

Language policy and practices in the Global North and South: Challenges, opportunities and future directions

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Time: 15:00 – 16:30 CET

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In search of transformative justice: The South African constitutional court and the right to education in the language of one's choice

Abstract: This presentation draws from a forthcoming book addressing the rise of English as a global lingua franca and the consequences for language rights and education. It examines the implications of two decisions of the South African Constitutional Court upholding university language policies eliminating or minimizing Afrikaans in favor of English yet relying on distinct rationales. In the case against the University of the Free State, the Court's majority opinion (with three judges dissenting) focused on redress and "radical" transformation with repeated references to "healing, reconciliation and reparation" to undo a history of "racial supremacy." In the subsequent case against Stellenbosch University, a unanimous Court, with only fleeting references to the wrongs of the past, focused on present inequities within a more inclusive and less politically charged multilingual narrative that recognized speakers of Afrikaans and other indigenous languages. A concurring opinion, written in English and Afrikaans, more assertively trumpeted the need to preserve the country's linguistic diversity. The presentation explores the implications that this shift in judicial perspective might bear for reshaping public discourse and policies on the role of English, Afrikaans, and other African languages across education, while moving the country toward the Constitution's promise of transformation and redress.



Rosemary Salomone is the Kenneth Wang Professor of Law at St. John's University School of Law (USA) where she teaches Constitutional Law, Administrative Law, and seminars on Children and the Law and Comparative Equality and Anti-Discrimination Law. Prior to St. John's she was an Associate Professor at the Harvard Graduate School of Education in the Administration, Planning and Social Policy Program. Trained as a linguist and a lawyer, she has lectured internationally and published extensively on education law, equality, and language rights. In addition to *True American: Language, Identity, and the Education of Immigrant Children* (Harvard University Press, 2010), she is the author of *The Rise of English: Global Politics and the Power of Language* (Oxford University Press, forthcoming 2021).

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