the province, would participate. She lamented the fact that at one stage the Forum died a natural death, but said that it had once again been revived. The consultation was mainly on translation and interpreting services and terminology and literature development programmes. These consultations were said to be very ad hoc. For the consultations to be successful they needed to include all relevant stakeholders and be regular, with a well-designed programme of action. There also needed to be a monitoring and evaluation mechanism for effective implementation of the programmes and review of these where necessary.

One respondent argued that government should also provide funding for extensive research and material development to promote isiZulu in the province.

Views on involvement of clients and communities in language development process

The fifth question focused on the involvement of clients and communities in the process of developing indigenous languages in the province. It seeks to establish from the respondents whether, according to their observation, the provincial government uses and involves communities as active participants in the process of language development. This has reference to the National Language Policy statement that “[promoting] multilingualism in the country requires efforts that do not discount the knowledge that exists in societies where indigenous official languages are prominent.”

Four respondents agreed that the provincial government did engage communities in the process of language development, although such involvement is on a small scale. They point out that the engagement happens when there are annual celebrations such as International Translation Day and International Mother Tongue Day. One respondent pointed out that the Language Service Directorate had engaged with communities in setting up reading and writing clubs throughout the province, and had conducted seminars and summits on the issue of language development by promoting literature writing in isiZulu on an annual basis.

Views on structures, programmes and activities for Language Policy implementation

The sixth question solicited suggestions from the respondents on the structures, programmes and activities which the provincial government should establish and/or improve for effectively and efficiently implementing the provisions of the Constitution and the National Language Policy Framework on languages.

One respondent made the point that it was important to resuscitate the KwaZulu-Natal Intergovernmental Language Forum, involving both urban and rural members of various communities, arguing that the province needed to identify structures at various universities which could assist in this regard. She pointed out that the KwaZulu-Natal Provincial Language Committee, which is a substructure of PanSALB, had also died a natural death, and argued that the Department of Arts and Culture should communicate or work with all language structures for the development of the indigenous languages in the province.

Similarly, another respondent argued that the province needed to resuscitate and/or work with structures like Provincial Language Committee, the National Language Body, the Language

Forum, Usiba Writers Guild, local government and the private sector. It also needed to have radio and newspaper slots to promote multilingualism.

A third respondent pointed out that the structures listed below did exist but for some unknown reason had been rendered dysfunctional. All that the Province needed to do was resuscitate them so that they could help in implementing the provisions of the Constitution and the National Language Policy Framework. These structures referred to were the Provincial Language Committee (PLC), the National Language Body (NLB) [for isiZulu] and the [isiZulu] National Lexicography Unit (NLU). The respondent further argued that if these three structures were up and running, the work of implementing the two important documents on languages would be easy. Even though these structures were all present in KwaZulu-Natal, the province did not seem to use them optimally. He also pointed out that the province needed to resuscitate the reading and writing clubs which are on the verge of collapsing, as they were a major booster in promoting indigenous languages and story-telling among the speakers of the indigenous languages. The province also needed to encourage the formation of forums as potential hubs for sharing ideas on the promotion of indigenous languages and multilingualism.

Another respondent argued that the provincial government should not create new structures but instead

embark on strategic partnerships with existing government and civil society structures that develop isiZulu... Partnerships should be on equal basis to avoid government interference and domination to the way these structures conduct their business, and these structures should be supported financially and be monitored regularly.

It was thus necessary to understand what coordination mechanisms existed between the language units, clients and coalitions with regard to the implementation of the language policy.

5.2.1.6 Coordination of language policy implementation

The fact that a great part of public policies involves responsibilities shared among different entities such as departments, government spheres or organisations makes policy

implementation a fragmented process, with evident need for continual coordination. The undoubtedly applies also to the Language Policy, and in KwaZulu-Natal there is a wide spectrum of governmental and extra-governmental structures (government departments, municipalities, PanSALB, NGOs, etc.) involved in the implementation of the Language Policy that need to be coordinated for its effective and efficient implementation.

The data collected for this study indicates that a forum to coordinate implementation of the Language Policy in KwaZulu-Natal, known as the KwaZulu-Natal Intergovernmental Language Forum, was established in 2003, representing all government departments, municipalities and language structures in the province. The Forum was to meet quarterly (once every three months) to discuss issues pertinent to the implementation of the Language Policy. It was this Forum which played a leading role in the development of the KwaZulu-Natal provincial Language policy which was adopted by the provincial Executive (Cabinet) in 2008. The last meeting of the Forum was in 2008, shortly after the adoption of the provincial Language Policy.

5.2.1.7 Communication and language Policy Implementation

Data collected for this study indicated that the KwaZulu-Natal Intergovernmental Language Forum was the one way in which the policy was communicated to the stakeholders. The Department responsible for language matters in the Province also had a slot in UKhozi FM (an SABC isiZulu radio station) where it informed the public of the existence of the Language Policy. The slot ran once a week for about 30 minutes between April 2008 and March 2009.

5.2.2 Data from KZN District Municipalities

The questionnaire was sent to ten District Municipalities and one Metro in KwaZulu-Natal. The District Municipalities were Amajuba; iLembe, Sisonke, Ugu, uMgungundlovu, Umkhanyakude, Umzinyathi, uThukela, uThungulu, and Zululand. The Metro was eThekweni Metropolitan Municipality.

The aim in sending the questionnaire to the District Municipalities was to ascertain the level of implementation the Language Policy at a community level, as there is no province without the districts. The same questionnaire used for provincial government departments was used

for the District Municipalities. The rationale for each question was the same, as outlined above in relation to the questionnaire for provincial government departments.

Of the eleven municipalities to which the questionnaire was sent, eight responded to the questionnaire, two did not return the questionnaire and one declined to participate in the research. The questionnaire data presented below is augmented by data obtained from documentary data analysis.

5.2.2.1 Content and Language Policy Implementation at the District municipality level in KwaZulu-Natal

The National Language Policy Framework stipulates that local governments must determine the language use and preferences of their communities within the enabling provincial language policy framework, and that upon such determination they must, in broad consultation with their communities, develop, publicise and implement a multilingual policy.

In establishing whether the District Municipalities in KwaZulu-Natal have mechanisms to regulate their use of official languages, in accordance with the provisions of the Constitution of the Republic of South Africa (1996), the National Language Policy Framework (2003) and the KwaZulu-Natal provincial Language Policy (2008), the following responses were received:

Five out of eight municipalities that returned the questionnaire responded that they did not have an approved municipal language policy, while three municipalities responded that they did have an approved language policy. The language policies for the latter three municipalities all declare isiZulu and English to be the official languages of the municipalities; all the policies stipulate that any of the two official languages of the municipalities may be used in municipal meetings, including the meetings of the councils of the municipalities; and that policies and bye-laws, as well as notices and advertisements, must be published in both isiZulu and English. Correspondence with internal stakeholders would be in either of the two languages, depending on the preferences of the customers or stakeholders. The policies also stipulate that signage and directions identifying municipal offices or facilities must be in both isiZulu and English as the official languages of the municipalities.

- One of the three municipalities with municipal language policies had gone to the extent of developing an implementation plan for its language policy which

proposed a three-phase implementation of the policy. The first phase entailed activities that include conducting awareness campaigns on the policy, building capacity within the municipal language service unit, ensuring that all municipal customers are served in their preferred language, and making all municipal publications available in isiZulu and English. In the second phase of the implementation plan the focus was on building capacity for translation, editing and terminology development, building infrastructure for simultaneous interpreting, and making minutes of all municipal committees available in both official languages of the municipality. Phase three included full-scale implementation of the policy and regular language audits for the municipality, to ensure that the policy was based on the prevailing language demographics of the municipality.

- All three of the language policies of the three municipalities indicated that the relevant PanSALB structures in the province would play a monitoring role in the implementation of the policies, but that in addition the municipalities would also put in place their own mechanisms to ensure effective implementation of the policies.

5.2.2.2 Context and Language Policy implementation at District municipality level

Only two municipalities responded that they had established language units, and six municipalities responded that they did not have language units. Of those District Municipalities that had language units, one municipality responded that it provided translation, interpreting, editing, language planning, terminology development and literature development services. Another municipality responded that it provided translation, interpreting and editing services.

5.2.2.3 Capacity and Language Policy implementation at District municipality level

At a district municipality level the data collected was as follows:

One municipality had a staff compliment of 10: 1 Manager Language Services, 2 Chief Language Practitioners, 4 Language Practitioners (Translation and Editing), and 3 Language Practitioners (Terminology and Interpreting). All the staff members had relevant language qualifications.

Another municipality had just a single staff member responsible for providing translation, interpreting and editing, with the rank of Senior Administrator, but having no language qualification.

On the issue of the budget which District Municipalities had to implement the Language Policy, the responses were as follows:

Five municipalities responded that they did not have any budget allocated for language services.

One municipality responded that it had a budget allocation of just over R3,6 million for compensation of employees in the 2012/13 financial year.

Another municipality responded that it had a budget allocation of R267 396 as an annual salary for an official responsible for providing translation, interpreting and editing services for the municipality.

On whether the budget allocation was sufficient for the effective carrying out of language services, all municipalities responded that the budget highlighted was not enough to render effective language services.

5.2.2.4 Commitment and language Policy implementation at District Municipality level

The Constitution of the Republic of South Africa (2008) stipulates that municipalities must take into account the language usage and preferences of their residents when deciding on the official languages to be used for the purposes of government. The data below indicate how District Municipalities in the province use official languages in various situations.

(a) District municipalities' official language/s of record

On the issue of working language/s of record, the National Language Policy Framework (2003) and the KwaZulu-Natal provincial Language Policy (2008) stipulate that each government structure (including municipalities) in the province must agree on a working official language or languages for both intra- and interdepartmental purposes, provided that where practicable, no person will be prevented from using the language/s of his/ her preference.

The responses to the questionnaire sent to the municipalities indicate the official language/s of record for the different District Municipalities in KwaZulu-Natal. Six municipalities had their official language of record as English; one municipality indicated that its official language was English in the main, but that some records were available in isiZulu; and one municipality responded that it was still awaiting its Council's approval of its language policy which would determine the language/s of record.

(b) Language/s used by District Municipalities to communicate with their primary clients

With regard to the use of official languages for communication with the members of the public, the National Language Policy Framework (2003) and the KwaZulu-Natal provincial Language Policy (2008) stipulate that for official correspondence purposes the language of the citizens' choice must be used and that all oral communication must take place in the preferred official language of the target audience. Similarly the Municipal Structures Act (2000) stipulates that municipalities, when communicating information concerning community participation, must take into account language preferences and usage in the municipality, and the special needs of people who cannot read or write.

In regard to the language/s used by the District Municipalities to communicate with their clients in different situations the responses were as follows:

One-to-one communication between municipality and an individual client:

Two municipalities responded that they used isiZulu and English in a one-to-one communication with individual clients.

Three municipalities responded that they used language preferred by the client.

One municipality responded that it used isiZulu only.

One municipality responded that it used isiZulu, English and isiXhosa.

One municipality responded that it used English only.

Meetings between the municipality and a group of clients:

Five municipalities responded that they used isiZulu and English.

One municipality responded that it used isiZulu, English and isiXhosa.

One municipality responded that it used the language preferred by the clients.

- One municipality responded that it used English only.

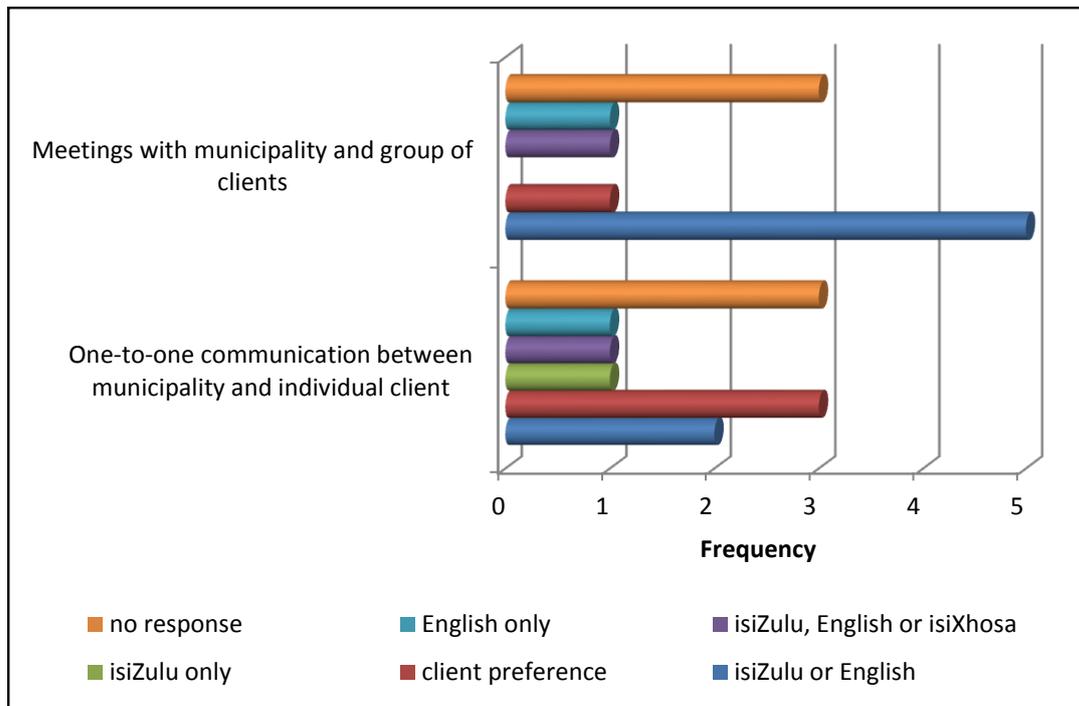


Figure 5-3 Language used in meetings between municipalities and clients

(c) Language/s used by District Municipalities for written communication with a client or group of clients

- Three municipalities responded that they used isiZulu and English for written communication with a group of clients.
- One municipality responded that it used isiZulu, English and isiXhosa.
- Three municipalities responded that they used language preferred by clients.

One municipality responded that it used English only.

(d) Language/ used by District Municipalities to communicate with their staff

One- to- one communication between municipal/ institutional staff members:

- Three municipalities responded that they used English only.
- Two municipalities responded that they used English and isiZulu.

Two municipalities responded that they used LANGUAGE preferred by the staff.

One municipality used English only.

In municipal staff meetings:

- Four municipalities responded that they used English only.
- Three municipalities responded that they used isiZulu and English.

One municipality responded that they used language of the majority of staff, with interpreting services provided on request to those who do not understand the language used.

For written communication from the municipality to the staff:

Seven out of eight municipalities responded that they used English only for written communication to the staff, with one of those municipalities pointing out that circulars and other labour related communication were, however, translated into isiZulu.

One municipality responded that it used isiZulu and English.

(e) Language/s used by municipalities to advertise vacant posts

- Five municipalities responded that it used English only.

Two municipalities responded that they used isiZulu and English.

One municipality responded that it used isiZulu, English and isiXhosa.

(f) Language/s used by the District Municipalities in job interviews

- Five municipalities responded that they conduct job interviews in English, with one noting that for lower level posts interviews were also conducted in isiZulu.

One municipality responded that they conducted interviews in isiZulu, English and isiXhosa.

One did not respond to this question.

(g) South African Sign Language usage.

On whether there was an official literate in Sign Language (employed either full time or on a temporary basis), who was always available, should such a need arise, to assist clients who use only Sign Language to communicate, responses were as follows:

- Six out of eight municipalities responded that there was no official in their municipalities who was literate in Sign Language to assist clients who communicate in Sign Language, should such a need arise.

One municipality responded that all their language practitioners had been trained in basic Sign Language interpreting.

One municipality did not respond to this question.

Arrangements when no official can communicate in Sign Language:

Where there is no official who can communicate in Sign Language, District Municipalities dealt as follows with clients who can only communicate in Sign Language:

- Two municipalities responded that they had never come across such a need, with one of those two pointing out that should such a need arise they would resort to written communication.
- One municipality responded that they would use “uninformed signs”.

One responded that there is no provision for that.

One did not respond to this question.

(h) Language/s used by District Municipalities for signage and notice boards

Five municipalities responded that their signage and notice boards were in English only.

Two municipalities responded that theirs were in isiZulu and English.

One responded that its signage and notice boards were in isiZulu, English and isiXhosa.

5.2.2.5 Clients and Coalitions of the District Municipalities and their linguistic demographics

Table 5-2 gives the language demographic statistics of different District Municipalities in KwaZulu-Natal according to the Census 2011.

Table 5-2 Language demographics of KZN District Municipalities

District municipality	Languages spoken in order of popularity			
Amajuba	IsiZulu=87.48%	English=5.19%	Afrikaans=3.09%	Sesotho=0.98%
eThekweni	IsiZulu=62.18%	English= 26.50%	IsiXhosa= 3.87%	Afrikaans=1.70%
iLembe	IsiZulu=82.48%	English=9.63%	IsiXhosa=3.3%	IsiNdebele=1.18%
Sisonke	IsiZulu=62.73%	IsiXhosa=28.64%	English=3.20%	Afrikaans=1.33%
Ugu	IsiZulu=82.69%	English=8.26%	isiXhosa=4.28%	Afrikaans=2.05%
uMgungundlovu	IsiZulu=76.39%	English=15.23%	isiXhosa= 1.89%	Sesotho=1.74%
Umkhanyakude	IsiZulu=94.56%	English=1.74%	isiNdebele=1.19%	Setswana=0.57%
Umzinyathi	IsiZulu=91.00%	English=3.11%	Sesotho=2.29%	Afrikaans=1.02%
uThukela	IsiZulu=90.45%	English=4.73%	Afrikaans=1.20%	isiNdebele=1.14%
uThungulu	IsiZulu=89.11%	English=5.09%	Afrikaans=2.27%	isiNdebele=1.32%
Zululand	IsiZulu=94.26%	English=1.47%	Afrikaans=1.26%	isiNdebele=1.07%

5.2.2.6 Coordination and Language Policy Implementation at District Municipality level

On whether the provincial Language Services Unit provides any support to the District Municipalities, four District Municipalities indicated that they had not received any support from the provincial Language Services Unit other than a single visit by officials of the unit to do a presentation on the KwaZulu-Natal Provincial Languages Bill. One municipality indicated that it had participated in the development of the provincial Language Policy, that the Department of Arts and Culture had assisted the municipality in the development of its Language Policy, and that the municipality participated regularly in the language projects done jointly with the Department. Another municipality responded that the provincial unit assisted with translation services, but because of long turn-around times they used the services of external service providers. Another district municipality responded that the Unit

work-shopped the municipality on language-related issues and the need to have their own language policy.

5.2.2.7 Communication and Language Policy implementation at District municipality level

As indicated in 5.2.2.1 above only three district municipalities responded that they have approved language policies. The data collected indicated that only one of those three municipalities had its Language Policy published on its website, as way of communicating its existence to the public. No other data could be obtained to indicate that the three municipalities had communicated the existence of their language policies to the public.

5.2.3 Data from other provinces

Questionnaires were sent to all eight other provinces: Eastern Cape, Free State, Gauteng, Limpopo, Mpumalanga, North-West, Northern Cape and Western Cape. Seven of these eight provinces returned the questionnaire. The data received from the provinces are presented thematically as follows:

5.2.3.1 Content and Language Policy implementation in other provinces

As indicated earlier, the need for governmental institutions to have mechanisms to regulate their use of official languages emanates from the Constitution of the Republic of South Africa (1996), which requires both national government and provincial governments to regulate and monitor such use through legislative and other measures. A question was therefore posed to all provinces to establish whether they had in place such mechanisms. The responses were as follows:

- Six provinces other than KwaZulu-Natal had their own provincial language policies based on the National Language Policy Framework of 2003.
- One province did not have its own language policy but indicated that it relied on the National Language Policy Framework to execute its mandate.
- Five provinces were busy developing their language legislation (Bill).
- One province had a White Paper on provincial languages.

Two provinces had their own promulgated provincial language legislation.

5.2.3.2 **Context and Language Policy implementation in other provinces**

On whether other provinces had an established (central) and functional provincial Language Services Unit the responses from the provinces were as follows:

Five provinces responded that they had established provincial language units, although one of these noted that its unit was not fully functional.

Two provinces responded that they did not have provincial language units and used private service providers to provide language facilitation services as and when required.

Of the five provinces that had language units, three responded that their provincial language units provided translation, interpreting, editing, status language planning, terminology development, and literature development services, and two responded that they provided translation, status language planning, and literature development services.

5.2.3.3 **Capacity and Language Policy implementation in other provinces**

(a) Human resource capacity

See Table 5-3 for human resource capacities reported by other provinces for Language Policy implementation.

Table 5-3 Human resource capacities for language units in other provinces

Province	Staff complement reported	Remarks
A	1 Manager 2 Assistant Managers 5 Principal language practitioners 1 Admin officer.	All with relevant language qualifications
B	Not applicable	
C	1 Senior Manager 2 Deputy Managers 7 Principal language Practitioners	All with relevant language qualifications
D	Not applicable	
E	1 Manager 2 Chief Language Practitioners 2 Principal Language Practitioners	All with relevant qualifications. One also has a Sign Language Interpreters Certificate.
F	1 Manager 1 Principal Language Practitioner 1 Senior Language Practitioner	Manager with B Tech Public Management; Principal Language Practitioner with B Tech in Language Management and Practice.
G	1 Deputy Director (Head: Language Services) 2 Assistant Directors 6 [Principal] Language Practitioners 1 Senior Admin Officer.	All with relevant qualifications

(b) Annual budget for implementing Language Policy

Six out of seven provinces responded that their budgets were insufficient and one responded that its budget was sufficient for the effective implementation of the Language Policy. See Table 5-4.

Table 5-4 Budget for implementing Language Policy in other provinces

Province	Reported budgets	Remarks
A	2012/13= R4million 2013/14 = R4 million 2014/15 = R4 million.	
B	2012/13= R311 000 2013/14 = R316 000	
C	2012/13 = R1,4 million 2013/14 = R1,5 million	Excluding staff salaries
D	2012/13 = R1million 2013/14 = R1.1 million 2014/15 = R1.2million	Inclusive of staff salaries and operational costs
E	2012/13 = R6 million 2013/14 = R6 million 2014/14 = R7 million	
F	2012/13 = R3,155 million	
G	2012/13 = R3 898 881 2013/14 = R4 193 163	

5.2.3.4 Commitment and Language Policy implementation in other provinces**Commitment of street level bureaucrats****(a) Language/s used by other provinces to communicate with their primary clients situations:**

One-to-one communication between the province and an individual client:

- One province responded that it used English and isiXhosa.
- One province responded that it used English and isiZulu one English and Setswana.
- Two provinces responded that they used English only.

- Three provinces responded that they used language preferred by clients.

Meetings between the province and a group of clients:

- One province responded that it used English and isiXhosa.
- One province responded that it used English and isiZulu.
- Three provinces responded that they used language preferred by clients.
- Three provinces responded that they use English only in meetings with clients.

Written communication from the province to a client or group of clients:

- One province responded that it used English and isiXhosa.
- Two provinces responded that they used language preferred by clients.
- Four provinces responded that they used English only.

(b) Language/s used for communication with staff

One-to-one communication between department or institution and staff:

- One province responded that it used English and isiXhosa.
- One province responded that it used English and isiZulu.
- Two provinces responded that they used language preferred the staff.
- Four provinces responded that they used English only.

In provincial department staff meetings.

- One provincial unit responded that it used English and isiXhosa.
- One unit responded that it used isiZulu and English.
- Two units responded that they used language preferred by staff.
- One unit responded that it used language preferred by staff and English.
- Three units responded that they used English only.

Written communication from the provincial department to staff:

- One province responded that it communicated in English and isiXhosa.
- One province responded that it communicated in English, isiXhosa and Afrikaans.
- Five responded that they communicated in English only.

(c) Language/s used by provincial department to advertise vacant posts

- One province responded that it used English and isiXhosa.
- One province responded that it used English, isiXhosa and Afrikaans.

- Five provinces responded that they issued their adverts in English only.

(d) Language/s used by the provincial department in job interviews

- Six provinces responded that they used English only.
- One province responded that it used English isiXhosa and Afrikaans.

(e) South African Sign Language usage

On whether there was an official (employed either full time or on a temporary basis) who was literate in Sign Language, who was always available to assist clients who use only Sign Language to communicate, should such a need arise, other provinces responded as follows.

- Three provinces responded that they had an official who was literate in Sign Language to assist clients who use that language.
- Four provinces responded that they did not have such an official.

Those provinces who do not have an official to assist Sign Languages clients indicated that they dealt with such clients as follows:

- One province responded that they solicit assistance of any officer who knows Sign Language.
- One province responded that they communicate with Sign Language clients through e-mail or by using the client's interpreter.
- Another province responded, "*It is a challenge*".
- The last province responded that they communicate with such clients in writing and through the use of freelance Sign Language interpreters.

(f) Language used by provincial departments for signage and notice boards

- Four provinces responded that their signage and notice boards were in English only.
- One province responded that its signage and notice boards were in English and isiXhosa.
- One province responded that its signage and notice boards were in English, Tshivenda, Xitsonga and Sepedi.
- The last province responded that its signage and notice boards were in English, isiXhosa and Afrikaans.

Commitment of political leadership

Responses from other provinces on political leadership support for the implementation of Language Policy are set out in Table 5-5.

Table 5-5 Political leadership support for Language Policy implementation: other provinces

Province	Response
A	The MEC for the Department often communicated in isiXhosa; even when she read her speeches, she would insist that it be translated into isiXhosa so that her audience, which is largely isiXhosa-speaking, could understand. Some members of the Senior Management sometimes emulated her.
B	The Department was currently developing language legislation. It was also in the process of appointing a Language Committee. The existing Language Policy was reviewed in 2011.
C	Provincial Language Forum
D	Cabinet had tasked the Departments of Arts, Culture, Sport and Recreation, and Education to come up with programmes that would assist in the promotion and development of the province's two official indigenous languages spoken by the majority of the people. Bursaries were given to students who study these languages. Learners who excelled in Grade 12 in these two languages were given laptops and dictionaries.
E	Significant financial and strategic support was given to the Provincial Language Committee (PLC) to execute its mandate spelt out in the PanSALB Act and the relevant government [legislation]. Strategic partnerships with other government departments have been initiated and supported.
F	The Policy and Planning Unit in the Office of the Premier assisted the Language Services Unit in the editing of the provincial Language Policy and Bill.
G	The province's Language Policy had been adopted and was being implemented in all provincial departments. The department rendered administrative and financial assistance to the Provincial Language Committee in terms of the Provincial Languages Act, 1998. The Department transferred funds to the Language Committee to enable it to perform its functions.

5.2.3.5 Clients and coalitions of other provinces

It is clear from the responses received that the primary clients for all provinces were the citizens of the province, the service providers and other governmental institutions. These were the people whose linguistic demographics are outlined in the 2011 Census report. The Census statistics with regard to language demographics are asset out in Table 5-6.

Table 5-6 Language demographics for other provinces

Province	Languages spoken in order of popularity		
Eastern Cape	IsiXhosa=78.8%	Afrikaans=10.6%	English=5.6%
Free State	Sesotho=64.2%	Afrikaans=12.7%	isiXhosa=7.5%
Gauteng	isiZulu=19.8%	English=13.3%	Afrikaans=12.4%
Limpopo	Sepedi=52.9%	Xitsonga=17%	Tshivenda=16.7%
Mpumalanga	SiSwati=27.7%	isiZulu=24.1%	isiNdebele=10.1%
North-West	Setswana=63.8%	Afrikaans=9%	isiXhosa=5.3
Northern Cape	Afrikaans=63.8%	Setswana=33.1%	-
Western Cape	Afrikaans=55.3%	isiXhosa=24.7%	English=19.3%

5.2.4 Interview with senior official in the national language service

The senior official who was interviewed was involved in the implementation of the Language Policy at national level.

The National Department of Arts and Culture, through its National Language Service is the leading department in the development and implementation of language policy at national government level. In terms of the Implementation Plan of the National Language Policy Framework (2003), the National Language Service is tasked, among other things, with facilitating establishment of the required structures and coordinating the activities of the mechanisms identified for the successful implementation of the Policy. The data below emanates from an interview held with a senior official from the National Language Service on the implementation of the Policy at provincial government level.

5.2.4.1 Importance and contents of the National Language Policy

In highlighting the importance of the National Language Policy, the respondent referred to the Constitution which clearly advocates the promotion of multilingualism in South Africa. He pointed out that the National Language Policy catered adequately for the harmonization of language policy at all three levels of government: national, provincial and local. He noted that the Policy clearly articulated policy positions on the status and use of the indigenous official languages in all nine provinces in South Africa. He also noted that the Language Policy and constitutional provisions on multilingualism were in concert with government objectives for economic, socio-political and educational growth, since their aims included promotion of equitable use of all the 11 official languages, facilitation of equitable access to government

services, knowledge and information, and encouraging the learning of the official indigenous languages to promote national unity and linguistic and cultural diversity.

5.2.4.2 The importance of establishing language units

The respondent commented that the establishment of language units in each national government department and in each province was important for the effective implementation of the Policy. He pointed out that each national department and each province impacted on the scope of policy implementation.

5.2.4.3 Role of the national language service in policy implementation

The respondent noted that National Language Service, housed in the National Department of Arts and Culture, was responsible for coordinating and monitoring the management of the implementation of the Policy. It was also responsible for facilitating training for language unit staff in language planning activities and establishing operational guidelines on quality issues, relating to all the activities of implementation, which include terminology development, language facilitation services, etc.

5.2.4.4 Coordination of language policy implementation in provinces

The respondent argued that the process of the Language Policy implementation in provinces should begin with each province developing its own approved language policy, which should be in line with the National Language Policy. He referred to Schedule 4 of the Constitution which stipulates that language legislation is a concurrent competence for both national government and provinces, and argued that National Language Service is therefore “*not the mother body of the provincial language units*”. He further argued that the National Language Service, through its provision of expert advice on how provinces could better implement the Policy, could only assist provinces that were willing to be assisted.

5.2.4.5 Challenges for provinces in language policy implementation

The respondent argued that most challenges faced by the provinces were possibly endemic within the provinces themselves, and could not therefore be resolved by the National Language Forum. Among these problems, as reported to the National Language Forum by the provinces, he noted the following:

- shortage of budget to implement the language policy
- lack of political will in some provinces to implement the policy

- shortage of resources (mainly due to shortage of budget)
- absence, in some province, of established language units and infrastructure to facilitate Language Policy implementation, despite the decision taken by Cabinet in 2007 that all departments, nationally, provincially and locally, should have language units by 2012;
- some provinces did not have their own language policies
- general lack of coordination among the implementers of the Language Policy in most provinces, which the respondent regarded as crucial, since this was the point at which stakeholders and implementers could share both experiences and resources

5.2.4.6 Recommendations for effective Language Policy implementation

The respondent was of the view that all provinces and local government should begin by establishing their provincial language units and then develop their language policies based on their regional circumstances, in line with the National Language Policy. He emphasised the need for government at all three levels to mainstream support for Language Policy. This would entail recognising the role of language in social cohesion, nation building and effective communication between government (as elected by the people) and the citizens (as the electorate). This then would be followed by proper allocation of resources and support for the implementation of the Language Policy.

5.3 Conclusion

In this chapter the data from responses to questionnaire and interviews has been presented. The data from (mostly official) documents consulted was used, where appropriate, to support or augment data obtained from the responses to questionnaire and interviews. The data from the responses to both interviews and questionnaire was categorised thematically and presented in a summarised descriptive format.

In the next chapter the data is analysed using as a tool of analysis the conceptual framework developed in Chapter 2.

Chapter 6: Discussion of results

6.1 Introduction

Following the presentation in the previous chapter of results obtained from questionnaires, interviews and documents, this chapter analyses the results using the conceptual framework developed in Chapter 2 as a tool of analysis. In doing that the study establishes (using the results presented in Chapter 5) how the content of the policy, its context, commitment of the implementers (or the lack thereof), capacity, clients and coalitions of the policy, communication, and coordination (or lack thereof) all impacted on the implementation of the Language Policy.

6.2 The issue of policy content in KZN language policy implementation

There is general consensus among policy implementation scholars that the content of policy is important not only in the means employed to achieve policy ends, but also in determining the ends themselves and in the specific choice of means to reach those ends (Brynard, in Cloete and Wissink, 2000:180). Explaining the importance of content in policy implementation, Bhuyan et al. (2010:5) maintain that “the policy content should clearly frame the underlying problem area, the policy’s goals and objectives, [as] unclear or confusing policy objectives may be one reason why [the policy] is not implemented.” Similarly, Lane and Haman (2003:17) argue that for a policy to be implemented effectively, its content must be designed to be coherent, justifiable, legitimate and integrated.

In considering this issue, this section of the chapter first, on the basis of data collected, outlines the typology of the policy (whether the policy is regulatory, distributive or redistributive in its content and its effect on the implementation of the policy) and then demonstrates how the data yielded by research supports one or more of these typologies. Also discussed is whether, on the evidence of the data acquired in the research, the policy’s goals, objectives and strategies are clear and appropriate given the issues to be addressed by the policy.

6.2.1 Typology of the policy

Considering first the typology of the policy, a clear regulatory content is evident in the policy. This is clearly stipulated in section 6(4) of the Constitution of the Republic of South Africa which states that “the national and provincial governments, by legislative and other measures, must regulate and monitor their use of official languages... [and that] all official languages must enjoy parity of esteem”. In terms of the scope of the Policy, all spheres of government (national, provincial and local) are bound by the provisions of the Policy.

In addition, the Policy regulates the way in which the official languages are to be used. It stipulates that each department or province may choose a working language, provided that no person is prevented from using his/her language of choice. It also specifies that in all official correspondence with members of the public, the language of the citizen’s choice must be used and that oral communication with the public must take place in the preferred official language of the target audience. Provinces and national government departments, where necessary, should make an effort to utilise language facilities such as interpreting (which would include consecutive, simultaneous, telephone and whispered interpreting).

There is also an element of redistribution in the Policy. Anderson (2003) defines redistributive policies as policies that “involve deliberate efforts by the government to shift ... rights among broad classes or groups of the population”. The element of redistribution in the National Language Policy is evidenced in the conferment of official status to nine African languages – status which was previously confined to English and Afrikaans as sole official languages of the country. Conferment of official status implies, among other things, that resources which were allocated for the development and promotion of English and Afrikaans only, will now have to be redistributed equitably for the development and promotion of all eleven official languages, nationally, and among the four provincial official languages in the province of KwaZulu-Natal.

6.2.2 Comprehension and appreciation of policy contents by implementers

For any public policy to be implemented effectively it must have goals, objectives and strategies that are clear to and appreciated by the key stakeholders. The implementation data collected for this study suggests that some level of comprehension and appreciation by implementers of the contents of the policy exists at national, provincial and local levels of government, as indicated below.

Nationally (and internationally), the language clauses in the Constitution have been hailed as outstanding on linguistic rights and South Africa is regarded as one of the few states, worldwide, that recognise individual linguistic rights as a fundamental right. “Another welcome development...is that the Constitution provides for the establishment of PanSALB as a permanent watchdog over linguistic rights” (Kamwendo, 2006:59). The Pan South African Language Board Act, No. 59 of 1995 empowers PanSALB to investigate complaints from any individual, organisation or institution about language rights violations. The conferment of official status on the nine indigenous languages which were historically marginalised is another area which is appreciated by the majority of stakeholders, with a few dissenters who argue that implementing the provisions of the policy will result in wastage of ‘meagre’ resources which should be channelled to ‘important’ services like housing, education and health.

Provincially, in KwaZulu-Natal the comprehension and appreciation of the Language Policy contents by both the provincial government and relevant language stakeholders is evidenced by the following measures:

Adoption of the KwaZulu-Natal provincial Language Policy in 2008

Following the adoption of the National Language Policy Framework in 2003, the KwaZulu-Natal government adopted its own provincial Language Policy in 2008. The content of provincial policy is in line with the provisions of the Constitution and of Clause 2.4.1 of the National Language Policy Framework, 2003, which states that “in promoting multilingualism provinces will formulate their policies in line with the guidelines contained in this Policy Framework” (DAC, 2003:16). The formulation of the provincial policy is based on and takes cognizance of the provincial demographic trends in KwaZulu-Natal that appear from the latest census results, the concomitant regional linguistic variations, the pertinent mandatory and enabling legislative framework, such as the Promotion of Access to Information Act, 2000, and the Pan South African Language Board Act.

The key elements of the KwaZulu-Natal Language Policy are in line with the Constitution and the National Language Policy in every material respect, save for the fact that they take into consideration the regional circumstances of the province.

In its approach, the provincial policy recognises that promoting multilingualism in the province must take account of the knowledge that exists in societies where indigenous official

languages are widely used, for which reason it would be important to involve communities as participants in language development. The Policy also recognises the importance of engaging language specialists to assist in developing functional multilingual programmes through research and the dissemination of findings. It emphasises the need to conduct policy reviews at reasonable intervals to monitor progress towards a fully multilingual provincial society.

In implementation of this Policy, the provisions of the provincial Language Policy are applicable to all provincial government departments as well as to institutions exercising a public power or performing a public function in the province, with local government taking into account the language use and preferences of their communities. The Policy stipulates that, as a matter of right, the main provincial official languages are to be used as required in all legislative activities, including provincial Hansard publications. As a way of promoting multilingualism, the Policy determines how the provincial main languages in government structures should be used.

The KwaZulu-Natal provincial Language Policy incorporates implementation strategies that, like the National Language Policy Framework Implementation Plan, outline how the Policy will be implemented in the province. It stipulates that the Policy will be phased in progressively in the short, medium and long term, with government structure having time to plan their budget by gradually increasing allocations over the Medium Term Expenditure Framework (3-year budget period) and planning their operations in line with the resources required for successful policy implementation. The Policy further stipulates that the provincial Language Services Unit will be responsible for providing translation, interpreting and editing services and will also develop monitoring mechanisms for assuring quality.

It also provides for monitoring and evaluation mechanisms for the implementation of the Policy which include the requirement that all government structures in the province must report quarterly to the provincial Cabinet, through the MEC responsible for language matters in the province, on the progress made with regard to the implementation of the Policy.

In addition, the provincial Language Policy also provides for reprieve for any party who is aggrieved by non-compliance with it. Prior to its adoption, the provincial Department of Arts and Culture consulted the relevant stakeholders so that they could make inputs to the then Draft Policy, and such inputs were incorporated into the approved Policy.

Drafting of the KwaZulu-Natal Provincial Languages Bill

The drafting of the KwaZulu-Natal Provincial Languages Bill is a further proof of the provincial government's comprehension of the contents of the National Language Policy. The Bill is in line with section 6(4) of the Constitution as outlined above. Once passed as a statute it will apply to the Executive Council of the KwaZulu-Natal Provincial Government, all municipal councils in the province, and all governmental bodies in KwaZulu-Natal.

Contained in the Bill are provisions for determination of provincial languages in KwaZulu-Natal, regulation and monitoring of the use of provincial official languages by all governmental bodies in the province, elevation of the status and advancement of the use of indigenous languages spoken in the province, development of internal language policies by governmental bodies in the province, and overall development and adoption of provincial policy in support of indigenous languages.

In line with section 6 of the Constitution and the National Language Policy Framework, the objectives of the Bill include promotion of parity of esteem and equitable treatment for all provincial official languages in the province, empowerment of the public in the use of languages of their choice for access to government services and to knowledge and information, and promotion of multilingualism and linguistic diversity in the province.

Based on the latest Census results on language demographics in the province, the Bill designates isiZulu, English, isiXhosa and Afrikaans as the provincial official languages. It also provides for the use of the provincial official languages in the proceedings of the provincial Executive Council, municipal councils and the Provincial Legislature, use of provincial languages for legislative purposes, and use of provincial official languages by governmental bodies in the province.

The Bill also establishes the KwaZulu-Natal provincial Language Services Unit, the powers, functions and duties of which include monitoring implementation of the objectives and provisions of the Bill by all governmental bodies in the province. During the first draft stage of the Bill, the provincial Department of Arts and Culture, which is responsible for language matters in the province, consulted relevant stakeholders and their inputs were incorporated into the second draft of the Bill, thereby seeking to ensure that all relevant stakeholders understood and appreciated the contents of the Bill.

Adaptation of the provincial Language policy by provincial departments and municipalities

The data collected shows that some KwaZulu-Natal government departments and District Municipalities have their own departmental/municipal language policies based on the provincial Language Policy, the National Language Policy Framework and the Constitution. The contents of these departmental/municipal language policies are in concert with the provisions of the latter documents. Thus, in relation to the role of provincial and local government role in the implementation of the National Language Policy Framework, there is evidence that KwaZulu-Natal provincial government departments and municipalities comprehend and appreciate the contents of the National Language Policy and have adapted these to the provincial and local context. This indicates that when a policy is formulated at the national level allowance should be made for its vertical adaptation to local content if it is to achieve its intended goals.

Departments adopting the provincial Language Policy as their institutional language policy

The data collected also shows that KwaZulu-Natal government departments that do not have their own departmental language policies have in some cases opted to adopt the provincial Language Policy as their departmental policy, giving further evidence that the contents of the National Language Policy are widely known and understood in the province.

There is, in general, a high level of comprehension and appreciation of the contents of the policy among provincial government departments in the province. This was also found to be the case with relevant stakeholders such institutions of learning and the PanSALB structure in the province, which commend both the National Language Policy and the KwaZulu-Natal Language Policy as steps in the right direction for addressing past linguistic imbalances. This would suggest that apart from vertical adaptation by the lower spheres of government, there is also horizontal adaptation by various departments within the provincial sphere. This further highlights the importance of flexibility for adaptation of nationally formulated policies within a decentralised state.

One worrying factor, however, was the lack of awareness of the Language Policy on the part of the general public who should be its beneficiaries. This became evident in the interviews held with the clients of the Department of Home Affairs and SASSA, most of whom indicated that they were not aware of the Language Policy or its content. The other worrying factor was the application of the Language in Education Policy (LIEP) by some former Model C schools in a manner that runs totally counter to the letter and spirit of the Constitution and the LIEP

itself. Both these documents promote additive multilingualism, but some of these former Model C schools (as outlined in the previous chapter) perpetuate the hegemony of English and to a lesser extent Afrikaans over the indigenous African languages. This shows that these schools do not comprehend and appreciate the contents of the Language Policy and is a factor that negatively affects the effective implementation of the Language Policy in the education sector. The possible cause of this non-compliance is that, as the language of learning teaching (LOLT) is chosen by the school governing bodies (which are comprised mainly of parents of learners in a school), and English dominates as the LOLT in schools, the majority of parents (clients and coalitions of the Language Policy) still adhere to the view that English is superior and indigenous languages are inferior with little or no economic value.

The National Language Policy at local government level

The National Language Policy stipulates that local government will determine language use and preference of their communities within the enabling provincial language policy framework. This implies that upon determination of their communities' language use and preference, municipalities must, in consultation with the communities, develop and implement their own language policies.

As indicated earlier, the data collected indicates that there is some comprehension of the contents of the policy among some municipalities in KwaZulu-Natal.

Other content factors that negatively affect Policy implementation

Despite some positive indications, as discussed above, regarding the way content of the Policy influences its implementation, there are, however, certain negative elements within the contents of the Policy which may have hindered its implementation. These include the escape clauses that are found in the Policy and the lack of punitive measures for those who fail to comply with its provisions.

Clause 2.4.1.6.1 of the National Language Policy Framework stipulates that

By consensus, each government structure must agree on a **working language(s)** for both intra and interdepartmental communication purposes, provided that **where practically possible** no person will be prevented from using the language(s) of his or her preference. For the purpose of conducting meeting meetings or performing specific tasks every effort must be made to utilise language facilitation facilities such as translation and/ or interpreting **where practically possible**.

The Clause thus quoted gives each government structure leeway to choose a **single** working language for both intra- and interdepartmental communication purposes. Data collected from

the research indicate that most government structures use English only as their working language for both intra- and interdepartmental communication purposes, and some base their practice on this ‘escape’ Clause, citing the impracticality of using more than one language. It must be noted that using one official language at the expense of the other official languages is inimical and antithetic to the aims of the policy, which include promotion of equitable use of all official languages, facilitating equitable access to government services, knowledge and information, and ensuring redress for the previously marginalised official indigenous languages.

The absence of any punitive consequence for those who fail to comply with the provisions of the National Language Policy is a serious omission in the content of the Policy. By their very nature regulatory policies specify rules of conduct and should have sanctions for failure to comply (Brynard, in Cloete and Wissink2000: 179). This omission can promote non-compliance with the Policy as the culprits realise that they will not be punished.

Data collected for this research indicates that the KwaZulu-Natal government has, however, noted this omission in the National Language Policy Framework, and its provincial Language Policy includes a clause which serves as reprieve to those who may be affected by the non-compliance. Clause 5 of the KwaZulu-Natal provincial Language Policy states that

Any party who is aggrieved by non-compliance with this policy by any government structures ...has a right to refer its grievance to any of the following structures for reprieve, viz., Pan South African Language Board, Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities, Public Protector, South African Human Rights Commission and the Constitutional Court.

Content is not the only factor that has an impact in policy implementation; other interlinking factors may in one way or the other also affect the implementation. The next such factor to consider is context and the role that it plays in the implementation of language policy in KwaZulu-Natal. Unlike content, which focuses on the ‘inside’ of the policy, understanding the role of context in the implementation process requires attention to the circumstances and environment that surround the policy and the way these affect its implementation.

6.3 The issue of context in KZN language policy implementation

Execution of a policy inevitably hinges on the context within which this takes place, where context involves the various social, political and economic factors outside of the policy process that can either enhance or hinder its implementation (Bhuyan et al., 2010:6).

This study has identified four types of context that affect implementation of the Language Policy: institutional context, historical context, legislative context, and demographics of the province. Each of these is discussed below.

6.3.1 institutional context

Institutional context extends to type of governance, along with mechanisms that govern institutions, actors and agencies, in the effect these have on the implementation of policy.

6.3.1.1 Influence of governance type

Each country or state has its own form of government and political systems which affect implementation, for better or worse, of their policies. South Africa is no exception, as a unitary state with three distinct spheres of government: national, provincial and local .It is within this context that National Language Policy implementation takes place.

In terms of Schedule 4 of the Constitution, language policy and the regulation of official languages, in line with the provisions of section 6 of the Constitution, is a concurrent national and provincial legislative competence. This means that both national and provincial governments have powers to make language policies and to regulate use of official languages, in accordance with the constitutional provisions on languages. To this end, national government adopted the National Language Policy Framework in 2003, and the provincial governments had in turn to develop their own language policies and legislation to regulate their use of official languages, with municipalities required to take into account the language usage and preferences of their residents.

National government receives its funding for the implementation of policies from national parliament and as such is accountable to national Parliament. Provincial governments receive their funding for implementing their policies from their provincial budgets and are thus accountable to their respective Provincial Legislatures.

Data collected for this study highlights certain challenges presented by this arrangement in the implementation of the Language Policy. The first relates to inconsistencies in the implementation of the Language Policy by the three spheres of government. The data indicates that at provincial level, for instance, some provinces have provincial language units as recommended in the Implementation Plan of the National Language Policy Framework while others do not. Even among those that have provincial language units, some have a staff complement as low as just one officer manning a language unit, whereas in others the staff complement can be as high as seventeen.

The next area of difficulty is inequitable funding of Language Policy implementation across the various spheres of government. At provincial level, annual language units budgets for implementation of the Language Policy range from R100 000 to R10 million.

A third challenge relates to inconsistencies among provinces in terms of the language services they provide. Some provinces provide no language services at all, some provide mainly translation, editing and interpreting services, and others provide a full range of services that include translation, interpreting and editing services (language facilitation services); status language planning services, terminology development services, and literature development services. Some provincial units serve as central provincial units (i.e., they provide services to their entire provincial government) whereas others leave it to their individual provincial government departments to provide their own language services according to their departmental needs.

6.3.1.2 Influence of structures and mechanisms that govern institutional actors and agencies

The Implementation Plan of the National Language Policy identifies a number of structures and mechanisms that would be important in enhancing implementation of the policy. These structures are the language units, PanSALB, Hansard, the National Language Forum, and the South African Language Practitioners' Council. The mechanisms identified by the Implementation Plan include terminology development; interpreting, translation and editing; training; language technology; directory of services and information databank; monitoring and evaluation; language awareness campaigns; and telephone interpreting and media.

How these structures and mechanisms have influenced implementation of the Language Policy, in KwaZulu-Natal particularly, is considered below.

(a) Structures

Language Units

The Implementation Plan envisaged that the implementation of the Language Policy would lead to an increase in the demand for language services. Language units were then identified as important structures not only for providing the language services but also for liaising with other relevant stakeholders on language matters. National departments and provinces were to have established their units by the end of 2005. The language units would be responsible for establishing the Language Policy in the province, raising awareness of the Policy and the Language Code of Conduct within the province, and managing facilitating all language services in the province.

The data collected for this study indicates that there is a provincial Language Services Unit established in KwaZulu-Natal which provides the following services:

- translation, interpreting and editing (which should assist in facilitating communication between the provincial government and the citizens)
- terminology and literature development and promotion services (which are aimed at developing and promoting indigenous official languages of the province)
- language planning (which entails establishing and raising awareness of the Language Policy in the province)

As part of its language planning function in the province, the unit facilitated the development of the provincial Language Policy in 2008, assisted some provincial government department and municipalities to develop their institutional language policies based on the provincial policy, and facilitated the drafting of the KwaZulu-Natal Provincial Language Bill of 2011, one purpose of which is to regulate the use of official languages by the provincial government.

Role of PanSALB and its structures in the implementation of the Language Policy

PanSALB, together with its structures, is identified as one of the strategic partners of the Department of Arts and Culture in language matters. In compliance with section 6(5) of the Constitution which enjoins development and promotion of all the official languages of South Africa, PanSALB is constituted in terms of the Pan South African Language Board Act of 1995 which also establishes the Provincial Language Committees, the National Lexicographic

Units and the National Language Bodies as structures of PanSALB that would assist it in carrying out its constitutional mandate.

The Provincial Language Committees were established (for every province) by the Act to advise the Board and provincial governments on language matters in provinces. The language matters would include the promotion of multilingualism; language policy, legislation and practices of the province and local government in each province; language in education, language facilitation services; development and promotion of literature, especially of historically marginalised languages; lexicography and terminology development; and research. In KwaZulu-Natal the Committee was officially established in 1999, with members representing isiZulu, English, isiXhosa, Afrikaans, South African Sign Language and heritage languages. The provincial Language Services Unit played a leading role in the process of the nomination of the members of the Committee and the MEC, responsible for language matters in the province endorsed the nominations which were approved by PanSALB. The existence of the Committee played a big role in the development and adoption of the provincial Language Policy. The Committee worked cooperatively with the provincial Language Services Unit in the drafting of the Policy and in consulting relevant stakeholders thereon.

National Lexicography Units were also established by the PanSALB Act to develop dictionaries in all official languages. They were created to work cooperatively and closely with Language Units in provinces. KwaZulu-Natal has an isiZulu Lexicography Unit based in the province. The data collected suggest that there is no cooperation between the isiZulu National Lexicographic Unit and the provincial Language Services Unit even though these two structures need to cooperate in dealing with language matters, especially terminology development. This has led to wastage of resources which could have been valuable to both these structures had they shared their expertise and limited resources.

National Language Bodies were also established by the Act to have authority for approving lexicography and language standards and were required to work closely with relevant PanSALB and other government language structures. Each official language, as well as South Sign Language and Khoi, Nama and San languages, were required to have their own bodies.

In KwaZulu-Natal the isiZulu National Language Body, formally established in 2005, which is based in the province has worked cooperatively with the provincial Language Services Unit in the implementation of the Language Policy. As part of its functions, the structure considers,

standardises and approves all terms brought to it by the provincial Language Services Unit. Lately, however, PanSALB, as the mother body, has been dysfunctional, and this has led to some delays in the standardisation of isiZulu/English terms collected by the provincial Language Services Unit, negatively affecting both the language facilitation service and the terminology development services in the province, since terms used in language facilitation services need to be approved and standardised by National Language Bodies before they are recognised as standard terms.

The role of Hansard in implementation of the Language Policy

The National Language Policy Implementation Plan states that the Hansard offices in Parliament and in the various provinces have an important role in supporting provision services, as a matter of right and subject to regional circumstances, in all official languages. In doing so, these offices should work closely with language units and other relevant structures. In the KwaZulu-Natal Provincial Legislature there is an established Hansard office which provides language facilitation services (translation, interpreting and editing) and terminology development services for the Provincial Legislature. This office does to certain extent work cooperatively with the provincial Language Services Unit and participated actively in the development of the provincial Language Policy. There is, however, still room for improving the cooperation between the two structures and other relevant structures in the province. More data on this point is discussed and analysed under ‘Coordination’.

(b) Other identified mechanisms

In addition to the structures discussed above, the National Language Policy Implementation Plan (2003) also identifies a number of mechanisms as vehicles through which implementation of the Policy will be facilitated. The progress (if any) in deployment of these mechanisms in KwaZulu-Natal is discussed below.

Terminology Development

The importance of this mechanism hinges on the premise that implementation of the Language Policy would give rise to a high demand for language facilitation services and that development of terminology in all fields would therefore be imperative. This would require collaboration of all stakeholders, language units and PanSALB structures to ensure effectiveness of their efforts.

The data collected indicate that in KwaZulu-Natal this is one mechanism which has been very effective in the implementation of the Language Policy. There is clear evidence of cooperation among all relevant stakeholders in collection, documentation, processing, standardisation and approval of terms. The provincial Language Services Unit collects and documents terms from various sources, including translators from various departments and municipalities in the province; categorises them according to specific fields (commerce, agriculture, science etc.); submits them to an intergovernmental committee of specialists to discuss and provide equivalents in the target language; then sends them to the relevant National Language Body for standardisation and approval. Since the approval of its Language Policy the province has had more than ten term-lists approved and standardised. Examples thus far are *General Term List* (Volumes 1,2 and 3), *Agricultural Term-List* (Volume 1), *Medicinal Term-List*, *Soccer Term-List*, and *HIV and AIDS Term-List*.

Interpreting, translation and editing

Provision of interpreting, translation and editing services is one of the cornerstones of the implementation of the Language policy. These services help to ensure that not only can citizens access government information and services in their own language, but also that all languages are seen to be treated equitably and enjoy parity of esteem.

Data collected indicates that in KwaZulu-Natal the provincial Language Services Unit provides these services on request for free to all provincial government departments and municipalities. Over and above the services provided by the provincial Language Services Unit, there are provincial departments, the provincial Hansard and municipalities that provide their own language facilitation services. Despite these service provided for free by the provincial Language Services Unit, there are government departments in the province that communicate with their clients only in English, thus denying the citizens their right to access government information and services in their languages of choice.

Training

Training was seen as an important mechanism for the effective implementation of the Language Policy in that it would facilitate capacity building for officials who would be responsible for implementing the policy, especially translators, interpreters and terminologists. This was to be done in collaboration between National Department of Arts and Culture, South African Qualifications Standards (SAQA), the Department of Education and educational institutions to address the shortage of professional language workers.

The data collected indicates that at national level this mechanism has not been implemented. In KwaZulu-Natal data collected indicates that there was some collaboration between certain provincial government departments (led by the Department of Arts and Culture) PanSALB in the province, and Durban University of Technology. From this collaboration a *Training Manual for Language Translators, Interpreters and Editors* was produced and work-shopped to relevant stakeholders. Other short training courses for language practitioners in the fields of Sign Language and translation have been done collaboratively by these stakeholders, although most courses offered are not accredited. This is a positive start on which the province can build in working for effective and capacitated implementation of the Language Policy.

Language technology

As mentioned earlier in Chapter 2, language technology is seen as an important mechanism in fields such as the development of indigenous languages, and it was envisaged that advances in terminology and translation management software would make it possible for terminologists and translators to interact and collaborate in the development of these fields. Facilities such as the envisaged National Term Bank would give translators access to terminology via the Internet.

The data collected for this study indicates that this mechanism was never implemented at either national or provincial level (KwaZulu-Natal included). No valid reason could be established why this very important mechanism was not implemented. The answer may have to do with issues of capacity and/or commitment which will be discussed under ‘Capacity’ and ‘Commitment’ later in this chapter.

Language Code of Conduct for Public Servants

The National Language Service was supposed to spearhead the establishment of this important mechanism which would help to regulate the conduct of language policy implementers and ensure that language services are provided in a professional manner. The data collected indicate however that development of the Language Code of Conduct for Public Servants was never undertaken, to the detriment of language policy implementation by the street-level bureaucrats (the public servants). Data collected in various departments in KwaZulu-Natal shows that a majority of the departments do not adhere to the provisions of the language policy. If there was a Language Code of Conduct for Public Servants, such departments would be taken to task.

Monitoring and evaluation

This mechanism is dealt with under ‘Coordination of the Language Policy implementation in KwaZulu-Natal’, later in this chapter

Language awareness Campaigns

This mechanism is dealt with under ‘Communication’ later on in this chapter.

Telephone interpreting

Telephone interpreting, as initially conceived, was seen as a mechanism that would help to ensure that citizens received government services and information in their language of choice anywhere at any time in the country. Data collected for this study shows that a pilot study, Telephone Interpreting Service of South Africa (TISSA), was conducted on behalf of the National Language Service with the aim of eventually extending it to all provinces and municipalities. Despite the positive impact of pilot project, it had to be aborted due to financial constraints, and the project was never implemented in any of the provinces or municipalities. The issue of financial constraints and their effect on the implementation of the Language Policy is discussed later in this chapter in relation to ‘Capacity’.

Discussion thus far has highlighted the impact of a range of institutional factors on smooth implementation of the Language Policy. While much has to do with budgetary constraints, there also seem to be norms and routines, including codes of conduct and stereotype behaviours, that have hindered implementation of the Policy.

6.3.2 Historical context

In South African language policies prior to the advent of democracy in 1994 only English and Afrikaans were accorded the status of official languages, to the exclusion of indigenous African languages spoken by the majority of the population. Communication between government and citizens was exclusively in English and/or Afrikaans even though they were not understood by the majority of citizens who spoke African languages. In schools English and/or Afrikaans were the only languages of teaching and learning, with African languages offered only as subjects and taught, sometimes, by inadequately qualified teachers. Consequently, more and better resources were allocated to the development, advancement and promotion of English and Afrikaans, causing the African languages to lag behind in development, technology, and content. This state of affairs engendered negative stereotypes

of the African languages which continue to be held not only by English and Afrikaans speakers but even by many of the speakers of the African languages themselves.

That also led to short-sighted and bureaucratic resistance to multilingualism, with public and private institutions having a tendency to take ad hoc language decisions that contravene constitutional provisions and requirements relating to languages.

Data collected for this study shows that despite the constitutional provisions on language matters and the National Language Policy Framework some government institutions are still stuck in the past and adhere to the apartheid language policy. As indicated in Chapter 5, the majority of government departments and municipalities in KwaZulu-Natal use only English as their language of record, and both oral and written communication with their internal and external stakeholders is mainly in English. In some governmental institutions, signage and some official documents such as tender documents and application for employment forms are still in English and Afrikaans only. In many government institutions, employment adverts and job interviews are mainly in English.

In education, English and Afrikaans are still the only languages that are used for teaching and learning, with African languages offered only as subjects. In many former Model C schools, learners whose home languages are African languages (mainly isiZulu and isiXhosa) are taught English as Home Language and their actual home language as First or Second Additional Language – in some instances not because this what the learners choose but because they are told that African languages as home languages are not offered in their schools. As in the apartheid era, in some schools even the teachers who teach African languages (as First Additional or Second Additional Language) are inadequately qualified to do so; some cannot even properly speak the African languages they teach. Historical factors and persistent stereotypical behaviour thus substantially hinder policy implementation.

6.3.3 Legislative context

The Constitution and related statutes clearly advocate the promotion of multilingualism in South Africa. As discussed previously, in terms of Section 6 of the South African Constitution there are eleven official languages. Nine of these are indigenous languages which were historically marginalised, and they now have the same official recognition as the historically advantaged languages, English and Afrikaans. In recognising the historically diminished use and status of these indigenous official languages, the Constitution requires that mechanisms be put in place to develop them at least to a level of effective parity with

English and Afrikaans. The Constitution further mandates and directs national and provincial governments to regulate and monitor their use of official languages, and municipalities are required to take into account the language usage and preferences of their residents.

Section 6(5) of the Constitution provides for the establishment, through national legislation, of a Pan South African Language Board (PanSALB), mandated, among other things, to promote, and create conditions for the development and use of all official languages, the Khoi, Nama and San languages, and Sign Language. The subsequent Pan South African Language Board Act of 1995, as amended, provides for the establishment of the Board and its various sub-structures, most of which are based in provinces. These structures include the Provincial Language Committees, found in all nine provinces; the National Language Bodies, with each language body based in a province where that language is dominant (the isiZulu Language Body being based in KwaZulu-Natal); and National Lexicography Units for all eleven official languages (the isiZulu National Lexicography unit also being based in KwaZulu-Natal). These PanSALB structures are all present in the province of KwaZulu-Natal and are among the stakeholders in the implementation of the Language Policy.

Other relevant provisions of the Constitution relating to languages matters include the provisions of section 9(3) which protects citizens against unfair discrimination on the grounds of language, and Sections 30 and 31(1) which enshrine citizens' rights in relation to cultural, religious and linguistic participation and enjoyment. The language rights of arrested, detained and accused persons are enshrined in section 35(3) and (4) of the Constitution, with special emphasis on the right to fair trial with proceedings conducted in or interpreted into the language of that individual's choice.

The legislative framework highlighted above requires the implementers at all three levels of government to develop policies and programmes for effective and efficient attainment of these objectives. This in turn requires proper coordination and monitoring of the activities of all implementers in all three spheres of government to eliminate inconsistencies or transgressions.

Data collected for this study indicates that some implementers comply with the legislative framework and some do not. An example of compliance is the KwaZulu-Natal provincial government's development and adoption of the provincial Language Policy in 2008 and its engagement in the process of promulgating the Provincial Languages Bill. Both these

documents are in line with the Constitution. Levels of compliance vary and the main challenge is around coordination and monitoring of the implementation (see further discussion on coordination of implementation is found under the relevant heading later in this chapter).

6.3.4 Demographics of the province

The importance of demographics is that they serve as a useful tool for decision making and policy choices – particularly so in language planning where they provide much-needed information on the language preferences of the population.

The data obtained from Census 2011 indicates that isiZulu as a home language is spoken by the majority (78%) of the population of the province of KwaZulu-Natal. It is followed by English at 13 per cent, then isiXhosa at 3 per cent, with Afrikaans at 2 per cent and isiNdebele and Sesotho at 1 per cent each. Other data from Census 2011 indicate that 11 per cent of the population, 20 years and older had no schooling. The majority of those people are speakers of isiZulu. The significance of this data is that it should form the basis of the provincial government language policy and practice.

At a policy and legislative level, the decision by the KwaZulu-Natal government to declare isiZulu, English, isiXhosa and Afrikaans as the official languages of the province therefore is justified. In contrast, the KwaZulu-Natal Parliamentary Languages Act of 1998, which establishes isiZulu, English and Afrikaans as the official languages of the Provincial Legislature, is not in line with the current language demographic reality of the province. The KwaZulu-Natal Languages Bill, 2011, has taken these demographics into consideration. Like the provincial Language Policy, it declares isiZulu, English, isiXhosa and Afrikaans as the official languages of the province and its objectives include repeal of the KwaZulu-Natal Parliamentary Languages Act, which is, as indicated above, not in concert with the latest linguistic demographics of the province.

At a language practice level, the data collected indicate that there is still hegemonic use of English in most of the provincial government operations. This is evidenced by the following data obtained through the questionnaire sent to provincial government departments and District Municipalities:

- The majority of government departments in the province have English only as their official language of record.
- The majority of District Municipalities have English only as their official language of record.
- All government departments and District Municipalities in the province conduct job interviews in English only.
- The majority of government departments and District Municipalities in the province use English only for written communication with their clients.

There is a clear dichotomy between policy provisions and actual practice by these government institutions. This practice is also not in line with the linguistic demographics of the province.

6.4 Commitment of actors in KZN language policy implementation

Commitment has been identified in the conceptual framework as one of the crucial factors for the successful implementation of policy. There is general argument that even with the most logical policy imaginable, passing any test of cost versus benefit, if those that are responsible for executing it are not willing or unable to do so, little will happen. Brynard (2009:561) defines commitment as “a tangible and visible political and administrative will to deliver policy.” As the principal drivers of commitment he lists visibility, ownership, reach, tangibility, durability, action-oriented approach, and supportive context of the policy. These drivers were used in this study as a guide to establish the commitment of actors to the implementation of the Language Policy. Commitment is considered on two different levels: commitment at a political level (political will) and commitment at administrative level (by street-level bureaucrats).

6.4.1 Political will

Political will denotes a sufficient set of decision makers with a common understanding of a particular problem on the formal agenda committed to supporting a commonly perceived, potentially effective policy solution (Post et al. 2010). In trying to measure the political will underpinning the implementation of the Language Policy in KwaZulu-Natal this study focused on the areas covered in the following three subsections.

6.4.1.1 Advocacy and championing by political leaders

This is determined by counting the number of positive statements made by the political leaders as reported in the media (Stover, 2000:3) – showing them to be acting as political champions for the Policy and its implementation.

Data collected for this study has shown that there were very few positive statements on the existence and implementation of the Language Policy made by political leaders in KwaZulu-Natal, especially when one considers the importance of the Policy in addressing the linguistic injustices of the regimes prior to the advent of democracy in South Africa. Even after the province had adopted its Language Policy in 2008, no positive statements were made by the provincial political leadership in the media about such a milestone. The only evidence that could be found in relation to this approach was the following:

MEC's Budget Speeches delivered in all provincial official languages

Most Budget speeches (for the period between 2011 and 2012) by the MEC in KwaZulu-Natal were published and made available in all the provincial official languages (isiZulu, English, isiXhosa and Afrikaans) in line with the provincial Language Policy, over and above which the speeches for the MEC responsible for languages were made available in Braille to cater for citizens with sight disabilities.

In meetings with stakeholders the MEC delivers her speeches in languages of the majority of the clients, but ensures that interpreting services are provided in all official languages of the province, including Sign Language.

KwaZulu-Natal Citizens' Charter

In the KwaZulu-Natal Citizens' Charter (2009-2014), which is a commitment by the provincial government to uphold the citizens' rights in accordance with the Constitution, as set out in the Bill of Rights, all provincial departments commit to providing all information in the basic official languages of the province.

6.4.1.2 Government's regulation of the use of official languages

As already noted, section 6 of the Constitution requires national government and provincial government to regulate their use of official languages, by legislative and other means. This section is specifically directed to politicians (in this case the Provincial Legislature and the provincial Cabinet) who, as an indication of commitment, should do what the Constitution

requires (i.e., develop legislation and other measure that are aimed at regulating use of official languages in the province).

Legislative measures

Like the national government, KwaZulu-Natal provincial government failed to promulgate a Language Act that would regulate government use of official languages in the province; this followed the national government Cabinet decision on 25 July 2007 that

the Minister of Arts and Culture must consult further with the Minister of Justice and Constitutional Development with a view to exploring alternative non-legislative ways of dealing with the matter and to assess the intended and unintended consequences of the various options.

The decision demonstrated the executive's unwillingness to comply with the constitutional obligation. Seven out of nine provincial governments (including KwaZulu-Natal) chose to follow the decision despite the fact that Schedule 4 of the Constitution confers concurrent competence to both national and provinces to legislate on languages.

Like its national counterpart, KwaZulu-Natal government opted to develop its own policy, the KwaZulu-Natal provincial Language Policy, 2008, as a measure to regulate its use of official languages in the province. By their very nature government policies are regarded as soft legislation, as they are in many cases not enforceable if not backed by relevant legislation.

Drafting of the KZN Provincial Languages Bill of 2012

Following the judgement, previously referred to, in the matter between Lourens and President of the RSA et al., the KwaZulu-Natal government began a process of drafting its own language legislation, the KwaZulu-Natal Provincial Languages Bill, 2012, the objectives of which have already been discussed. The drafting of this Bill is a sign of forced commitment on the part of government to implement the provisions of the Constitution.

Provincial Language Policy, 2008

A constitutional requirement, and a provision of the National Language Policy Framework, is that provincial governments must regulate and monitor their use of official languages. As a sign of compliance and, more importantly, commitment to that requirement, the provincial

government adopted its provincial policy which not only follows these provisions but also shows awareness of the weaknesses in the national policy in regard to monitoring and evaluation of its implementation and in regard to lack of punitive measures for those who fail to comply with the provisions of the Policy. In its provincial policy the KwaZulu-Natal provincial government included clauses that addressed those shortcomings.

Provision of budgetary and other resources for Language Policy implementation

The budget allocation of R8,4 million in 2011/12 financial year for the provincial Language Service Unit ranks as one of the biggest language services budgets in comparison with the budget allocations of other provinces.

The provincial Language Services Unit thus established, headed by an official at Director level (senior management level), has sub-units that cater for most of the required language planning activities/services such as status planning; corpus planning; development and promotion of literature and terminology; and translation, interpreting and editing services. Furthermore, the MEC responsible for language services in the province is personally acting as champion for programmes aimed at promoting multilingualism (International Mother Tongue Day – observed by the Provincial Legislature sitting in 2011 – and International Translation Day).

Learn-another-language project

In an effort to promote use of indigenous languages and additive multilingualism, the Department of Arts and Culture launched the Learn-another-language Campaign. The Campaign was a collaborative effort between the Department and Ukhozi FM and was aimed at encouraging the use of languages spoken beyond the provincial borders. Ukhozi FM (which is mainly an isiZulu radio station) broadcast 60 episodes of a radio drama, entitled *Kusa - Kusa*, on the use of Sesotho, which taught listeners conversational basics in Sesotho.

Literature development and promotion initiatives

The Department embarked upon a mass literature programme as one of its flagship events to develop greater affinity and attraction to the indigenous official languages of the province.

The literature writing workshops are an integral part of the programme, in which drama, novel and poetry writing have been used to develop prospective writers.

The Department also established a number of reading and writing clubs across the province to promote the culture of reading and writing in the indigenous official languages of the province (isiZulu and isiXhosa). The clubs have played a major role in increasing the number of literature books published in isiZulu and isiXhosa, which bodes well for the development of these two historically marginalised languages.

The above-mentioned initiatives, though not enough, go some way towards addressing the requirements of Sub-section 6(2) of the Constitution, which obliges government to promote the status and use of indigenous languages.

Support for learning and teaching of all South African official languages

One of the responsibilities of government in regard to implementation of the Language Policy is support for the learning and teaching of all South African official languages at all levels of schooling. To this end, national government introduced the Language in Education Policy of 2004, which promotes the use of a learner's first language plus English as a medium of instruction in most schools. With the current policies, learners are expected to learn through their first languages at least up to grade 3, and thereafter be taught through the medium of English.

As noted by Mncwango (2012), in spite of the government's policy on additive bilingualism, some schools have generally continued teaching as before. Some primary and secondary schools are teaching through the medium of English or Afrikaans.

While promoting multilingualism is the ultimate goal of the South African Constitution, it has been noticed that most schools seem to remain rooted to the principal's wishes with the persuasion of the school governing body, especially in former Model C schools – not allowing the introduction of an indigenous African language, in which learners ought to acquire full competence by the time they reach grade nine. Introduction of indigenous African languages would ensure their restoration and also encourage literacy in them. This seems a rather weak point in that it lacks the Department of Education sanction needed for its reinforcement. No school could be sued for not introducing an indigenous language as a

second additional language. The argument, therefore, is that the Language in Education Policy of 2004 ought to be sanctioned by the Department of Education so that schools become fertile ground for the promotion and development of indigenous African languages to take root.

Again, government alone cannot oblige learners to choose an indigenous African language over another additional language (Afrikaans in most cases) which the school offers. Realising the dream of developing indigenous African languages will be brought about by a conflation of government policies, will on the part of native speakers of the languages, and change in the mind set of all stakeholders.

6.4.1.3 Commitment-related monitoring and evaluation

Sub-section 6(4) of the Constitution (1996) requires both national and provincial governments to monitor their use of official languages. The National Language Policy Implementation Plan similarly identifies language surveys and audits as important mechanisms in implementing the policy generally, and monitor and evaluate its effectiveness in particular.

The KwaZulu-Natal Language Policy takes this further by requiring that all government structures should report to the provincial Cabinet on progress made in implementation of the Policy. To facilitate the process of reporting, the provincial Cabinet authorized the establishment of the KwaZulu-Natal Intergovernmental Language Forum, charged, among other things, with coordinating implementation of the Policy and compiling reports on the progress made in this regard.

The data collected for this study indicates a serious lack of sustained monitoring and evaluation of the implementation of the Language Policy in the province on the part of the political leadership. No report has ever been sent to the provincial Cabinet on progress in implementing the Policy, nor has this research found any evidence to suggest that there was ever a request from the provincial Cabinet, or any of its structures, for such a report; this can be taken as a clear indicator of lack of political commitment. The data collected suggest that province did conduct some language surveys, which assisted in the development of the provincial Language Policy and of the language policies for some municipalities and some provincial government departments, but there is no data that suggest that language audits were conducted to establish the capacity (personnel or financial) available for the effective and efficient implementation of the policy.

Still on the issue of commitment to monitoring and evaluation, the KwaZulu-Natal provincial Language Policy of 2008 similarly stipulates that the Policy must be reviewed every five years to determine its relevance and to effectively respond to exigencies and complexities that may have arisen during the process of implementation. In the absence of monitoring and evaluation, as reported above, or of any research conducted by the provincial government (as found during this study) it is clear that such a review will not take place as contemplated in the Policy. This is a further indicator of the lack of political commitment.

6.4.2 Commitment of street-level bureaucrats

Street-level bureaucrats in relation to language matters may be divided into two categories. The first are those tasked with providing language services – the language practitioners, which include translators, interpreters, terminologists, lexicographers and language planners. In the second category are other public servants who are not necessarily language practitioners but have a duty to ensure that the provisions of the Language Policy are adhered to as they carry out their daily duties. These would include, for instance, human resource practitioners who have to ensure that when they issue an advert for a job it is issued in the four official languages of the province in line with the provincial Language Policy.

Regarding the first category of bureaucrats, the data collected indicates that there has been some notable commitment by officials within the provincial Language Services Unit, of which some examples are given below.

- Implementation of literature development and promotion by the Unit has been commended by many stakeholders as the most successful language services programme in the province.
- Provision on request of translation, interpreting and editing services to provincial government departments and to some municipalities which do not have their own ‘mini’ departmental language units, is another sign of commitment on the part of the implementers of the policy. To assist practicing and aspirant translators and interpreters in the province the provincial Language Services Unit, in collaboration with the PanSALB structures in the province, the Durban University of Technology, the University of KwaZulu-Natal and the University of Zululand also developed the *Training Manual for Translators and Interpreters* which covers a range of helpful topics for professionals working in the field.

- The development of terminology in fields such as agriculture, science and medicinal plants is another sign of commitment to raising the status of indigenous official languages to put them on a par with historically advantaged English and Afrikaans. This will help to remove the excuse that official documents cannot be made available in indigenous official languages because they lack the equivalent terms.

Commitment of the second category of the street-level bureaucrats in implementing the Language Policy is the direct opposite of what was found in the political leadership and in the first category of the street-level bureaucrats. The data collected indicates that there is a very low level of commitment on the part of this category, as highlighted in the following instances:

- In written communication from department to clients, the majority of KwaZulu-Natal provincial government departments responding to the questionnaire use English only.
- In written communication from department to staff, use English only.
- In advertising vacant posts and conducting job interviews the majority of the provincial government departments responding to the questionnaire use English only.
- Signage and notice boards in the majority of the provincial government departments responding to the questionnaire are in English only.

This practice which runs counter the provisions of the Policy promotes the hegemony of English and perpetuates the belief that indigenous languages are inferior and of no value.

Various factors can account for street-level bureaucrat unwillingness to implement policy and Tummers et al. (2010) identify three such factors: policy content and related discretion; organisational context of the implementers, drawing primarily on change management context; and personality characteristics of the professionals based on insights from applied psychology. With regard to policy content and related discretion, data collected for this research indicates that the 'escape clauses' found in section 6(3)(a) of the Constitution which stipulate that national government and provincial governments should take into account issues such as cost when using official languages for the purposes of government. This clause gives implementers the excuse not to implement the Policy, as they always cite inadequate budget for their failure to implement it.

6.4.3 Implementation of Language Policy in local government

The South African government has thought it appropriate to build capacity for language facilitation in local government. So that no citizen is left behind because of inability to understand English, which is the common language of government communication, the Municipal Systems Act of 2000 makes provision for municipalities to take into account

- a) the language preferences and usage in the municipality; and
- b) the special needs of people who cannot read or write.

The Act stipulates that

when a municipality invites the local community to submit written comments or representations on any matter before the Council, it must be stated in the invitation that any person who cannot write may come in office hours to a place where a staff member of the municipality named in the invitation will assist that person to transcribe that person's comments or representations, and when a municipality requires a form to be completed by a member of the local community, a member of the municipality must give reasonable assistance to persons who cannot read or write, to enable such persons to understand and complete the form.

This shows serious commitment on the part of government in terms of putting policies in place. In practice, however, implementation of the multilingualism policy at municipal level has not been achieved – not fully, at least. And in some cases it has not even taken root:

- Most District Municipalities in KwaZulu-Natal do not have their own language policies.
- Almost all District Municipalities in the province chose English as the language of record.
- A very small percentage of District Municipalities (as indicated in the previous chapter) have established language units.
- There is only one District or Metro Municipality with an annual budget for language service that exceeds R3million. All other municipalities in the province have budget allocations that are less than R300 000 per annum.
- The majority of the District Municipalities in the province use English for written communication with staff.
- The majority of the District Municipalities in the province use English to advertise vacant posts.
- Almost all District Municipalities in the province use English in job interviews.
- None of the municipalities that participated in the research have an official who is literate in Sign Language to cater for clients who need this facility.

- The majority of the District Municipalities in the province have their signage and notice boards in English.

There seems to be a degree of commitment in the fact that some publicity programmes are in place but there is little evidence that this commitment is translated into monitoring of the implementation process. It is also clear that street-level bureaucrats have not been forthcoming in the use of other languages as a form of communication with the general public.

6.5 The issue of capacity in KZN language policy implementation

In this research, capacity is considered in terms of the structural, functional and ability of the province to implement the Policy objectives. It refers to the availability of and access to concrete or tangible resources (human, financial, material, technological, etc.,) that are necessary for the efficient and effective implementation of the policy (Brynard, 2000:182).

Similarly, effective implementation requires planning and mobilization of sufficient resources, and as such, strong strategic action plans, work-plans, budgets and operational directives are very important for close the usual gap between policy formulation and implementation (Bhuyan et al. 2010).

Structural capacity

Here the study sought to establish whether there is a clear plan in place for whatever structure or structures may be required to implement the Policy. It also sought to establish whether the province needs to centralise or decentralise the provision of language services.

In line with the National Language Policy KwaZulu-Natal has an established provincial Language Service Unit which provides broad language services to all provincial governmental structures. The unit is a Directorate within the Department of Arts and Culture, headed by a senior manager (equivalent to a Director) with three Deputy Directors heading the following sub-units: Translation, Interpreting and Editing sub-unit; Literature Development and Terminology Development sub-unit; and the Language Research and Planning sub-unit. Some provincial government departments, such as the Office of the Premier and the Provincial Legislature, have their own 'mini' language units which provide some limited language services, like translation, interpreting and editing services. Some even engage in the development of terminology.

There are also PanSALB structures that were established in terms of the PanSALB Act of 1995 to carry out their language mandate in the province in line with the Act. These structures are the KwaZulu-Natal Provincial Language Committee, the isiZulu National Language Body, the isiZulu Lexicography Unit, and the KwaZulu-Natal provincial PanSALB office.

These structures are adequate for the effective implementation of the Policy in the province, but the biggest challenge is coordinating them to avoid wastage of resources and maintain the necessary cooperation between them (see below for further discussion on coordination of structures). It is important, however, to note here that KwaZulu-Natal Provincial Languages Bill, 2011, proposes the establishment of the KwaZulu-Natal Intergovernmental Language Forum, the main role of which will be to ensure the coordination of various structures engaging in the activity of implementing the Language Policy in the province.

Financial capacity

The Implementation Plan of the National Language Policy Framework stipulates that provinces must budget for the implementation of the Language Policy in their sphere of governance. The costing exercise done by the National Treasury and the National Department of Arts and Culture in 2001 demonstrated that for a department or a province with four official languages (like KwaZulu-Natal) full implementation of the Policy would require no more than 1 per cent of the total budget of the department or province. The National Language Policy Framework recommends that funding of language units take into consideration the following:

- setting up of the infrastructure for a language unit in each province
- recruitment and training
- salaries and benefit of unit staff
- work programme of the unit to drive implementation
- outsourcing some translation and interpreting services, where internal capacity is lacking
- the number of publications for each province
- on- going training of personnel for the unit
- standard items like relocation, travelling, accommodation

The budget for the KwaZulu-Natal provincial Language Services Unit for the 2011/12 financial year was R8 410 000– roughly 2.2 per cent of the total budget of the provincial Department of Arts and Culture which was R369 818 000.

To augment their budget, the provincial Language Service Unit personnel have sought cooperation with other organisations from both the public and private sectors, especially in the area of literature development and terminology development. In particular, they have established partnerships with various book publishers to support budding literature writers, with the publishers sponsoring literature writing competitions and publishing books for new writers in isiZulu and isiXhosa.

Human resource capacity

As mentioned earlier in this chapter, the National Language Policy Implementation Plan, 2003, requires the language units in provinces to audit the available language skills and capacity in their provinces, information which would be valuable in determining their respective needs and requirements.

This should have the first step for KwaZulu-Natal in the costing exercise for implementation of its Language Policy, 2008. Data collected did not show that any language audit had been undertaken by the province, which means that it began implementing the Policy without knowing the available human resource capacity. The audit would enable the province to make a more informed decision on whether to centralise or decentralise implementation of the language policy, taking account of actual availability province-wide of human resources and skills.

Data collected for the study further shows that the provincial Language Services Unit has a staff complement of seventeen (17) officials. All of these officials have relevant qualifications which make them suitable to carry out their mandate effectively. There is however a strong feeling that such a staff complement is inadequate to render all language service for both sister provincial government departments and municipalities that do not have internal capacity to carry out those services on their own. This affects the effective and efficient services such as translation, interpreting, editing and language planning services.

Inadequate human resources is always regarded as one of the main problems in the carrying out of policy directives. The shortage of staff in the KwaZulu-Natal Language Service Unit

has caused the unit not to deliver these services timeously and adequately to the client departments. This has, in turn, caused some client departments and institutions to stop seeking these services, so that they end up using only one language, English, for written communication with their clients. This shortage of personnel is directly linked to the shortfall in budget allocation.

On a positive note, the Language Services Unit has been able to produce the *Training Manual for Translators and Interpreters* which has been distributed to all provincial government departments and municipalities that provide their own language facilitation services. The Unit has also developed a database of freelance translators and interpreters who help the unit to cope with the large volume of requests for language facilitation services (especially for Afrikaans and isiXhosa translation or interpreting). Service provision continues, however, to be limited by the lack of funds.

6.6 Clients and coalitions in KZN language policy implementation

Policy clients and coalitions include groups or individuals responsible for implementation, people who may be positively or negatively affected by the implementation of the policy (or lack of implementation), and officials and professionals accountable for achieving policy goals (Bhuyan et al. 2010:7). In the case of the Language Policy, the majority of its target clients and beneficiaries are the people who have need of government services where language is the medium through which they receive those services. Other stakeholders are language practitioners and activists, learners, students, tertiary institutions, non-governmental organisations, governmental bodies, etc.

A range of factors influence participation of clients and coalitions in policy: context, policy content, level of knowledge of the policy, the needs and resources of the clients and coalitions, and their relative power and influence. It is the duty of the policy initiator to ensure that an array of stakeholders is engaged for buy-in and effective implementation of the policy.

The data collected for this research indicates that the primary clients for the Language Policy – the ordinary citizens and learners who are affected by the every-day implementation (or otherwise) of the policy – were not sufficiently consulted when the policy was initiated and developed. Even where the Policy is implemented they are still not consulted. The group of stakeholders who were in fact consulted comprised academics, some language activists and government entities at local, provincial and national level. This has led to a situation where

the general public are not adequately aware of the Policy and its provisions nor of their linguistic rights as enshrined in the Constitution. When these rights are infringed, people are often not aware that this has been the case, nor do they know what recourse is available to them to correct the situation.

In contrast, the case between Mr C J Lourens and the President of the Republic of South Africa referred to earlier, is a good example of how clients can indeed influence the implementation of a policy if they are fully aware of its content and its benefit to them.

Some tertiary institutions in KwaZulu-Natal that offer language studies have indicated that the provincial Language Services Unit does not always consult them on programmes aimed at implementing the Policy as required by the provisions of the Language Policy. This is despite the fact that one of the aims of the provincial Language Policy is to initiate and sustain vibrant discourse on multilingualism with all language stakeholders.

6.7 The issue of communication in the implementation of language policy

Communication is considered to be a key necessity for successful implementation of a policy. One way to view communication is to emphasise the need for clarity and consistency in form and content so that there is a greater likelihood of compliance and execution of a particular policy. Clear communication can also lead to better designed policy. If communication among parties is lacking in these respects, the resulting distortions could well lead to implementation failure. Communication is also important in conflict resolution, building trust, increasing cooperation, and establishing the right kind of involvement among actors in the implementation process (Scheberle 1997, ch 6).

Data collected for this study indicates that there was very little communication done to increase the visibility and raise the profile of the Language Policy for the intended beneficiaries. The few complaints of language rights infringement received by PanSALB in the province since adoption of the National Language Policy and the KwaZulu-Natal Language Policy reflect unawareness of the policies rather than infrequency of violations. Even those few who do know of the Policy are seldom aware of the recourse they have if their linguistic rights are infringed. The data collected indicates quite clearly that language right violation is rife within government departments in the province. Testimony to this is the high number of government departments and municipalities that use English only to communicate with their clients (as shown in the previous chapter). If those affected were constantly made

aware of the existence of the Policy and its provisions they would be much more proactive in claiming their constitutionally enshrined language rights.

In the communication and popularization of the Language Policy, the Language Policy Implementation Plan, 2003 had envisaged that a directory of services and information databank would serve as an important mechanism in the implementation of the policy, with copies of the directory distributed to all government structures in all three spheres, as well as to relevant stakeholders, and also made available through departmental and provincial websites. This would enhance policy implementation and also exchange of information and research among stakeholders and policy implementers. The data collected indicates again that such mechanisms were not implemented, with no valid reason that could be established as to why this had not happened. It does attest once more to lack of commitment on the part of the implementers.

There is no strategy in place in KwaZulu-Natal that would address the communication requirements for the implementation of the Language Policy. Little evidence could be found of communication in the province. There was consultation of provincial government departments, District Municipalities, PanSALB structures and tertiary institutions on the provincial policy, the Provincial Languages Bill and the programmes for policy implementation, but this was done in an ad hoc manner rather than being based in any strategy, so it was not surprising when some of these stakeholders complained in interviews for this research that there was no regular provincial government communication on the Policy implementation programmes. The other evidence that was found on communication was the monthly, quarterly and annual reports submitted by the Language Services Unit (within the provincial Department of Arts and Culture) to the head of department, as is done by all other components within the department. The province also used events such International Mother Tongue Day (21 February each year) and International Translation Day (30 September each year) to raise awareness on the provincial Language policy and the programmes for its implementation.

There is no evidence of the planned and sustained communication directed towards the intended beneficiaries of the Language Policy. To this end, the province needs to make effective use of the mass media in its communications. The province is fortunate in having more than four isiZulu language newspapers, with a very high readership. With more than 7 million listeners (the biggest listenership in the country) there is also the isiZulu language

radio station, Ukhozi FM. In addition, here are community radio stations and community newspapers which the province could use effectively to communicate with its external stakeholders on the implementation of the policy.

Language Policy implementation, like any public policy implementation, needs effective, communication as a central component. Equally incumbent on government was extensive consultation of all relevant stakeholders and communities on its intention to adopt the Policy; during the implementation phase it was also important for the implementers to consistently and constantly communicate programmes and activities related to the implementation of the policy to all those affected by it. Communication needed to entail use of the mass media (both electronic and print), community consultative forums (like government izimbizo), and regular monitoring and evaluation reports by the implementers to internal and external stakeholders. Communication on this scale would serve to raise awareness on the existence of the policy and its objectives. It would also serve to inform stakeholders of the government implementation plan and programme, giving greater visibility to the policy. Brynard (2009:562) argues that the higher the visibility and profile of a policy, the greater the pressure for change, and that once a policy is visible it tends to build commitment among both the officials who have to implement the policy from the bottom up and the politicians who need to support it from the top down.

6.8 Coordination of language policy implementation in KZN

For the implementation of any policy to be effective, a number of actors must work together in a coordinated manner as this helps to eliminate confusion, maximizes meagre resources and enables implementers to share best practices. This requires the establishment of structures to manage the coordination. To facilitate coordination of policy implementation at all three levels of government, two mechanisms introduced by government are the Intergovernmental Relations Framework, 2005, and the Policy Framework for the government-wide Monitoring and Evaluation System.

Among its objectives, the 2005 Intergovernmental Relations Framework Act seeks to provide provincial governments and local governments (and all organs of state therein) with structures or institutions that promote and facilitate intergovernmental relations and to facilitate coordination and monitoring of policy and legislation. Section 5 of the Act requires all three spheres of government to coordinate their actions when policy implementation affects the material interests of other government structures; to avoid unnecessary and wasteful

duplication or jurisdictional contests; and to take all reasonable steps to ensure that they have sufficient institutional capacity and effective procedures to consult, cooperate and share information with other organs of state, and to respond promptly to requests for consultation, cooperation and information by other organs of state.

At provincial level, two types of forum are established by the Act. The first is the Premier's Intergovernmental Forum, which is a consultative forum for the Premier and local governments in a province. Among its concerns are discussion and consultation on matters of mutual interest, including, but not limited to, the implementation in the province of national policy and legislation affecting both these spheres of government; development of provincial policy and legislation; and implementation of provincial policy and legislation.

The second type of forum is a provincial intergovernmental forum which is established for any functional area to promote and facilitate effective and efficient intergovernmental relations between the province and local government in the province with respect to that functional area. The Act stipulates that any provincial intergovernmental that existed when the Act took effect, will be regarded as having been established in terms of that the Act, until it is disestablished by the Premier of the province concerned.

Section 35 of the Act provides for implementation protocols between various spheres of government. The implementation protocols are aimed facilitating the implementation of public policies and related concerns. The Act states that an implementation protocol should be considered when the implementation of the policy has been identified as a national priority; such a protocol will materially assist a provincial government in complying with its constitutional obligations to support the local sphere of government; it will materially assist the organs of state participating in the provision of a service in a specific area to coordinate their actions in that area; and it will assist an organ of state with primary responsibility for the implementation of the policy that lacks the necessary capacity.

This section further provides that an implementation protocol must identify any challenges facing the implementation of the policy and state how these challenges would be addressed; it must describe the roles and responsibilities of each organ of state in implementing policy; it must provide an outline of the priorities, aims and outcomes; it must provide for oversight mechanisms and procedures for monitoring the effective implementation of the protocol; and it must determine the required and available resources to implement the protocol and the

resources to be contributed by each organ of state with respect to roles and responsibilities allocated to it.

The data yielded by this study indicates weak coordination of activities by structures responsible for implementing the policy in the province and a glaring lack of monitoring of the activities related to the implementation of the Policy. This is demonstrated by the inactivity of the KwaZulu-Natal Intergovernmental Language Forum (a structure established and endorsed by the provincial government in 2002) to coordinate and manage processes in the development and implementation of the provincial Language Policy. The structure comprised representatives from all government departments, District Municipalities and PanSALB structures in the province, who served as champions for the coordination and implementation of the Language Policy in their institutions. The Forum was to meet quarterly to report on the progress of implantation of the policy in within these structures, with the provincial Department of Arts and Culture being responsible for coordinating and chairing the meetings. Its last meeting was in 2008, the year in which the provincial Language Policy was adopted by the provincial Cabinet. Currently there are complaints from departments and municipalities that they are not receiving any assistance from the provincial Language Services Unit and they decry the demise of Forum, which had been a very useful platform for information sharing on the implementation of the Language Policy in the province.

Weak coordination has led to inconsistencies among entities involved in the implementation of the policy, with some government institutions not implementing it at all. Some that try to implement, especially those with own institutional language units, lack the necessary expertise and they do not get the requisite support from the provincial Language Services Unit. In one instance a KwaZulu-Natal government department operates according to out dated legislation which gives isiZulu, English and Afrikaans as the official languages, out of line with the 2001 and 2011 Census reports (the 2001 report having used as a basis for the KwaZulu-Natal provincial Language Policy, 2008). These census reports indicate that the three most popular languages in KwaZulu-Natal are isiZulu, English and IsiXhosa, and Afrikaans comes in only at number four. The continued use of this out dated legislation is clear indication of poor coordination in the policy implementation. Stronger coordination would have seen the legislation amended or repealed with the adoption of the provincial Language Policy, and the KwaZulu-Natal Languages Bill, 2011 now seeks to repeal this out dated legislation –action which is long overdue.

Lack of coordination has also led to wastage of meagre resources which could have accelerated implementation. Some provincial government institutions, for instance, outsource their translation and interpreting services because of lack of internal capacity, whereas they could have sent their work to be done by the provincial Language Services Unit without cost. In some instances there is a lot of duplication of activities by implementers that has been witnessed, especially in the area of terminology development and translation services, which leads to wasteful expenditure.

The fragmented manner in which the policy is implemented has led to implementers sometimes working at cross-purposes. This is evident in the way some schools (especially the former Model C schools) within the Department of Education, implement (or fail to implement) the Language in Education Policy of 1997. Instead of promoting additive multilingualism, as advocated by the Policy, they promote negative attitude towards indigenous official languages to the mother-tongue speakers of those languages. If there was coordination of the implementers of the National Language Policy (or provincial Language Policy) and the implementers of the Language in Education Policy such negativity would be eliminated.

The issue of lack of coordination in the implementation of the Language Policy is evident both horizontally (in the same sphere of government) and vertically (between the three spheres of government). The data collected indicates that there are inconsistencies in the way the Language Policy is implemented by the three spheres of government. This is evident with the resources allocated by various provinces, with some having no language units and some having language units with very little budget allocation.

One other area relating to coordination of policy implementation which has been noted is the lack of monitoring and evaluation. This, too, can be attributed to the absence of a coordinating structure. The KwaZulu-Natal provincial Language Policy, 2008 stipulates that all governmental structure in the province shall report quarterly (every three months) to the provincial Cabinet through the MEC responsible for language matters in the province on the progress made with regard to the implementation of the policy. Data collected indicates that since the Policy was adopted in 2008 no governmental structure in the province had submitted or had been caused to submit the reports envisaged in the Policy. This is a serious omission on the part of the department responsible for leading the implementation of the Policy. If there was a functional structure to coordinate and manage implementation of the Language

Policy by all governmental structures in the province, the chances are that such an omission would not have occurred.

Despite the enactment of Intergovernmental Relations Framework Act, 2005, which is an enabler for cooperation among and within various spheres, data collected further indicates that there no implementation protocols have been signed between the spheres of government aimed at ensuring implementation of the Language Policy, and there is also no data which suggests that any of the organs of state ever tried to initiate any process for conclusion of an implementation protocol. The issue of the implementation of the Language Policy in KwaZulu-Natal has never been discussed at the Premier's Coordinating Forum, which is the Forum where the Premier of the province, some Members of the Executive Committee and mayors sit.

Failure by government departments in KwaZulu-Natal to report to provincial Cabinet on the progress on implementation of the Language Policy, as required by the provincial policy, and failure by the latter to correct that situation, indicates the lack of commitment on the part of the provincial government to monitoring the policy implementation.

6.9 Conclusion

This chapter has indicated how each of the interrelated and inter-linked factors identified in Chapter 2 as part of the conceptual framework have influenced or impacted the implementation of the Language Policy, especially, in the province of KwaZulu-Natal and

- Content: Policy content helps to explain the role of the policy, and its relevance to a particular set of circumstances coupled with flexibility and leeway for adapting to local content, both vertically and horizontally, appears to have considerable impact on policy implementation.
- Context: Rather than looking at context as one composite phenomenon, it makes more sense to understand it as a set of components –institutional context (governance type, structures, and processes such as monitoring, interpreting, technology development and general conduct); historical context; legislative context; demographics of the province, etc. – to see how each component affects the implementation of the Language Policy.
- Commitment of the implementers: This is an issue which extends beyond the implementers and includes issues of political will to provide that much needed political

drive. It also depends on stakeholders and coalitions that have an interest in the policy. Most important, however, for a redistributive policy as this one is, it is to have the commitment of the citizenry who are the true beneficiaries of such policies.

- Capacity: Here the significant factors were seen to include structures, tangible human beings and financial resources, and the degree to which they may impact on the effective implementation of policy.
- Communication: This aspect of implementation highlights the importance of consulting the policy stakeholders on their intention to adopt the policy and the need for implementers to consistently and constantly communicate their programmes on the implementation of the policy.
- Coordination: The study looked at the way input activities of various implementers and language stakeholders were coordinated in the province. It also looked at the legislative measures and the mechanisms that are in place to facilitate coordination and the extent to which the implementers took advantage of them to enhance implementation of the policy in the province.
- Client and coalitions: The study considered how clients and stakeholders of policy who are well informed about it and understand its benefits can champion its implementation; it also considered how clients of policy who are not well informed about it and who do not understand its benefits can work, unawares, against the aims and objectives of the policy.

The next chapter offers conclusions and recommendations based on what has emerged from the study in relation to the research aims and objectives outlined Chapter 1.

Chapter 7

Conclusions and Recommendations

7.1 Introduction

The study was aimed at establishing determinants of public policy implementation in a decentralised state, with the implementation of the National Language Policy in the province of KwaZulu-Natal used as a case study. Much of the literature on the implementation of public policies focuses on centralised types of governance, with very little focused on decentralised systems; hence the need for this study. The research issues, as outlined in Chapter 1, were as follows:

- to establish the policy, organisational structure, budget and service delivery implications of the National Language Policy for various spheres of government, particularly the province of KwaZulu-Natal
- to ascertain the extent to which the objectives of the National Language Policy are achieved in KwaZulu-Natal
- to establish the effects of the Language Policy implementation on:
 - promoting the equitable ;
 - facilitating of equitable access to government services, knowledge and information;
 - ensuring redress for the previously marginalised languages of KwaZulu-Natal.
- to establish the pre-conditions for effective implementation of national language policies at the other spheres of government

In studying the implementation of the National Language Policy the research was mainly guided by the conceptual framework developed in Chapter 2 which looked at how the implementation is affected by factors (as discussed in Chapter 6) such as the content of the Policy; the context within which it is implemented; the commitment of the implementers, including the political will; and coordination of the implementation (or lack thereof).

The empirical findings of the study were discussed in Chapter 6; this chapter provides a synthesis of the findings in relation to the objectives of the study.

7.2 Conclusions

7.2.1 Implications of the National Language Policy for spheres of government

At issue here are the policy, organisational structure, budget and service delivery implications of the National Language Policy for the various spheres of government.

7.2.1.1 Organisational structure implications

In regard to organisational structures provinces are required to establish provincial language units which would be responsible for managing Language Policy implementation in each province. Also required are intergovernmental structures that would be responsible for coordinating other structures (both horizontally and vertically) in implementing the policy. A third type of structure, as mentioned in the Implementation Plan for the National Language Policy, is the South African Language Practitioners' Council, which would be responsible for accrediting and registering its members and for developing and implementing a code of ethics for its members (mainly representatives of language professionals). The latter structure would be a statutory body, established through an Act of Parliament.

As mentioned in the two previous chapters, the data collected indicates that KwaZulu-Natal has an established provincial Language Services Unit which manages the implementation of the Language Policy in the province, with some provincial government departments and District Municipalities having their own institutional language units, also responsible for the implementation of the policy within their institutions.

As much as it is a major milestone for the province to have established a provincial Language Services Unit and some institutional language units, shortcomings emerge in this regard from the study. First is lack of coordination to create alignment between these structures in their input which has led to inconsistencies in policy implementation and wastage of meagre resources which could have been pooled and maximized for more effective, efficient and economical outcomes. Secondly, the data collected indicates that failure by government to establish the South African Language Practitioners' Council as envisaged in the

Implementation Plan has negatively affected the professional approach towards the implementation of the Policy. This is evident in instances where people who do not have relevant language qualifications are being used by governmental institutions to provide services such as translation, interpreting and terminology development. Data collected for this study showed that this practice was rife within provincial government departments and District Municipalities that provided their own language services. If the provision of language service were professionalized, unqualified people would not be used to provide language services, potentially compromising the quality of services.

7.2.1.2 Policy implications

As indicated in the earlier chapters, government at both national and provincial level is required by the Constitution to regulate its use of official languages by legislative and other means. In addition to the constitutional requirements, the National Language Policy requires all provincial governments to formulate their own policies, based on their regional circumstances in line with the National Policy. Municipalities are required to develop their language policies based on the preferences of their communities.

Data collected for this study indicate that KwaZulu-Natal government has adopted its own provincial language policy which is based on the National Language Policy. In addition to the provincial policy some provincial government departments and District Municipalities have adopted their own institutional language policies, which indicates that when a policy is formulated at national level there should be allowance for its vertical adaptation to local content by the local sphere of government, and horizontal adaptation by other government structures at the provincial level of government. That would ensure ownership and effective implementation of the policy.

A milestone has undoubtedly been reached in the adoption of the provincial language policy and the institutional language policies, KwaZulu-Natal government, like the national government, has nonetheless failed to regulate use of its official language by legislative means, through enactment of an Act of Parliament regulating the use of languages, as required by the Constitution. Instead, both national government and some provincial governments, including KwaZulu-Natal, chose to regulate their use of official languages through policies which are regarded as 'soft legislation' because in most cases they are not legally enforceable. Failure by government to regulate use of official languages is a clear sign of lack of political will and commitment to effectively implement the Language Policy.

The study also found that the Language Policy is both a regulatory and redistributive policy. Regulatory policies should, by their nature, set out general rules of behaviour, directing that actions be taken, or that others be not taken (Anderson: 2003). However the escape clauses in the Policy, and the absence of punitive provisions for noncompliance, favour those who do not want to implement the Policy. Redistributive policies, on the other hand, “are difficult to enact because they involve reallocation of money, rights or power [and] those who possess [these] rarely yield them willingly” (Anderson, 2003: 6). The hegemonic dominance of English in government, as found by this study, serves as evidence that the Language Policy has fallen into the trap where English is believed to be superior to the official indigenous languages which are spoken by the majority of the population.

All of the above also serve as proof that the content of a policy significantly affects the degree to which it may or may not be implemented.

The study also found that national government and KwaZulu-Natal province began to develop their Language Bills after they had been taken to court by a concerned language stakeholder and the court had ordered government both at national and provincial level to regulate, by legislative means, its use of the country’s official languages as required by the Constitution. This indicates the importance of the role that clients and stakeholders may play in the shaping and implementation of policies (provided they are aware of the policy and its benefit for them).

7.2.1.3 Budget (capacity) implications

As mentioned in the previous chapters, provincial governments are charged with budgeting for the implementation of the Language Policy, and a costing exercise by the National Treasury and the National Department of Arts and Culture in 2001 has indicated that a province with four official languages would require no more than 1 per cent of the total budget of the province to enable it to implement the Policy effectively. This would cover expenditure on staff recruitment, training and salaries; Language Unit programmes to drive implementation of the Policy; and infrastructure for a Language Unit in the province.

Data collected for the study indicates that the KwaZulu-Natal Language Services Unit had a budget allocation of R8,4 million in the 2011/12 financial year, which was about 2,2 per cent of the total budget for provincial Department of Arts and Culture – far less than the 1 per cent of the provincial budget required to effectively implement the Language Policy. Even if the

budget for those departments and municipalities which had set aside their own budget for language services, were added to the Language Services Unit budget, the total would still be far less than the required 1 per cent of the provincial budget. Inadequate budget is thus cited as one of the reasons why the province has failed to implement the Policy effectively. What this means is that a policy formulated at national level will be successfully implemented only to the extent that budgeting permits. It is thus futile for national government to expect that a policy will be properly implemented if national government does not provide funding for its implementation.

7.2.1.4 Service delivery implications

The National Language Policy has a number of provisions with service delivery implications – for all three spheres of government –if its objectives are to be met. Some of these are outlined in the Implementation Plan for the Policy:

- Management of languages to ensure the functional use of all the official languages: Language management would entail institutionalising the provision of language services through the setting up of structures (as discussed previously) that would be responsible for the implementation of language policy. Language services include language facilitation (translation, interpreting and editing), language planning, terminology development, literature development and language acquisition planning services.
- Development of the indigenous languages so that they reach the same level of functionality as that of the historically advantaged languages (English and Afrikaans). This would be done, mainly through language services such as terminology and literature development, with special efforts directed to indigenous languages.
- Establishment of collaborative partnerships to advance the implementation of the Policy. This would include both intergovernmental cooperation and partnerships with the private sector.

For government structures, in this case the KwaZulu-Natal provincial government, to be able to deliver these services effectively, they must attend to the following requisites:

- commitment (of both politicians and street-level bureaucrats) to the implementation of the Policy
- adequate capacity (human, financial and infrastructural) for attainment of the Policy objectives

- cooperation among and coordination of structures, both vertical and horizontal, that are responsible for Policy implementation, to align activities and prevent wastage of resources
- constant and consistent communication to all the relevant stakeholders of the government programmes and of progress in the implementation of the Policy

As discussed in the previous chapter, there is insufficient commitment on the part of both politicians and street-level bureaucrats to implementation of the Policy. Lack of commitment from politicians is exemplified in failure to monitor the implementation of the Policy as required by both the Policy and the Constitution. Lack of commitment from street-level bureaucrats is exemplified in the continued use of English as the sole language of oral and written communication with the public by most government departments and municipalities.

The data collected for this study also indicates that there is insufficient capacity for the effective implementation of the Policy, as previously discussed in relation to budget implications, above and in the previous chapter. Shortage of resources is exacerbated by lack of coordination in policy implementation activities by the various implementers in the province. This is borne out by the demise of the KwaZulu-Natal Intergovernmental Language Forum which had been established to coordinate implementation of the Language Policy, and by complaints from some provincial departments and municipalities that they do not receive the necessary support from the provincial Language Services Unit. The data collected from stakeholders outside government also indicates lack of coordination between Unit programmes and those of other institutions which have a common interest in language policy implementation.

Having reviewed the service delivery implications of the Policy, the next issue is the extent to which the objectives of the Policy are achieved through its implementation in the province.

7.2.2 Attainment of National Language Policy objectives in KZN

As discussed in Chapter 1, goals set out in the National Language Policy include equitable use of official languages; equitable access to government services, knowledge and information; redress for the previously marginalised indigenous languages; and encouragement for the learning of other official indigenous languages to promote national unity and linguistic and cultural diversity.

The data collected indicates that very little has been achieved to promote equitable use of official languages in KwaZulu-Natal. As discussed in the previous chapter, there is still hegemonic use of English by the majority of the provincial government departments and municipalities for written and oral communication with members of the public, perpetuating the disadvantaged status of those who do not understand the English and, in some instances, denying them language access to government services, knowledge and information. For as long as such a situation remains, redress for the previously marginalised official indigenous languages will not be achieved.

In regard to encouraging the learning of all official languages, the Language in Education Policy introduced by national government which seeks to promote multilingualism and the learning of additional official languages in addition to mother tongue. Data collected indicates that some school governing bodies, especially in the former Model C schools, have abused their authority and promoted the learning of English, and to a lesser extent Afrikaans, to the detriment of the official indigenous languages. That has inculcated negative attitudes towards African languages which is antithetic and inimical to national unity and to linguistic and cultural diversity.

7.2.3 Effects of National Language Policy implementation on language equity

As discussed in the previous section, the implementation of the Language Policy in KwaZulu-Natal has done little if anything to advance equitable use of the official languages, equitable access to government services, knowledge and information, or redress for the previously marginalised official languages. The root of the problem is lack of sustained monitoring and evaluation of policy implementation by the political leadership. No language audits were done to establish what personnel or financial capacity existed for effective and efficient implementation. And while there appears to be a level of commitment on the part of bureaucrats at the provincial and government level (as in the production by the provincial Language Services Unit of the *Training Manual for Translators and Interpreters*, along with various publicity programmes), there is little evidence that this commitment is translated into monitoring of the implementation process. It is also clear that street-level bureaucrats have not been forthcoming in the use of other languages for communication with the general public. One can therefore safely conclude that the Language Policy has not promoted the equitable use of the all official languages in KwaZulu-Natal. Findings further suggest that the Language Policy has not provided redress for the previously marginalised languages of

KwaZulu-Natal to the extent envisaged in the Policy. This is not to say, however, that through implementation failure there is no equitable access at all to government services, knowledge and information.

Preconditions for effective implementation of national language policies in other spheres of government

This study set out to establish the complexities of policy implementation in a decentralised state. Previous discussion has outlined a range of aspects in this regard. What follows in this concluding chapter is an outline of critical issues as identified by this study on policy implementation within a decentralised state.

This study brought to light challenges and complexities in implementing nationally formulated policy in a decentralised state. Fundamentally, the problems relate to policy content insofar as redistributive policies such as the Language Policy are plagued by implementation failures right from inception – in this case, general unwillingness to promote a hitherto marginalised language over a hitherto dominant one, and particularly so where the users of the dominant language (teachers for example) are also the ones expected to promote the marginalised languages. A greater challenge is the fact that there are no consequences for lack of compliance in the implementation of redistributive policy. Thus, a significant precondition in the implementation of the language policy is the inclusion of punitive measures for noncompliance. This might mean enacting pertinent legislation to allow the enforcement of monitoring and punitive measures.

Also highlighted has been the importance of policy flexibility in the implementing of policy in a decentralised state. A policy with an inherent flexibility that permits adaptation vertically (to fit circumstances at various levels of government) and horizontally (to fit circumstances in other government departments within the same sphere of government) is more likely to succeed in a decentralised state.

A further issue has been the importance of institutions – formal and informal– that would be responsible for the management and coordination of the implementation of the Policy. Equally important is the need to ensure that such structures are well coordinated and work towards the attainment of policy goals.

A final point to note has been the crucial need for staff capability and for financial and other resources. No policy can be effectively implemented without the requisite resources and appropriately qualified and experienced personnel.

7.3 Recommendations

The previous section has highlighted the challenges, and to some less extent the achievements that are associated with KwaZulu-Natal provincial government implementation of the National Language Policy. What follows are recommendations which this study proposes that could bring about a paradigm change and create an environment more conducive to the effective implementation of not just the National Language Policy in KwaZulu-Natal but also of public policies generally in a decentralised state. The recommendations are mainly directed at addressing shortcomings which this research has identified in relation to policy implementation, and more particularly in decentralised governance.

7.3.1 Clear, unambiguous, flexible policy content for vertical and horizontal adaptation

This study has reaffirmed the importance of the policy content in policy implementation, especially where multiple actors and levels of government are involved. National government, in developing the policy, needs to ensure that the policy objectives are clear and unambiguous, and have sufficient flexibility to allow for adaptation by other government institutions both horizontally and vertically. That would make it possible for the policy, especially in the case of a regulatory policy, to have clear and legally enforceable sanctions in case of noncompliance with its provisions. Government institutions within the same or in lower spheres of government (provincial and local) need to interpret the policy and adapt it to their specific environment. In the case of the Language Policy, government needs to eliminate escape clauses in the policy and also see to the enactment of the Language Bill in a way that makes the provisions of the Language Policy enforceable.

7.3.2 Creating and sustaining a context or an environment that is conducive to effective policy implementation

One of the lessons that can be learnt from this study is the need for government, at all levels, to create and maintain a context or an environment that supports the implementation of policy. One way to do that would be to institutionalise the implementation of the policy. Institutionalisation of the implementation of the policy would include creation of structures that would be responsible for managing, coordinating and monitoring the implementation of the policy. One possible form for such a structure would be a unit responsible for day-to-day running of interventions for implementing the policy. Management in this regard includes leading the planning and execution of implementation activities, while coordination includes establishing alignment between policy implementation activities by different stakeholders.

7.3.3 Ensuring capacity for policy implementation

Establishing structures for the implementation of the policy is useless if they are not sustained through sufficient human, financial and physical resources. It is therefore very important that government provides enough, appropriately skilled and motivated human resources for the effective implementation of the policy. The implementers need to be developed continually to ensure that their skills are relevant to and are kept abreast of the ever changing policy implementation environment.

Government also has to provide sufficient and relevant physical resources (such as offices, vehicles and equipment) which are required by implementers in their day to day activities towards the implementation of the policy.

Sufficient funds have to be allocated to ensure that there are adequate requisite resources for the effective implementation of the policy.

7.3.4 Building commitment towards the implementation of the policy

Having a well-written policy and well-established structures that are sufficiently resourced for its implementation remains a futile exercise if there is no commitment from the relevant stakeholders. To build commitment it is necessary to “create the demand for the policy to be implemented... This should involve ensuring that the policy is not implemented before the necessary spadework has been done by government to muster support for it, at least at conceptual level” (Giacchino and Kakabadse, 2003:149.)

Building commitment should entail the following:

- Creating the demand for implementation from the clients and other relevant stakeholders. This would entail developing a communication strategy and plan for the implementation of the policy. This would, in turn create among stakeholders, a “state of belonging to, and responsibility for, a policy implementation program” (Brynard, 2009: 559).
- Building commitment from politicians, with the latter providing the political backing and serving as the champions of the Policy and its implementation.
- Building commitment from street-level bureaucrats (development of programmes and projects to implement the government institution plans – including strategic plans, annual performance plans and operational plans).

Government needs to adopt a stick-and-carrot approach to building commitment. In case of noncompliance there needs to be strict application of sanctions as stipulated in the policy document, coupled with incentives for those that fully comply with the provisions of the policy. Building commitment towards policy implementation also requires monitoring and evaluation of all related activities (see also the next subsection).

7.3.5 Monitoring and evaluating policy implementation

The implementers of the policy need to set clear and achievable targets for policy implementation programmes. This should be done as part of their institutional planning (strategic, annual performance and operational planning) process. They also need to prepare and submit to the relevant authorities (including the political head responsible for the policy implementation) periodic reports on the achievement (or non-achievement) of targets and provide success/failure factors and plans to maintain or improve the success rate, along with turn-around strategy in case of failure. In turn, the political head must periodically table such reports before the Executive Committee of the provincial government for discussion and decision making.

Evaluation of implementation and policy review need to incorporate periodic customer-satisfaction and opinion surveys on overall policy implementation to determine its relevance and desirability. There also need to be periodic consultations with relevant stakeholders to discuss and debate the objectives, relevance and continued desirability of the policy.

7.3.6 Coordination of policy implementation structures and activities

Coordination is a common problem in a decentralised system because of the multiple vertical and horizontal structures involved in policy implementation. While the situation is worsened in the present case by shortage of funding, the fundamental problem is failure in the policy itself to cater for coordinating structures that would establish vertical and horizontal alignment with the provincial Language Services Unit. It is therefore important for government firstly to ensure that the policy content caters for such coordinating structures, and secondly to see that the coordinating structures thus prescribed are actually put in place and carry out their function.

7.3.7 Development and implementation of a comprehensive communication strategy to popularise the Policy and its implementation

Owing to the fact that government has failed to legislatively regulate the use of official languages because of the soft nature of policies which are not enforceable, necessitates that the policy itself relies more on persuasion for effective execution. It is therefore important that the principles of the policy be marketed to all stakeholders, in an effort to familiarise all policy actors with the policy and its provisions. To this end the government needs to develop a comprehensive communication strategy to popularise the policy

7.4 The significance of the study

The study has in a number of ways confirmed some theoretical approaches discussed earlier in the interrogation of the relevant literature on the subject. The study has further corroborated the observations made with regards to the evolution of the implementation theory discussed in Chapter 2 of this thesis, that is, policy implementation cannot be conceived of in purely mechanistic terms, where administrators automatically implement that which the politicians have decided. There is admittedly more to the execution of public policy than the pronouncements made when it was launched. To this end, the intricacies involved in the province's attempts at implementing, point to the fact that policy implementation is primarily

an interactive complex process requiring commitment from various actors in the policy arena for its success.

7.5 Suggestions for further research

The study has also indicated that there are still potential areas for further research that can be pursued in relation to this subject. The critical area that requires more research in this regard would be to explore the monitoring and evaluation of public policy implementation in a decentralised state. This would also entail the development of relevant tools for the said monitoring and evaluation, which could also be an area of research on its own.

7.6 Conclusion

This chapter provided conclusion of the thesis and recommendations based on the research findings which could hopefully enhance public policy implementation in decentralised governments. The chapter also looked into the significance of the study and made suggestions for further research.

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Appendix 1

Questionnaire for Provincial Govt Departments & Municipalities

QUESTIONNAIRE FOR PROVINCIAL GOVERNMENT DEPARTMENTS/
MUNICIPALITIES/ INSTITUTIONS RESPONSIBLE FOR IMPLEMENTING
LANGUAGE POLICY IN KWAZULU-NATAL

Name and Surname of respondent:

Designation:

Physical Address of the Department/ Municipality/ Institution represented

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CONTACT NUMBER/S INCLUDING CODE

E-MAIL ADDRESS:

1. Does your Department/ Municipality/ Institution have an approved departmental/ institutional language policy?

Yes/ No

1.1 If yes, what is/are your department/ Municipality/ Institution's official language/s?
(list them here)

1.2 What is/ are your department/ Municipality/ Institution's official language of record?
(list them here)

2. Is there an established language unit in your department/ Municipality/ Institution?

Yes/ No

2.1 If yes:

2.1 .1 What language services are provided by your language unit?
Mark the correct box

Translation Service;

Interpreting Service;

Editing Service;

Status Language Planning service;

Terminology Development Service;

Literature Development Service

Prestige Language Planning Service

2.1.2 Please list the staff complement of your language service unit below.

Post Title	Salary per annum	Job purpose & Nature of duties	Qualifications of incumbent
1.			
2.			
3.			
4.			

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21.			

2.1.3 Briefly explain how the Provincial Language Unit (within the Department of Arts and Culture) support your Department/ Municipality/ Institution to implement the Language Policy, generally and specifically provide quality language facilitation services in an effectively, efficiently and economically (e.g. capacity building workshops for personnel providing language facilitation services, etc.). (If the space provided is insufficient please use separate sheet for your response).

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2.2 If no, who provides language facilitation (translation, interpreting and editing) services for your department/ Municipality/ Institution? Tick the appropriate box below:

Provincial Language Service Unit;

Private (Freelance) service providers;

Your department/Municipality/ Institution doesn't provide language services at all.

3 What is the annual operational budget for language services for the current MTEF in your department/ Municipality/ Institution (irrespective of whether such services are done in-house, by the Provincial Language Unit or outsourced)?

2012/13=R.....

2013/14=R.....

2014/15=R.....

4 Is the budget highlighted above sufficient for the effective rendering of the language services?

Yes/ No.....

If no, how much more budget is required to address the gap identified and what is you department/Municipality/ Institution's plan to address the shortfall? (If the space below is not sufficient for your response you can use a separate sheet for that).

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5 Who are your department/ Municipality/ Institution's primary clients?

.....

6 In which language/s does your department/ Municipality/ institution communicate with your primary clients in the following situations?

6.1 one- to- one communication between departmental/ municipal/ institutional official and an individual client; (Tick the appropriate box):

Language preferred by the client;

IsiZulu

English;

IsiXhosa

Afrikaans

Other (Please specify)

6.2 in meetings between the department/ municipality/ institution and a group of clients;

Language preferred by the clients;

IsiZulu

English;

IsiXhosa

Afrikaans

Other (Please specify)

6.3 written communication from the department/ municipality/institution to a client/ group of clients;

Language preferred by the client;

IsiZulu

English;

- IsiXhosa
- Afrikaans
- Other (Please specify)

7 In which language/s does your department/ municipality/institution communicate with your staff in the following situations?

7.1 one- to- one communication between departmental/ municipal/ institutional staff members; (Tick the appropriate box):

Language preferred by individual staff members;

IsiZulu

English;

IsiXhosa

Afrikaans

Other (Please specify)

7.2 in departmental/ municipal/ institutional staff meetings:

Language preferred by the staff;

IsiZulu

English;

IsiXhosa

Afrikaans

Other (Please specify)

7.3 written communication from the department/ municipality/ institution to the staff:

Language preferred by the staff;

IsiZulu

English;

IsiXhosa

Afrikaans

Other (Please specify)

8 In which language/s does your department/ municipality/institution issue adverts for vacant posts? Tick the appropriate box below:

IsiZulu

English;

IsiXhosa

Afrikaans

Other (Please specify)

9 In which language/s does your department/municipality/ institution conduct job interviews for vacant posts? Tick the appropriate box below:

Language preferred by the applicant/ interviewee;

IsiZulu

English;

IsiXhosa

Afrikaans

Other (Please specify)

10 Is there an official (whether employed full time or on temporal basis) who is literate in Sign Language, who is always available to assist clients who use only Sign language to communicate, should such a need arise in any of your departmental/ municipal/ institutional work stations?

Yes / no.....

10.1 If no, how do you communicate with clients who can only communicated in Sign Language?

.....

11 In which language/s are your departmental/ municipal/ institutional signage and notice boards written? w:

IsiZulu

English;

IsiXhosa

Afrikaans

Other (Please specify)

.....

.....

Signature of Respondent

Date

NB: Please provide documentary proof of your responses where possible.

Appendix 2
Questionnaire for Provincial language Units

QUESTIONNAIRE FOR GOVERNMENT DEPARTMENTS/ INSTITUTIONS/
LANGUAGE UNITS RESPONSIBLE FOR COORDINATING IMPLEMENTATION OF
LANGUAGE POLICY IN OTHER PROVINCES

Name and Surname of respondent:

Designation:

Physical Address of the Department/ institution represented

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CONTACT NUMBER/S INCLUDING CODE

E-MAIL ADDRESS:

3. What measure/s does your Provincial government have in place to regulate and monitor the use of official languages in the Province?

Language legislation (specify title and year in which it was passed).....
.....

Provincial Language Policy (specify title and year in which it was adopted)
.....
.....

Other (please specify)
.....
.....

None

4. Does your Province have an established (central) and functional Provincial Language Unit?

Yes/ No

If yes:

4.1 What language services are provided by the language unit?
Mark the correct box

Translation Service;

Interpreting Service;

Editing Service;

Status Language Planning service;

Terminology Development Service;

Literature Development Service

Prestige Language Planning Service

4.2 In which year was the unit established?

.....

4.3 Please list the staff complement of your language service unit below.

Post Title	Salary per annum	Job purpose & Nature of duties	Qualifications of incumbent
1.			

2.			
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4.4 If no, who provides language facilitation services for your Province? Tick the appropriate box below:

Private (Freelance) service providers (outsourcing);

Individual provincial departments;

Your province doesn't provide language services at all;

Other (please specify)

.....
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.....

5. What is the annual operational budget for your provincial unit for the current MTEF cycle?

2012/13=R.....

2013/14=R.....

2014/15=R.....

6. Is the budget enough to cater for the resources required for the effective rendering of language services in your Province?

Yes/ No.....

If no how much more (in rands and cents) is still required annually over the current MTEF for the effective rendering of language services and is you province doing to address the gap? (If the space below is not sufficient feel free to write your response in a separate sheet.

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7. Who are your department/ institution's primary clients?

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8. In which language/s does your department/ institution communicate with your primary clients in the following situations?

8.1 one- to- one communication between departmental/ institutional official and an individual client; (Tick the appropriate box):

Language preferred by the client;

IsiZulu

English;

IsiXhosa

Afrikaans

Other (Please specify)

8.2 in meetings between the department/ institution and a group of clients;

Language preferred by the clients;

IsiZulu

English;

IsiXhosa

Afrikaans

Other (Please specify)

8.3 written communication from the department/ institution to a client/ group of clients;

Language preferred by the client;

IsiZulu

English;

- IsiXhosa
- Afrikaans
- Other (Please specify)

9. In which language/s does your department/ institution communicate with your staff in the following situations?

9.1 one- to- one communication between departmental/ institutional staff members;
(Tick the appropriate box):

Language preferred by individual staff members;

IsiZulu

English;

IsiXhosa

Afrikaans

Other (Please specify)

9.2 in departmental/ institutional staff meetings:

Language preferred by the staff;

- IsiZulu
- English;
- IsiXhosa
- Afrikaans
- Other (Please specify)

9.3 written communication from the department/ institution to the staff:

- Language preferred by the staff;
- IsiZulu
- English;
- IsiXhosa
- Afrikaans

Other (Please specify)

10. In which language/s does your department/ institution issue adverts for vacant posts?
Tick the appropriate box below:

IsiZulu

English;

IsiXhosa

Afrikaans

Other (Please specify)

11. In which language/s does your department/ institution conduct job interviews for
vacant posts? Tick the appropriate box below:

Language preferred by the applicant/ interviewee;

IsiZulu

English;

- IsiXhosa

- Afrikaans

- Other (Please specify)

12. Is there an official (whether employed full time or on temporal basis) who is literate in Sign Language, who is always available to assist clients who use only Sign language to communicate, should such a need arise in any of your departmental/ institutional work stations?

Yes / no.....

12.1 If no, how do you communicate with clients who can only communicated in Sign Language?

.....

13. In which language/s are your departmental/ institutional signage and notice boards written? Tick the appropriate box/es below:

- IsiZulu

- English;

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16. Briefly explain how your Provincial Language Unit (if it exists) coordinates the implementation of the Language Policy by various implementers in the Province, who are not necessarily employed by your Department/ institution. Please use a separate sheet for your response if the space provided is insufficient.

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NB: Please provide documentary proof of your responses where possible.

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Signature of Respondent

date

Thank you for participating in this project.

Appendix 3

Questionnaire for Dept of Home Affairs and SASSA clients

QUESTIONNAIRE FOR CLIENTS OF THE DEPARTMENT OF HOME AFFAIRS/
SOUTH AFRICAN SOCIAL SECURITY AGENCY

NAME OF DEPARTMENT/ INSTITUTION

VISITED:.....

DISTRICT:.....

.....

1. What service have you come for in this office?

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.....

2. In which language/s were you served by the officials?

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.....

3. Did you fully understand the language in which you were served? (tick the correct box)

Yes

No

4. Were you asked in which language/s you preferred to be served? (tick the correct box)

Yes

No

5. Are you aware of the provisions of the Constitution and/ or the National Language Policy and/or the KwaZulu-Natal Language Policy on the use of official languages by governmental institution? (tick the correct box)

Yes

No

If yes....

5.1 How did you become aware of the provisions? (tick the correct box)

Heard of them on the media.

From government websites.

From government documents.

From friends

At a government gathering/ meeting, etc.

Other (please specify).....
.....

THANK YOU FOR PARTICIPATING IN THIS PROJECT

Appendix 4
Ethical Clearance approval



14 September 2012

Mr Bongumenzi Emmanuel Mpungose 203515501
 School of Management, IT & Governance
 Westville Campus

Dear Mr Mpungose

Protocol reference number: HSS/0904/012D
 Project title: Exploring public policy implementation in a decentralized state: The case of the Language Policy Implementation in KwaZulu-Natal

EXPEDITED APPROVAL

I wish to inform you that your application has been granted Full Approval through an expedited review process.

Any alteration/s to the approved research protocol i.e. Questionnaire/Interview Schedule, Informed Consent Form, Title of the Project, Location of the Study, Research Approach and Methods must be reviewed and approved through the amendment/modification prior to its implementation. In case you have further queries, please quote the above reference number. PLEASE NOTE: Research data should be securely stored in the school/department for a period of 5 years.

I take this opportunity of wishing you everything of the best with your study.

Yours faithfully

Professor Steven Collings (Chair)

/px

cc Supervisor Professor BC Mubangizi
 cc Academic leader Professor KK Govender
 cc School Admin. Ms A Pearce

Professor S Collings (Chair)
 Humanities & Social Sc Research Ethics Committee
 Westville Campus, Govan Mbeki Building

Postal Address: Private Bag X54001, Durban, 4000, South Africa

Telephone: +27 [0]31 260 3587/8350 Facsimile: +27 [0]31 260 4609 Email: ximbop@ukzn.ac.za / snymanm@ukzn.ac.za

Founding Campuses: ■ Edgewood ■ Howard College ■ Medical School ■ Pietermaritzburg ■ Westville

INSPIRING GREATNESS



Appendix 5
Informed Consent Template

UNIVERSITY OF KWAZULU-NATAL

School of Management, IT & Governance

Dear Respondent,

Doctor of Public Administration Research Project

Researcher: Bongumenzi Emmanuel Mpungose (0833078960)

Supervisor: Prof. B C Mubangizi (031-2608730)

Research Office: Ms P Ximba 031-2603587

I, Bongumenzi Emmanuel Mpungose am a Doctor of Public Administration student in the School of Management, IT & Governance, at the University of KwaZulu-Natal. You are invited to participate in a research project entitled: *Exploring Public Policy Implementation in Decentralized State: The Case of the Implementation Language Policy in the KwaZulu-Natal*.

The aim of this study is to:

To establish the implications of existing provincial public administrative processes on the implementation of the Language Policy.

To critically evaluate the implementation of the Language Policy and the respective roles of various spheres of government in this regard;

To ascertain the views of language stakeholders on the efficiency and effectiveness of the language services and programmes provided by Government generally; and the province of KwaZulu-Natal in particular;

To identify the main flaws and deficiencies, as well as successes in the implementation of the language policy and the management of language services and programmes

Develop a model for the management and implementation of the Language Policy and other such policies which, though formulated at the national, level, are, in fact, implemented at the provincial level. .

Through your participation I hope to understand your views on the efficiency and effectiveness of the language services provided by Government generally; and the Province of KwaZulu-Natal, in particular. The results of this survey is intended to contribute to the body of knowledge on the management and implementation of policies, which, though formulated at the national level of government, are , in fact, implemented at the provincial level.

Your participation in this project is voluntary. You may refuse to participate or withdraw from the project at any time with no negative consequence. There will be no monetary gain from participating in this research project. Confidentiality and anonymity of records identifying you as a participant will be maintained by the [School of Management, IT & Governance, UKZN.

If you have any questions or concerns about participating in this study, please contact me or my supervisor at the numbers listed above.

It should take you about 45 minutes/s to complete the questionnaire. I hope you will take the time to complete the questionnaire.

Sincerely

Investigator's signature _____ Date _____

This page is to be retained by participant

UNIVERSITY OF KWAZULU-NATAL

School of Management, IT & Governance

Doctor of Public Admin Research Project

Researcher: Bongumenzi Emmanuel Mpungose (0833078960)

Supervisor: Prof. B. C. Mubangizi (031-2608730)

Research Office: Ms P Ximba 031-2603587

CONSENT

I _____ (full names of participant) hereby confirm that I understand the contents of this document and the nature of the research project, and I consent to participating in the research project. I understand that I am at liberty to withdraw from the project at any time, should I so desire.

Signature of Participant

Date

This page is to be retained by researcher