



27 September 2021

South African Human Rights Commission
Via email: znair@sahrc.org.za and MDuPlessis@sahrc.org.za

Complaint against Minister of Higher Education and Training over classifying Afrikaans as a “foreign” language

Dear Commission,

I hereby submit a complaint against the Minister of Higher Education and Training, Blade Nzimande, over his discriminatory, hurtful, untruthful and unconstitutional classification of Afrikaans as a “foreign” language in South Africa. I submit that this classification violates the constitutional rights to human dignity (section 1), equality (section 9), education (section 29) as well as language and culture (sections 6 and 30).

Nzimande’s classification of Afrikaans as a “foreign” language is contained in the Language Policy Framework for Public Higher Education Institutions, dated October 2020. The framework only defines languages that “belong to the Southern Bantu language family” as indigenous, thereby directly excluding Afrikaans from the definition of “indigenous.”

I have previously written to Minister Nzimande highlighting the hurt and anguish this definition has caused, and requesting that he correct the definition to include Afrikaans. He has refused, and I attach that correspondence to this complaint as evidence that he is deliberately acting contrary to the truth and constitutional values.

This erroneous definition to exclude Afrikaans is not an abstract issue. The classification has already been practically weaponised by the management of Stellenbosch University in a draft new language policy to further their apparent attempt to abolish Afrikaans at the institution.

I further point out that, in the *Unisa* judgement delivered last week, the Constitutional Court firmly established in our constitutional jurisprudence that Afrikaans is, in fact, an indigenous language. In the unanimous judgement written by Justice Steven Majiedt, the court explicitly described indigenous languages as “including Afrikaans.”

Nzimande’s insistence on discriminating against Afrikaans and the people who speak it simply cannot stand. It is untruthful, unscientific, and unconstitutional.

I therefore request that the Commission urgently investigate this matter and engage with Nzimande to ensure that the definition is corrected to recognise Afrikaans as an indigenous language that enjoys equal status under our constitutional dispensation.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'L. Schreiber', written over a printed name.

Dr Leon Schreiber MP