THE NEW CONSTITUTION AND TEACHING OF AFRICAN LANGUAGES: WHAT IS THE WAY FORWARD FOR KENYA

Pamela M. Ngugi
muhadiap@yahoo.com
Kenyatta University-Kenya

Abstract
Chapter 2, Section 7(3), of the Kenyan constitution, (The Republic of Kenya 2010) stipulates that the state shall develop, promote and protect the diversity of languages of the people of Kenya. Although this statement has no direct implication to the language of education policy in the Kenyan system of education, their implementation will largely affect the language policy in education. This paper explores ways in which the constitution can be used as a catalyst in the promotion, development and protection of African Languages and at the same time use these African languages as media of instruction in schools in Kenya.

Introduction

In 2010, the government of Kenya adopted a new constitution in which major changes were made in regard to the development, promotion and protection of indigenous languages. This, we believe was in keeping in mind that the promotion of linguistic and cultural diversity constitutes a wealth , not only of this composite country, but of the whole mankind. Indeed such a goal cannot be separated from the achievement of peace, development, solidarity, security and democracy. This action is also in line with the United Nation's affirmation of protecting and promoting diversity, cultural identity and linguistic diversity. Considering the Kenyan language situation, this step can be considered as the right action that will lead to averting of the waning of the indigenous languages caused by lack of interest in these languages. Indeed, it has taken the government of Kenya more than forty years since it attained independence to constitutionally recognize its own indigenous languages. The aim of this paper is to suggest ways in which the constitution can be used as a catalyst in the development, promotion and protection of the indigenous languages through their inclusion in the education curriculum.

The status of African languages in the education system in Kenya

In Kenya, the exposition of the policies governing the use of indigenous languages in education goes back to the colonial period, specifically 1935, when the government issued a circular directing public school in non-urban areas to use vernacular as medium of instruction for the first 4 years of school life, (Mbaabu 1996: 81). However the colonial policies accorded status to some African languages at the expense of others. For instance only four African languages; Kiswahili, Kikuyu, Dholuo and Luluhya were used during the stages of early instruction. Instruction through the medium of English was

introduced as early as Standard 1 in other areas. This means that a majority of languages were left out and most learners were forced to learn in a language that was not their own. This was in total disregard of the Phelps-Stokes commission of 1924 which had observed that all colonizing nations in Africa had forced their languages upon the people and discouraged the use of vernaculars as had often been done by dominant groups in Europe, (Adegbija 1994: 32). Many years later in 1953, UNICEF supported these views, when it made a declaration on the use of vernacular languages in education as the best language of instruction for the learner. The declaration stated:

…it is important that every effort should be made to provide education in the mother tongue…On educational grounds we recommend that the use of the mother tongue be extended to as late a stage in education as possible. In particular, pupils should begin their schooling through the medium of the mother tongue, because they understand it best and because to begin their school life in the mother tongue will make the break between home and school as small as possible.

This argument was later supported by the African Union Cultural Charter for Africa. For instance, Article 6 (2) of this charter states that member states should "promote teaching in national languages in order to accelerate their economic, political and cultural development" (quoted in Musau 1999: 118). This is in recognizing the fact that language and development go hand in hand.

Post-colonial Kenya's language policy in education simply exhibits a trilingual arrangement in which indigenous languages, Kiswahili and English are pitted against each other. For a long time now, the indigenous languages have been assigned a very limited role even in adult education programs while Kiswahili which is now an official and national language, is not used as a medium of instruction at any level in the education system.

The policy for primary schools stipulates that the languages of instruction for the first three years of schooling shall be the language of the school's catchment area while Kiswahili should be used in urban areas. Thereafter English shall take over this role of medium of instruction (Mbaabu 1996 quoted in Ngugi 2009: 8). Since the colonial days, English language has been an important language of the school curriculum and has remained a core subject in Kenyan schools. In most cases English is associated with formal public interactions, hence not used much in the informal situations. However, as pointed out by Marivate (1993), the mother tongue principle in African education in most African countries has always met with strong resistance from most sectors in the respective countries. There have been various factors that may explain lack of interest in the teaching and learning of Mother tongue languages in Kenya.

Mother tongue resistance in education

Kenya has had a language in education policy that includes using indigenous languages as medium of instruction in the foundation level of education-class 1-3. However, this policy contains numerous loopholes that make the implementation of the policy almost impossible. For instance, most stakeholders (parents, teachers and policy makers) have had the impression that mother tongues do not enhance the performance of pupils in their examination and their success in education (Luoch and Ogutu 2002:89). Such views are reflected in a study carried out by Muthwii and others in 2002 on 'Language Policy and Practices in Education in Kenya and Uganda.' They observed that there were many factors that contributed to lack of interest in teaching and learning of mother tongue. These factors as enumerated

below are related to policy, curricular / training and publication issues. A summary of these factors are presented below:

- Because of severe lack of books written in mother tongue languages for the teaching of various curriculum subjects, teachers feel abandoned by education authorities. They feel left alone to wrestle with the hard task of translating everything into the mother tongue given the fact that some English words have no equivalents in mother tongue language.

- Vocabulary in mother tongue languages is said to be limited. Consequently, the teachers feel that it is hard to be expressive in mother tongue, for example, the terminology for the Science and Mathematics was not developed in the mother tongue. Neither are their multilingual dictionaries to refer to.

- No examinations are set in mother tongue even though most students fail to understand questions written in English. Government policy is not clear in that while it advocates for mother tongue as language of instruction in lower primary, it allows for schools to set examinations in English.

- Double standards between rural and urban schools are tolerated. Consequently, rural schools see themselves as disadvantaged as they obey the policy while urban schools are allowed to teach in English yet all the children must sit the same examination.

- There may be various dialects of a language in a given speech community and it is not clear which dialect forms should be used in the school system. In addition, in areas such as the Settlement schemes where there is a concentration of people representing different language groups from different parts of the country, it is difficulty to meet these requirements. This confuses both children and teachers of lower primary school classes.

- There is a pervasive lack of proper training for teachers of indigenous languages in teacher training colleges. Furthermore, it is often incorrectly assumed that being a native speaker of a particular language is sufficient for that person to teach that language. Yet in reality, there are teachers who can not adequately express themselves in their mother tongue.

- Parents at times do not buy the few books available in mother tongue.

- Some parents discourage their children from taking mother tongue language seriously because it is not examined at the end of primary education. Rural parents fear their children being left behind by children in urban contexts who use English yet by the end of the eight years they will all sit for the same examination, (Muthwii 2002: 18).

Again because African languages are excluded from important formal domains where focus is on the official language, these languages are not offered at the institute of higher learning. As observed by Matsinhe (2004) the number of students enrolling for African language courses has been dwindling in the recent years in many universities in Africa. Due to these factors teachers, parents and learners generally have a negative attitude towards their own mother tongue as languages of instruction. Most parents see the usefulness of English language in terms of its future utility for their children. In addition publishers decry the poor sells associated with books written in mother tongue and therefore do not want to invest in mother tongue languages (Ngugi 2009: 49). They argue that there is limited readership when one considers that there are over forty two language groups in Kenya whose speakers are in them selves a minority compared to Kiswahili and English.

For the more, most African countries are trying to build new nations using colonial tools- English, French, or Portuguese. The use of these languages has created the conditions for the maintenance of an elite whose economic and social aspirations have little in common with those of the vast majority of Africans, Matsinhe (2004; 16). Consequently, parents are in a dilemma, whereby on one hand they have to promote the use of African languages in the home, and on the other, they have to provide their children with the opportunity to learn a language that will secure them social mobility.

Another reason as observed by Djite 1993 quoted in Matsinhe (2004 :18) is that approaches to development are usually defined in terms of economic growth, and in most African countries, African languages are not part and parcel of the efforts to achieve sustainable development and consequently it is felt they warrant neither attention or funding. Apart from marginalizing these languages, this creates negative attitudes among ordinary people towards them, including learners who see no economic value attached to learning these languages.

Kenya as with a number of other African countries across Africa has a majority of its children going through an education system that fails to provide instruction in the language they speak at home, which is the language that they understand best. Reasons have been given above. This, it has been argued, contributes to illiteracy and results in people entering the workforce with inadequate skills. Experts maintain that pupils are better placed to become literate when they start learning in their first language and the gradually move to another (Brooke-Utne 2004: 1-12).

Educational issues pertaining to the role of mother tongue

In the recent past, there have been educational objectives more favorable to the use of mother tongue in education. For instance the Asmara Declaration of 2000 proposed the idea of introducing policies that will effectively address mother tongue instruction in schools (Asmara Declaration 2000). One of the objectives of introducing mother tongue relates to the cognitive and emotional development of the learners (Luoch and Ogutu 2002:97; Letsie 2002:195). Those who support this view claim that effective literacy acquisition and second language proficiency depend on well- developed first language literacy.

As observed by Letsie (2002:196), it has been realized that learners who do not receive mother tongue education experience reading problems, as opposed to learners who do receive it. Problems are experienced in all facets of reading: reading speed, reading accuracy and reading comprehension. It is also clear that it is not just because of the intrinsic value and suitability of the mother tongue for thinking and education, but as rightly observed by Luoch and Ogutu (2002: 97) it is the fact that learners are already familiar with it and the language of education would not be a source of difficulty since the gap between the school and home is narrowed. As Pinnock and Vijayakumar (2009: 13) conclude from studies that have been done from a range of country contexts, children learn best in the language that they use most often and at home, particularly when they are surrounded by just one language in their daily life outside school. This may well be because they build their understanding of the world based on linking new concepts into what is already familiar to them. In addition, they observe that children are far more likely to pick up another (second) language if it is highly present in their daily lives, enabling them to decode and practice this language through observation and interaction.

Research experiments, studies on and practices in a number of African languages such as Hausa, Yoruba, Kanuri, Fulfulde, Shona and others have amply demonstrated that all African languages are capable of development as media of education both at formal and informal levels (Fafunwa 1996: 153; Wolff 2002: 134). All languages are equal as no one language is superior to another in thought and action. Countries like Namibia that attained independence in the 1990s have managed to put African languages in their rightful place in the education system (Legere 1996: 71; Davids 2000: 25). For instance, Legere (1996:162) observes that mother tongue languages are a reservoir of a people's past and present cultural heritage; they are constant reminders of the values and attitudes that shape their present and they have a special function to fulfill in any society and should therefore be protected and developed. However, despite the positive results of mother tongue in education in countries where this is practiced, the changeover from mother tongue to another language tends to be too early before the children have reached a certain age or level of cognition. This scenario has been observed by the association for the Development of African Education (DAE):

At school age, the child may speak the ethnic language (s) used at home and in the immediate neighborhood. In Kenyan situation, for example, such a child may go to a school where his/ her mother tongue is used as the language of instruction in the first three years of education. The child, however, has to immediately start to learn two foreign languages; Kiswahili, the indigenous national (and currently official language) and English, the official language (which becomes the language of instruction from the fourth grade onwards). In other situations, the child may have one of the two foreign languages used as language of instruction from the very first encounter with the teacher, which is usually the case in urban settings, (DAE 1996:2).

Pinnock and Vijayakumar (2009: 14) have suggested that children need support to develop their mother tongue for much longer than is often assumed. In a country like Kenya where there are two official languages which the child has to learn upon joining school, the additive approach would help the children. The additive approach involves gradually increasing time given to one or two second languages, but the first language continues to play an important role in teaching and learning, (Pinnock and Vijayakumar, 2009: 14).

Cultural issues pertaining to mother tongue
The acquisition of a mother tongue is part of the process by which a child absorbs his / her cultural environment. Local languages therefore play an important part in promoting culture and giving children a sense of belonging and identity. As observed by Letsie (2002; 198), any child will find it difficult to grasp any new concept that is alien to their cultural environment. Letsie (ibid) reiterates her argument by explaining that in learning any foreign language children may find it difficulty to master the alien vocabulary and syntax sufficiently to express ideas in it. Where the foreign language belongs to a wholly alien culture, they are faced with added and much greater difficulties. This is because they have to interpret the new ideas in terms of their own medium thought, then express their own ideas and thoughts through the new modes of the alien tongue. It has been observed by Swain (1982 quoted in Letsie 2002: 198) that the mother tongue medium enhances the importance of local languages and identity.

Culture is mainly transmitted through language given that most customs, traditions and cultural expressions find meaning in oral traditions. The constitution of Kenya recognizes culture as a foundation of the nation and as the cumulative civilization of the Kenyan people and nation. The Ministry of Gender, Sports, Culture and social Services is currently charged with the responsibility of promoting culture through various activities. However, as observed by ILO (2009), the ministry has given eminence to the mainstream communities in all sectors and culture is no exception. The cultures of some indigenous people have only been seen in the light of the lucrative tourism industry where the culture and tradition of such communities as the Maasai have been exploited to earn the state some revenue.

The place of the constitution in the protection and promotion of African languages
In the recent past, calls for mother tongue based education are supported by several rights instrument in international law, which call for education reflecting the rights of people to develop their own language and culture (Minority Rights groups, 2009 quoted in Pinnock and Vijayakumar 2009:15). These rights may imply both right of language and language right, (Ogechi 2003:277). According to Mazrui and Mazrui (1998:15), the right of language(s) refers to the right of each and every language in a multilingual society to exist and the equality of opportunity for it to "develop" legal and other technological limbs and to flourish. On the other hand, language right refers to the right to use the language one is most proficient in, as well as the right of access to the language(s) of empowerment and socio-economic advancement.
The issue of developing indigenous African languages for literacy and education has remained topical in post- colonial Africa for a long time. In aiming to instill a feeling of worth for the indigenous African languages and to help define language policies for African state, the OAU (now AU) decided to adopt the "Language Plan of Action for Africa"(Hartell 1990 quoted in King'ei 2001:122). This policy guideline blueprint was based on awareness that the whole question of language touches the social, economic, political, cultural and educational areas of life.
Similarly, in recognizing the diminished use and status of African languages of the people of Kenya, the state decided to take a positive measure of protecting and promoting the African languages by enshrining them in the new constitution. A large number of Kenya languages have not been written, only 22 out of 40 languages have been written since 1950's (Kingéi 2001: 129). The Kenyan constitution enacted in 2010 makes provision of promoting and protecting the Kenyan languages and allowing the use of these languages amongst various linguistic users as stated in the abstract. Although the principles stated in the constitution do not seem to offer practical guidance towards promoting the status of the African languages, there is need to have more positive actions taken in order to promote, protect and use these languages.
Wollf (2002:14) observes that for a language to be considered as developed, it must have viable orthography, substantial literature and to be used in the domains as education, broadcasting, print media, administration, law. On the other hand he explains that for a language to be considered under-developed', the criteria are lack of orthography, inadequacy of vocabulary (which means that the language is unfit for modern communication) and finally, paucity or total absence of reading materials.

From these two definitions of development and under-development of a language, one sees a vicious circle; a language cannot be used in a wider range of domains and expand its vocabulary and have a rich and adequate literature if it is not developed, and it cannot develop unless there is need to use it in a wider range of domains. Wollf (ibid) , argues therefore that there is only one effective bottom-up strategy for language promotion that can possibly hope to break this vicious circle, and that is language use for all topics and domains, by all and consistently. This therefore means that the constitution pronouncements are not enough. The constitution needs to allow for practical promotion and protection of the Kenyan languages.

There is need to have the statements implemented. As observed by UNSECO's 1997 working paper, it is in and through usage that development occurs and that a language extends its technical scope. Selepe (2002: 209) argues that the answer to the question of whether or not African languages are developed and promoted to become media of instruction lies within the relationship between the African learner/ student and the African teacher/ researcher. African languages need institutional support in order for them to be promoted.

For the development of indigenous African languages, Muthwii (2002: 86) suggests actions that should be taken by the government. First and foremost, there is need to accurately establish the exact number of indigenous African languages in Kenya. For instance, while Mbaabu (1996) indicates that Kenya has 42 languages, Heine & Mőhlig (1980) and Whitely (1974) talk of 30 and 34 languages respectively, recently Gordon (2005:1) talks of 61 languages. In addition, (ILO 2009:5) maintains that the post-colonial Kenya state pursued a policy of assimilation and integration of numerically smaller tribes into some dominant ones. For example indigenous people such as the Endorois and others like the Ogiek, El Molo, Watta, Munyaya, and Yakuu were not legally recognized as separate tribes with their own linguistic identity. In chapter four of the constitution under The Bill of Rights, (The Republic of Kenya 2010), the government has obliged itself to protecting the rights of the minority and in section 56 (d) the constitution says that it shall put in place affirmative action programs designed to ensure that minorities and marginalized groups "develop their cultural values, languages and practices. Having determined the statuses of the languages spoken in the country, there is need to have a plan of action put in place and pursued in order to achieve what has been resolved in the constitution.

In order to promote, protect and to create the condition for the use and development of all African languages Kenya can borrow from the South African constitution and create a language board similar to the Pan South African Language Board that is charged with the responsibility of promoting and creating conditions for the development and use of these languages (Selepe 2002: 203). Such a body should also conduct evaluation of language bodies at regular periods to determine whether or not such policies serve the needs of the people.

Now that the Kenyan African languages are enshrined in the constitution, there is need to adopt policies that embrace the multicultural and multilingual diversity. In a country like Kenya, it is important not only to acknowledge the existence of cultural pluralism but to recognize it as being valuable. Pluralism as a value means recognizing, and indeed being committed to, the right of others- individual and groups- to be different, (Figueroa 1993: 26). Figueroa (ibid) points out that if each person claims to be free then each person must accept the right of others to think differently, to act differently and to have different

values. It is necessary to seek commonalities and build bridges but also accept differences as such. In the same breadth, Muthwii (2002: 85) also concurs that linguistic diversity should be seen as strength rather than a weakness. In this case, attitudes and teaching methods in teacher education need to be reviewed and modified to accommodate the needs of a multilingual and multicultural classroom situation. For instance, as suggested by Pinnock and Vijayakumar (2009:29) and Marivate (1992 quoted in Letsie 2002:200) teacher training and performance should include:

- An understanding of language development (including the importance of mother tongue, of how children learn language, learning to read etc.
- An understanding of the interdependence of mother tongue and second language development and appropriate first and second language teaching practices.
- Emphasizing that although transitions to national or international language are unavoidable in the school cycle, this transition should be gradual and additive-this means that no language should be removed.
- Current authorities should now be prepared to fund research on African languages and how these languages could be integrated into developmental goals and practices to be implemented in the underdeveloped communities.
- The government should be prepared to act as facilitators of debates and consultation process on the language issue at the local, regional and national level.
- The design of the curriculum for African languages should take into account the dynamics of the labor market so that the expectations of potential employers of graduates in African languages are met.
- At the primary and secondary level, the creation of a culture of reading among children could be promoted through courses and programs aimed at producing children's literature in African languages. In addition learners from various localities in the country can be encouraged to write stories in their indigenous languages. This can be achieved through organizing of writing workshops, publishing the stories and marketing them.
- There is need for publication of multilingual dictionaries in order to ease the gap in terminology experienced by the teachers. This should involve primary, secondary school teachers and linguists working together as was done in South Africa where a multilingual Mathematical dictionary for 1-6 that containing entries in all 11 official languages was produced, (Matsinhe 2004: 24).

Conclusion

This article sought to explore ways in which the constitution on indigenous languages n Kenya can be used as a catalyst in the promotion of African languages in Kenya. Indeed having included the article on the protection of African languages is a step towards promotion of these languages. However, laws alone cannot bring about the development and effective use of these languages. There is need for genuine commitment on the part of Kenyan leaders. This is because if the leaders pay lip service to the constitution without suggesting ways of implementing the article (s) on indigenous languages and on the other hand continue to prefer the use of European languages then they will be sending mixed messages to African learners. As shown in the discussion, the schools can be the starting point of implementing the constitution on the protection of Kenyan languages. By starting with the schools, the government of

Kenya will have averted a situation where there is a generation of Kenyans without any knowledge of a Kenyan language.

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