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Micro declared language policy or not? Language policy-like statements in the rules of procedure of the Rwandan Parliament

Introduction

In a key contribution to the field of language policy¹ research, Ricento (2000) highlights the need to integrate *macro* and *micro* level analyses, indicating that studies with this focus are the way forward for research in the 21st century. In turn, these notions of ‘macro’ and ‘micro’ in language policy have recently been focused upon and usefully conceptualised by Baldauf ((Baldauf (2005, 2006), Kaplan and Baldauf (1997) and Chua and Baldauf (2011)). According to Baldauf, a distinction ought to be made between *micro policy* and *micro implementation of macro policies*. Baldauf reserves the term *micro policy* to situations where local agents “create what can be recognised as a language policy (...) as a response to their own needs and their own language problems.” (2006: 155). Baldauf’s specification is very significant because it points to two potential research directions: (a) work can be undertaken in order to investigate the relationship between macro policies and their micro implementation and (b) research can aim to elucidate the relationship between macro policies and micro policies.

This article draws on Baldauf’s specification and reflects on a language policy issue we have observed at a Rwandan institution. In Rwanda, a macro language policy exists in the form of article 5 of the country’s constitution. According to the *Constitution of the Republic of Rwanda* (2003, article 5), Kinyarwanda is the national

¹ In the literature, the terms ‘language policy’ and ‘language planning’ are sometimes seen as different. Language policy is understood as the statement of a desired sociolinguistic situation while language planning is the arrangement of the actions to be undertaken in order to reach that desired sociolinguistic situation. Some other times, however, the two terms are used interchangeably. In this paper, the latter practice is adopted.

language and Kinyarwanda, French and English are the official languages. On the other hand, the rules of procedure of the Rwandan Parliament, published in the form of *Organic Laws NO 02/2005 of 18/02/2005* and *Organic Law NO 06/2006 of 15/02/2006*, contain important statements regarding language choice. For example, it is mentioned that draft bills are transmitted to members of the Parliament in all three languages. Therefore, the issue is whether these statements about language choice at the Parliament can be seen as a mere micro implementation of the macro policy or whether they can better be seen as constituting a policy in their own right, a micro language policy. In the latter case, a related question is how this micro policy relates to the macro policy. To answer both questions, we conducted a close textual analysis of the documents mentioned above.

This article is organised as follows. Section 2 depicts in broad lines the wider socio-political and historical context of the macro policy as well as the immediate institutional context of the organic laws. Section 3 provides an overview of the conceptual framework of the study. Section 4 situates the article in the wider project we conducted at the Rwandan Parliament, and specifies the methodology we will use in analysing the policy documents. Section 5 reports the results of our analysis. Finally, the discussion section addresses the question of whether, given the results of our analysis, the language policy-like statements in the rules of procedure of the Rwandan Parliament can be seen as constituting a separate micro language policy.

Sociolinguistic background

As indicate above, the Rwandan macro language policy recognises Kinyarwanda as the national language and Kinyarwanda, French and English as the

official languages. Space limitation prohibits any detailed discussion of the linguistico-socio-politico-historical embeddedness of this policy, but the following points can be noted. First, Kinyarwanda is recognised as the country's national language on account of it being the primary language of the vast majority of Rwandans. According to some observers, 99% of Rwandans speak Kinyarwanda and up to 90% of them can only speak Kinyarwanda (Samuelson and Freedman, 2010:193). For exactly the same reasons, Kinyarwanda was declared the first official language. Secondly, French is recognised the status of official language as a "colonial legacy" (Bamgbose, 1991: 5). Upon its independence from Belgium, Rwanda, like many other Sub-Saharan African countries, "opted for the continuation of the basic policy of pre-independence colonial times" (Simpson, 2008: 4). Linguistically, only a tiny minority of Rwandans (3-5%) have any competence in French (Samuelson and Freedman, 2010). Finally, English was first allowed official use in Rwanda in the context of the Arusha Peace Accord (1993, Art 25) on a temporary basis and declared the third official language as of January 1996 (*Loi Fondamentale*, 18 January 1996, art 7). The introduction of English in the Rwandan sociolinguistic scene was occasioned by the return, at the end of the Rwandan civil war (October 1990-July 1994), of former refugees, many of whom had lived in English speaking East Africa since the late 50's. And its promotion to the status of official language is closely linked with the growing influence of these former refugees in the life of the country. As for its actual penetration, an even tinier minority of Rwandans, reportedly less than 3%, have any competence in English.

This article examines the statements regarding language choice at the Rwandan Parliament as found in the institution's own rules of procedure. In Rwanda, as everywhere else, the Parliament is the legislative body of government. Its mission is

“to legislate, and oversee the Executive action for and on behalf of the people of Rwanda in a bid to achieve national development.” (www.rwandaparliament.gov.rw).

The Parliament has two chambers: the Chamber of Deputies and the Senate. The two chambers have a similar structure, comprising the Plenary Assembly (all deputies and senators respectively), the Conference of the Chairpersons (members of the bureau + chair and vice-chair persons of standing committees), the Bureau (Speaker of the Chamber of Deputies / President of the Senate + two vice-speakers / vice-presidents), Standing Committees and General Administration. The terms and composition of the two chambers are different. The Chamber of Deputies is elected for a 5-year term while the Senate enjoys an 8-year term. The Chamber of Deputies has 80 members while the Senate comprises 26 members. The General Administration section of each chamber is headed by a Clerk and takes care of the day-to-day life of the Parliament as a corporate body.

The work of legislating follows a very specific route. A bill is initiated either by a specific department of the Executive (the term ‘Government bill’ is used) or by a member of the Chamber of Deputies. From here it is forwarded to the Bureau of the Chamber of Deputies. The Conference of Chairpersons then convenes and examines the relevance of the proposed bill before it is distributed to deputies. Deputies examine the bill in the relevant committee before it is adopted by the Plenary Assembly. The bill adopted at the level of the Plenary Assembly is then forwarded to the Bureau of the Senate, who in turn forward it to senators. The relevant senate committee examines the bill before it is adopted by the Plenary Assembly. If a bill is adopted at this level, it is forwarded (back) to Government for publication in the *Official Gazette of the Republic of Rwanda*. However, if a bill is rejected at any of the

different levels, it is referred back to the immediately preceding level. As we will see below, the language-policy like statements at the Rwandan Parliament are solely concerned with language choice along this route.

Theoretical context

As noted above, Baldauf makes a distinction between *micro implementation of macro language policies* and *micro language policies*. Describing research in the first category, also referred as *implementation studies*, Baldauf writes:

“Although these studies or this planning work is often local and small scale (they investigate) the way that top-down policy and planning impacts on the local and the kinds of micro implementation that is required to meet the broad-scale language policy demands” (2006: 155).

On the other hand, micro language policies are defined as situations

“where **businesses, institutions, groups or individuals hold agency** and create what can be recognised as a language policy (...); one that is not directly the result of some larger macro policy, but is a response to their own needs, their own ‘language problems’(...)” (2006: 155) (my emphasis).

According to Baldauf, the key difference between micro implementation of macro language policies and micro language policies is whether local institutions, groups, communities, etc. are mere implementers of policies decided from above or whether they are agents orientated towards the needs of their local context. Thus, a micro language policy may be required in either of two situations: either no macro policy exists and local agents are left to fend for themselves or a macro policy exists but does not fully meet the needs of the local context.

Two features of micro language policies need to be highlighted for the purpose of this article. First of all, according to Baldauf, macro and micro language policies are not different in nature. A micro policy must be recognisable as a language policy (2006: 155). More specifically, the difference between the two is one of scope (Nekvapil and Nekula (2006) and Spolsky (2004: 40)). Therefore the same conceptualisation should apply to both macro and micro language policies. Spolsky (Spolsky, 2001, 2004, 2009, Spolsky and Lambert, 2006, Spolsky and Shohamy, 2000) has provided us with an interesting conceptual view of language policy. According to Spolsky, language policy comprises three key components, namely language practices, language beliefs and ideologies and language management. The terms *practiced policy* (Bonacina, 2010 and Papageorgiou, 2012), *perceived policy* and *declared policy* (Shohamy, 2006) have also been used to refer to these components respectively, hence the term '*micro declared language policy*' in the title of this article. In other words, a micro policy, just like a macro policy, can be observed at any of the three levels, the level of practices, the level of ideologies and beliefs and the level of management.

Secondly, as noted above, a micro policy may be necessary in either of two situations: absence and/or insufficiency of a macro policy. The many examples of *family language policy* (King, Fogle and Logan-Terry (2008), Pillar (2001)) come under the first category. In most cases, family language policies are adopted precisely because there are no macro policies for the transmission of particular languages to younger generations. On the other hand, if a macro policy exists, it becomes relevant to enquire about the nature of the relationship between it and the identified micro policy. And this is so because such a relationship can take many forms. For example,

in a study of “Language management in multilingual companies in the Czech Republic” and of language maintenance in the Hungarian diaspora in Austria, Nekvapil and Nekula (2006) and Hotos (2006) respectively have observed a “dialectical relationship” (Nekvapil and Nekula (2006:1) between macro and micro language policies. On the other hand, Anthonissen (2010), investigating language policy in the South African context, describes a situation where various institutions have taken it upon themselves to develop policies “that they believe best suit their circumstances” (2010: 136-37). Likewise, a number of researchers (e.g. Bonacina (2010), Ludi et al. (2010), Wodak and Krzyzanowski (2011) and Wodak et al. (2012)) report situations where participants orientate, not to macro-policies as such, but to the practical matter of making “communication as efficient as possible” (Ludi et al, 2010: 320). It is basing on these previous findings that, in this article, we examine the relationship between the Rwandan macro language policy and the language policy-like statements found in the rules of procedure of the Rwandan Parliament.

Language policy and practices at the Rwandan Parliament

As we have seen, the *Constitution of the Republic of Rwanda* recognises one national language and three official languages. However, it does not give any details how the languages should actually be used on the ground. In the absence of such details regarding language choice, a research programme entitled ‘*Living and Working in Three Languages in Rwanda*’ has been developed in order to investigate how the Rwandan trilingualism is actually lived on the ground, in Rwandan institutions in particular. The case study methodology, consisting of an intensive

study of language choice phenomena one institution at a time, has been adopted as the overall strategy (Swanborn, 2010, Simons, 2009).

A first instalment in this strategy has focused on language policy and practices at the Rwandan Parliament. The following questions, informed by Spolsky's (2004) framework of language policy, guided our investigations:

1. Since the Rwandan Constitution does not give any details as to how the country's official languages should actually be used on the ground, has the Rwandan Parliament developed its own declared policy? If so, what does it look like?
2. How do members of the Rwandan Parliament interpret the constitutional disposition regarding the official languages of Rwanda? That is, what are their beliefs and ideologies regarding language choice in institutional contexts and in the Parliament in particular?
3. What language practices are actually adopted on a day-to-day basis at the Parliament? That is, what is the practiced language policy of the Rwandan Parliament?
4. How do the three levels of policy (declared, ideological, practiced policies) relate to one another?

In terms of methodology, we adopted Johnson's (2009) *ethnography of language policy*. As Johnson (2009: 142) puts it, the ethnography of language policy is a two-step methodology consisting of "critical analyses of local, state and national policy texts and discourses as well as (ethnographically) collected data on how such policy texts and discourses are interpreted and appropriated by agents in the local context". Fieldwork for this instalment was conducted between January and August 2009. A variety of data, including observational data, written policy and non-policy documents, interviews with stake holders, records of spoken interactions, were collected and will be analysed in due course.

Very early on during fieldwork, we became aware of the statements regarding language choice in the rules of procedure of the Parliament. In total, four language-related articles (117, 118, 129, 149) were identified in *Organic Laws NO 02/2005 of 18/02/2005* and four (107, 109, 110, 125) were identified in *Organic Law NO 06/2006 of 15/02/2006*. This article examines these statements and relates them to the country's macro policy (art. 5 of the Constitution) in order to determine whether or not they constitute a separate micro declared language policy (see research question 1 above). In this analysis, we specifically focus on the relationship between the official languages of Rwanda (status planning) as captured in the two sets of texts. Accordingly, in the article, the results obtained by applying a close textual analysis to these policy documents are reported (step one of the ethnography of language policy) and triangulated with some of the interview data for the purposes of interpretation².

Two key aspects of our analysis, inspired by Critical Discourse Analysis, are linguistic analysis and intertextual analysis (Fairclough (1992), Wodak (2001), Leitch and Davenport (2007) and others). At the linguistic analysis level, we will be focusing on paradigmatic and syntagmatic relations between textual elements of the target texts, specifically looking for what choices at this level might reveal regarding the intended relationship between the official languages. At the intertextual analysis level, we will be looking at other texts (mostly from the local media) belonging to the same intertextual chain in order to see whether the meaning potentials (the relationship between the three official languages) identified at the level of the linguistic analysis

² A detailed discussion of ethnographic interview data will be presented in a paper, currently under preparation, on the perceived policy of the Rwandan Parliament and this is only a general gist of it.

are confirmed³ intertextually. Intertextual analysis will be particularly useful in the analysis of the text of the Constitution because, lacking in details, it does not explicitly state the relationship between the three official languages.

In describing the relationship between the official languages of Rwanda, we will borrow from the language rights literature and use the contrast *norm-and-accommodation rights regime* and *official-language rights regime* (Kymlicka and Patten, 2003) as our scheme-of-interpretation. Describing the norm-and-accommodation rights regime, Kymlicka and Patten (2003: 28) write that the regime

“involves the predominance of some normal language of public communication- typically the majority language of the jurisdiction concerned. Unless some special circumstance arises, this language is used in the courts and legislatures, in the delivery of public services, as the medium of public education, and so on. Special accommodations are then made for people who lack sufficient proficiency in the normal language.”

On the other hand, the official-languages rights regime is described as follows:

“(…) this approach typically involves a degree of equality between different languages that are selected for official status. In a situation of perfect equality, any public service that could be received in one official language could also be received in the other; any piece of public business could be transacted in any of the official languages (...). Unlike the special accommodations offered under the norm-and-accommodation approach, the enjoyment of official language rights is not contingent on a lack of proficiency in the majority language or usual language of society.” (Kymlicka and Patten, 2003: 28).

Thus, in our analysis of the target texts, we will be asking whether the sociolinguistic structure implied can be described as a case of the official-language rights regime or as one of the norm-and-accommodation rights regime. In the latter case, we will also

³ Note that analysis of intertextual chains blurs the boundary between data collection and data analysis as two distinct research phases (Meyer, 2001: 18). Accordingly, as observers of the Rwandan sociolinguistic context, we are constantly on the lookout for new policy-relevant texts from the media and no specific limit has been imposed on the number of texts in our ever-growing collection.

be asking which of the three official languages of Rwanda can be described as the 'normal' language for official use.

Macro vs. micro level analyses of language policy texts

The macro declared language policy of Rwanda

From its inception, language policy has been seen as a way of addressing language problems, as being goal-oriented. Therefore, in order to comment sensibly on a language policy, one has to be clear about its intended objectives and about the needs it is intended to address (Rubin, 1984: 9), keeping in mind that those needs and objectives may be overt just as they may be covert. The Rwandan language policy is meant to address two different needs, namely a socio-symbolic need (national identity) and an instrumental need (administrative efficiency). Here as everywhere else, the socio-symbolic function of language is indicated by the term '*national language*' while the instrumental function is expressed by '*official languages*' (Blommaert, 1996: 210).

As we have seen, an overwhelming majority of Rwandans speak Kinyarwanda natively and an equally overwhelming majority can only speak Kinyarwanda. As a result, Kinyarwanda is associated with 'Rwandan-ness', with the national identity. A strong "fixed collocation" (Blommaert, 1996: 208) view of the relationship between language and national identity is adopted. To that extent, Rwanda is not different from other so-called monolingual nation-states (see Blackledge (2008) for a succinct discussion of the 'language ideology' and 'national identity' nexus). A variety of intertextual evidence can be found to support this view that Kinyarwanda serves a

symbolic function. The following are just a few. First, in the National Anthem, one reads:

“Umuco dusangiye uraturanga
Ururimi rwacu rukaduhuzza”

(Our common culture is a mark of our identity
Our language unites us)

Secondly, consider a recent news article (Nkurunziza, 2011) in the local media about the language situation in the small island of Nkombo. This island of less than 16,000 people has traditionally spoken the languages of Amashi and Gihavu because of its proximity with the Democratic Republic of Congo where these languages are used. Currently, as reported in the news article, language shift is underway from these languages to Kinyarwanda. Commenting on this situation, the mayor of the island and the villagers themselves proudly see the shift from the traditional languages as evidence of the increased integration of the island into the mainstream Rwandan society. Amashi and Gihavu, the leader says, “contributed to self-isolation”. Conversely, the example points to the fact that not being able to speak Kinyarwanda is equated with not being Rwandan.

This equation is even more explicit in the following example. On the occasion of the International Day for Indigenous Languages (21 Feb. 2012), the Rwandan Minister of Culture gave a public address on the importance of Kinyarwanda in the life of the nation. After the address was published by www.igihe.com, the public posted their comments. Two of these comments, hardly veiled attacks on the Minister of Health (Ms Agnes Binigwabagabo), clearly link the identity ‘being Rwandan’ and competence in Kinyarwanda. The comments read:

Na ministre w'ubuzima se iby'ikinyarwanda biramureba ? *Ariko se ubundi ni umunyarwanda cg ni umunyamahanga ?* (my emphasis) (posted 21/02/2012 at 03.55)
(Is the minister of health also concerned by issues of Kinyarwanda? By the way is she Rwandan or is she a foreigner?)

Na BINAGWAHO Agnes se mama azashyira abe umunyarwandakazi ? (posted 22/02/2012 at 14.53) (my emphasis)
(Will Binagwabagabo ever become a Rwandan?)

(Mugisha, 2012)

Fourthly, in the Rwandan official discourse, the absence of linguistic diversity is claimed to be a 'clear' evidence of societal homogeneity. The civil war and Genocide left Rwanda a very divided society. The new Government, when they came to power, initiated policies aimed at national reconciliation. An important aspect of these initiatives is the insistent denial, at the level of the official discourse, of ethnic differences in Rwanda. In this discourse, the country's linguistic homogeneity in Kinyarwanda is evoked as public evidence of the lack of ethnic differences. Briefly, there is a strong ideological consensus in the Rwandan society about the role of Kinyarwanda as a marker of the national identity and its adoption as the country's national language is in recognition of this consensus

The second objective of the Rwandan macro declared language policy is even more relevant for the purposes this article. At the linguistic level, the wording of article 5 of the Constitution ("The official languages are Kinyarwanda, French and English") is noticeable. Presumably an alphabetical order of the languages would be a more neutral alternative. That is, article 5 could be read as suggesting that there is a first, a second and a third official language. In other words, the relationship between the Rwandan official languages can be examined in terms of the contrasts Kinyarwanda vs. French, Kinyarwanda vs. English and French vs. English. Alternatively, one may think in terms of the contrast Kinyarwanda vs. non-

Kinyarwanda (either English or French), thus skipping the contrast French vs. English. For the purposes of this article, the latter categorisation is adopted⁴.

Evidence from other texts and discourses can easily be found to confirm the primacy of Kinyarwanda over the other two official languages. For example, consider the on-going high profile case in Rwandan courts in which a certain Dr Leon Mugesara, recently deported from Canada (25th January 2012), faces Genocide-related charges. On his first appearance, Mugesera requested to be tried in French, arguing the official-languages rights regime. The prosecution, on the other hand, adopting a norm-and-accommodation rights perspective, argued that there was no reason for Mugesera not to be tried in Kinyarwanda as he is competent in it. Interestingly, both the defendant and the prosecution referred to the same article 5 of the Constitution. At the end of the hearings, the court ruled against the defendant (Dusabimana, 2012). The significance of this case is as follows. The court's ruling proves beyond doubt how article 5 of the Constitution should be interpreted. As no particular micro policy is referenced, the ruling indexes a generality, namely that, in Rwandan institutions, Kinyarwanda is the default choice. Specifically, by maintaining that Mugesera had no case because he can speak Kinyarwanda, the court indicated that, in Rwanda, Kinyarwanda is the 'normal' official language while the others can be seen as auxiliary languages, to be used only when a participant is not proficient in Kinyarwanda.

Evidence can also be found that, if a language other than Kinyarwanda is going to be used as the default choice in a particular institution, a specific micro policy has

⁴ Note that, in a different context, e.g. in examining the language-in-education policy of Rwanda, the contrast French vs. English may be more relevant.

to be declared. Take the case of the adoption of English as the medium in all Rwandan schools (Plaut, 2008). The fact that it has been necessary to publicly announce a separate micro policy indicates that, without it, English would not have been adopted as the default medium. Indeed, before the policy English, although it had been recognised the status of official language, was not the default medium in Rwandan schools. A last piece of evidence we can mention is the text ‘Kuki imbuga za internet za leta zanditse mu ndimi z’amahanga?’⁵ by Muhirwa (2012). After a survey of all (most) institutional websites, the author wonders why the sites are written in ‘foreign languages’, mostly English. Alternatively, he wonders why they are not written in Kinyarwanda. A few comments can be made here: First, at the linguistic level, the author’s choice of the expression ‘indimi z’amahanga’ (foreign languages), instead of the alternative ‘indimi zemewe n’amategeko’ (language recognised by the Constitution), is significant. Through this choice of words, the languages are denied, not only any Rwandan identity, but also the status of official languages. By implication, the author can be understood as having suggested that Kinyarwanda is the ‘real’ official language. Secondly, the author locally writes the contrast Kinyarwanda versus non-Kinyarwanda into being. Thirdly, this instance indicates that the frequency of the choice of a language other than Kinyarwanda does not in itself make it the default. Lastly, the instance confirms the observation made earlier that for a language other than Kinyarwanda to be adopted as the default in a particular context, a specific micro policy has to be announced. In the particular case, if a policy had been declared that English is the medium of websites in Rwanda, nothing unusual would have been noticed.

⁵ Why are the Government’s websites written in foreign languages?

Briefly, article 5 of the Rwandan Constitution, as “policy as text” (Ball, 1993), recognises three official languages, but it does not see them as equivalent. Kinyarwanda has the upper hand because, in addition to being one of the official languages, it is also the national language. Even at the level of official languages, the three languages are not equal. Kinyarwanda is the main official language because, as the court case discussed above shows, it is the default choice in Rwandan institutions. Unlike Kinyarwanda, there has to be a specific reason for a language other than Kinyarwanda to be chosen. To this extent, the other official languages of Rwanda can be seen as auxiliary languages. In other words, the Rwandan macro language policy is based on a norm-and-accommodation rights regime, with Kinyarwanda as the ‘normal’ language for official use.

Language policy-like statements for the Rwandan Parliament

Policy-like statements about language choice at the Rwandan Parliament can be found in two key texts, namely the *Constitution of the Republic of Rwanda* (2003) and relevant organic laws. In a rare exception to its tendency to be very economical about the details of how the official languages should be used in specific institutions, the Constitution gives a revealing detail regarding language choice at the Rwandan Parliament. In a section of article 93, devoted to the ‘Mode of adoption of laws and their hierarchy’, we can read:

Article 93 (Rwandan Constitution 2003)

Each law shall be considered and adopted in Kinyarwanda or in the language of preparation in respect of any of the official languages. In case of conflict between the three official languages, the prevailing language shall be the language in which the law was adopted. (my emphasis)

The phrasing of this article is interesting because, in line with article 5, it gives an edge to Kinyarwanda over the other official languages. To begin to appreciate this, other potential formulations can be considered (paradigmatic relations): (a) '*each law shall be considered and adopted in Kinyarwanda or in French or in English*' or '*Each law shall be considered and adopted in any of the languages recognised by the Constitution*'. Clearly, either of these phrasings would be implying unlimited equality between the official languages. (b) '*Each law shall be considered and adopted in the language of preparation*'. Here again, equality would be implied, but with regard to the language of preparation. The actual text of the Constitution gives the advantages of both formulations to Kinyarwanda and not to any other language. Under (a), Kinyarwanda can be chosen as the medium in considering and adopting laws, independently of the language of preparation. But this possibility is not recognised any of the other official languages. At the linguistic level, this is achieved through the contrast 'Kinyarwanda' versus 'language of preparation'. That is to say, the choice to use any other language, by virtue of it being an official language, in examining bills drafted in Kinyarwanda is not provided for in the wording of the Constitution. Under (b), Kinyarwanda, just like any of the other official languages, can be adopted in considering and adopting laws drafted using this language. Briefly, article 93 captures the contrast we discussed earlier, namely Kinyarwanda vs. non-Kinyarwanda (either French or English) and, to that extent, is consistent with article 5.

As provided for by the Constitution (art. 73), each chamber of the Parliament has produced an organic law detailing its rules of procedure (*Organic Law No 02/2005 of 18/02/2005* for the Senate and *Organic Law No 06/2006 of 15/02/2006* (amended 01/204/OL of 25/02/2011) for the Chamber of Deputies). Because the two laws are significantly similar, especially as regards the statements they make about

language choice, we shall examine them together. Three preliminary comments can be made. First, these organic laws are incomplete because they limit themselves to one area of work in the Parliament, namely the legislating function. Nothing is said about language choice relative to the work of the Parliament as a corporate body and nothing is said about language choice in the Parliament's work of overseeing the Executive action. Secondly, even regarding the legislating function, the laws limit themselves to draft bills as written documents. Nothing is said about the oral use of language during their production and examination. Thirdly, at the linguistic analysis level, a striking feature of these statements, unlike the Constitution, is the consistent use of the general category (*three (3) official languages recognized by the Constitution*) without naming anyone language in particular. Finally, the fact that it has been necessary to publish these language-related statements as part of the Parliament's rules of procedure strongly suggests that the choices they describe are not default by virtue of the Constitution.

As we have seen, a law may originate either from a specific department of the Government or from individual members of the Chamber of Deputies. Article 107 of Organic Law 06/2006 deals with bills originating from the Government and states:

Article 107 (06/2006):

Government bills sent to the Chamber of Deputies as well as their explanatory statements *shall be written in the three (3) official languages recognized by the Constitution.* (my emphasis)

Two comments can be formulated in relation with this article. First of all, this article deviates from the Constitution by not recognising the dominance of Kinyarwanda over the other official languages. The languages are treated as if they were equal, as if they belonged together to the general category of official language. Secondly, the article makes it difficult to predict which language will be used in examining

Government bills as there is no requirement for the Government to indicate in which language the relevant bill was drafted. The silence of the law speaks very loudly here. It is as if bills could be examined and adopted in any of the three official languages independently of the language of preparation.

A parallel article in Organic Law No 02/2005 is article 117 regarding the transmission of bills from the Chamber of Deputies to the Senate. It provides that

Article 217 (02/2005)

Draft bills adopted by the Chamber of Deputies shall be sent to the Senate *in three official languages* together with their explanatory statements as well as the reports of the sittings during which the draft bills were adopted. (my emphasis)

Here again, the dominance of Kinyarwanda is not upheld. In addition, this article is problematic since, according to the Constitution, a bill is examined in Kinyarwanda or in the language of preparation. And, in the case of a conflict between the languages, the language of adoption prevails. In other words, it would be more consistent with the Constitution if the requirement was for bills to be transmitted to the Senate in Kinyarwanda (so they can be examined in this language) and in the language of its adoption (so it can be referred to in case a language conflict develops). At this point, the language used in drafting the bill is no longer relevant.

On the other hand, article 109 of Organic Law 06/2006 deals with bills initiated by members of the Chamber of Deputies. The relevant section of the article reads:

Article 57 (01/204/OL)

Every private bill initiated by a Deputy or a group of Deputies shall be transmitted to the Speaker of the Chamber of Deputies *printed in at least one of the languages recognised by the Constitution*. (my emphasis)

A parallel provision of Organic Law No 02/2005 of 18/02/2005 is that

Article 149 (02/2005)

Members shall choose *one of the languages* provided for by the Constitution to express their opinion orally or in writing (my emphasis).

As we have seen, the Rwandan Constitution is based on the norm-and-accommodation rights regime, with Kinyarwanda as the ‘normal’ language. In contradiction with this, these articles reflect an official-languages rights perspective whereby all three official languages are equal and members are free to choose among them without any constraint (Article 149 (02/2005)). In addition, members are not just free to choose to use any of the official languages, they are also encouraged to provide additional copies of their contributions in any of the languages (Art. 57 (01/204/0L)). The implication of course is that the ideal would be for them to provide copies of their draft bills in all three languages.

Two articles from the organic laws deal with the distribution of draft bills to deputies and senators respectively. Art 110 of Organic Law No 06/2006 states:

Article 110 (06/2006)

The bill drafted in the three (3) official languages recognised by the constitution is reproduced, transmitted to Deputies (...) (my emphasis)

And article 118 of Organic Law No 02/2005 provides that:

Article 118 (02/2005)

The draft bill written in *the three official languages* is reproduced and distributed to members at least seven days before the scheduled date for examining its relevance (my emphasis).

In requiring draft bills to be sent to members in all three languages irrespective of their actual language competence, these articles deviate from the principle of norm-and-accommodation. To be sure, the fact of distributing three versions of a bill to every member cannot even be justified on account of any sensible application of the official-languages rights regime. If the aim was to respect individual members’ “language preferences” (Auer, 1984, Gafaranga, 2001), those preferences would have to be registered as soon as a new member joins the Parliament so future interactions with them can take this information into account. Alternatively, if bills were presented

in all three languages as a matter of convenience so that members can choose which version to work on depending on their language preferences, there would be no need to write the practice into law.

Finally, article 125 of Organic Law No 06/2006 and article 129 of Organic Law No 02/2005 are significant. Both articles deal with the work of the Parliament in “urgent circumstances” and have exactly the same wording:

Article 125 (06/2006) / article 129 (02/2005)

In urgent circumstances, upon request by the Government, or on a decision of the Senate at the request of a Member/ on a decision of the Chamber of Deputies at the request of a Deputy, *the provisions of this organic law concerning the agenda, translations or time schedule shall be disregarded* (my emphasis).

In approaching these articles, it is important to note their wording. They have the shape of a *business necessity* statement. This is the fact that, in the workplace, workers’ linguistic rights may be justifiably suspended for very specific reasons such as safety reasons, efficiency of communication, to avoid interpersonal conflicts, etc. In the particular case, the norm is, as we noted above and as the articles confirm it, for draft bills to be initiated and distributed in all three languages. This norm would then be suspended for reasons of expediency. That is to say, the norm is the concurrent use of the three official languages and deviance from it must be warranted, e.g. by the urgent nature of the situation.

The problem with these articles cannot be overstated. The articles imply, not just that the three official languages are equal (none is indicated as the one to use in these circumstances and none is excluded), but also that the policy-relevant problem at the Rwandan Parliament is not that of communication. Earlier, we saw that official languages, unlike national languages, serve an instrumental need (administrative

efficiency). They serve a communication need. It is precisely because of this that the Constitution has planned for accommodation in case the default choice is not possible in a particular situation, notably when an interlocutor cannot speak the ‘normal’ language. Presumably, one would think that it is because of this very same reason that the rules of procedure at the Rwandan Parliament allow deputies/senators to “choose one of the languages provided for by the Constitution to express their opinion orally or in writing” (Art. 19, 02/2005). We have referred to this as an issue of language preference. As research has shown, language preference may be competence-related just as it may be ideology-related (Auer, 1984, Gafaranga, 2001, Torras and Gafaranga, 2002). The articles at hand imply that every deputy/senators is trilingual for, if they were not, without translation, communication problems would get in the way of the very expediency the provision is meant to serve. If members were not trilingual, communication would be impossible. In other words, the articles imply that there is no issue of competence-related preference at the Parliament. Conversely, the fact that, in urgent circumstances, no translation is deemed to be necessary means that, at the Rwandan Parliament, the policy-relevant problem is, strictly speaking, not a communicative one. This is precisely the hallmark of an official-languages rights regime. “(...) an official-languages rights regime is not just about facilitating communication. There is a further ‘non-instrumental’ or ‘intrinsic’ goal or value (...) that is being defended in the establishment of such a regime” (Kymlicka and Patten, 2003: 28). Briefly, the language statements in the Parliament’s rules of procedure are fundamentally different from the Constitution, which, as noted earlier, has adopted the norm-and-accommodation rights regime.

To summarise, this examination of the language statements in the rules of procedure of the Rwandan Parliament reveals a very specific and consistent view of the relationship between the three official languages of Rwanda. In these texts, the three official languages are seen as equal without any restriction whatsoever. Draft bills come from the Government to the Parliament in three languages, regardless of the language(s) used in drafting them. From here, they are distributed to deputies in three languages, independently of their actual language competence. As for draft bills originating from deputies, their authors are encouraged to forward them to the Chamber in three languages, independently of the one they used to draft them. Once draft bills have been adopted at the level of the Chamber of Deputies, they are forwarded to the Senate in three languages, irrespective of the language of adoption. From here, they are forwarded to senators in three languages, regardless of individual senators' actual language preferences. Deviance from this concurrent use of the three languages is allowed only if it is warranted, e.g. in urgent circumstances. Briefly, a principle of strict equality between the three official languages is applied in a rather mechanical fashion. An official-languages rights regime is adopted. Given the difference between the *Constitution of the Republic of Rwanda* (2003) and the organic laws on the subject of language choice at the Rwandan Parliament, a question arises as to whether or not the two sets of texts describe two different language policies, a macro policy and a micro policy. It is to this question that we now turn.

Discussion: Micro declared language policy or not?

As we saw earlier, Baldauf makes a distinction between micro policy and micro implementation of macro policies. The difference between the two, according to

Baldauf, lies at the level of agency. In a micro policy, unlike in a micro implementation of a macro policy, agency is with local actors. These local actors adopt micro policies so as to address “their own needs, their own language problems” (Baldauf, 2006: 155). Clearly this presumes a relatively high degree of awareness of their problems and of the specificity of the initiatives aimed to address those problems on the part of the local agents. That is to say, local agents themselves should be aware of the fact that they are not merely implementing a macro policy. Therefore, the answer to the question whether the language policy-like statements in the rules of procedure of the Rwandan Parliament constitute a micro declared language policy presumes an answer to the following: do members of the Rwandan Parliament see themselves as active agents in the process of prescribing language choice at the Rwandan Parliament?

The answer to this question is simply ‘No’. Throughout our ethnographic fieldwork, members constantly referred us to the Constitution and described their language choice practices as in conformity with it. The extract below from an interview with the Vice-President of the Senate is by no means unusual:

Interview extract 1 (25-03-2009)

Murakoze. Nk’uko mubivuze mu itegekonshinga bavuga ko indimi zemewe ari ikinyarwanda, icyongereza n’igifaransa; izo ndimi turazikoresha hano mu nteko ishingira amategeko. N’amategeko dutora aba ari muri izo ndimi uko ari eshatu; haba hari version y’ikinyarwanda, version y’igifaransa na version y’icyongereza, kandi tukibanda ku kureba niba le *contenu* ari imwe. Izo ndimi rero officiellement zirakoreshwa ni nako itegeko ribivuga.

(Thank you. Like you’ve just said, the Constitution recognises three languages, Kinyarwanda, English and French. Here at the Parliament, all three languages are used. The laws we vote are written in the three languages, there is a Kinyarwanda version, a French version and an English version. We make sure the content is the same in the three versions. So the three languages are used as the law requires.)

According the Vice-President, language choice at the Rwandan Parliament is only an application of the Constitution. At the Parliament, the “languages are used as the law

requires”. Some members went even as far as stating explicitly that, according to them, by virtue of being official languages, the three languages are equal.

Interview extract 2 (taken, 19 Feb 2009)

(...) njye nkumva ibyo navuze mbere byerekeranye n’uko izo ndimi eshatu ziri officielles, zose zakwiye kugira uburemere bungana, à moins que haba irindi tegeko riri spécifique ryajya risobanura uko izo ndimi zikoreshwa, n’igihe yenda ururimi rwagira privilège kurusha urundi.

((...)) as for me, the way I understand it, as I said before, as the three are official languages, they are equal (have the same value), unless there is another law specifying how they should be used, and when one or the other should be given an advantage).

For this member of the Parliament, the default understanding of the Constitution is that the three languages are equal and a specific micro policy (law) would be required for one of them to become the preferred choice. Briefly, for members of the Rwandan Parliament, their actions, and the policy behind them, are a mere implementation of the Constitution. Equality between the official languages is not an innovation on their part; instead it is implied in the Constitution. In other words, for members of the Rwandan Parliament, the statements regarding language choice are, in Baldauf’s terms, only a micro implementation of the macro policy.

Given this, an issue arise: would it be possible to speak of a micro policy when no agency is claimed? In the current state of knowledge, the answer is ‘No’. However, we believe this is an issue researchers will continue to reflect upon. For our part, we want to retain the term ‘micro policy’ as valid for the case at hand for at least three reasons. First of all, we want to retain the term ‘micro policy’ for descriptive reasons. As we have seen, a wide gap exists between the letter and spirit of the Constitution on the one hand and of the statements about language choice at the Rwandan Parliament on the other. The Constitution is based on a norm-and-accommodation principle while the organic laws promote an official-languages rights principle. Therefore, in our view, this gap is so big that it would be an understatement to describe it as a simple

case of a mismatch between a policy and its implementation. We also want to retain the term ‘micro policy’ so as to signal that the statements and the relationship between the official languages of Rwanda therein are specific to this particular institution. No other institution we are aware of applies the principle of equality between the three official languages so mechanically⁶. Thirdly, we want to retain the term ‘micro policy’ for applied purposes. In describing the statements regarding language choice at the Rwandan Parliament as tantamount to a separate language policy, we want to signal with force that time has come for the two sets of texts to be reconciled.

Conclusion

As evident/detailed here, at the Rwandan Parliament, two sets of language policy-like statements exist side by side, the *Constitution of the Republic of Rwanda* and *Organic Law No 02/2005* of 18/02/2005 and *Organic Law No 06/2006* of 15/02/2006. The purpose of this article has been to examine these two sets of texts in order to determine whether or not they constitute two different declared language policies, a macro policy and a micro policy. Textual analysis of the statements revealed a sharp contrast between the Constitution and the rules of procedure of the Rwandan Parliament on the issue of language choice. The Constitution, as an instance of status planning, depicts a sociolinguistic structure where Kinyarwanda is the dominant official language. A norm-and-accommodation rights regime, with Kinyarwanda as the ‘normal’ language, is adopted. The Parliament’s organic laws, on the other hand, depict a structure where the three languages are equal. An official-languages rights regime is adopted. Therefore, descriptively, one can speak of two

⁶ We would like to allow here for the possibility that the research programme *Living and Working in Three Languages in Rwanda* might reveal other contexts where a similar language structure has been adopted.

different language policies: a macro declared language policy and a micro declared language policy.

However, the notion of micro policy, as defined by Baldauf, ill applies here as it implies a strong sense of agency on the part of the actors in the local context, agency which is not claimed in the case of the Rwandan Parliament. As we have seen, members of the Rwandan Parliament do not see the provisions regarding language choice at the Parliament as in any way innovative relative to the Constitution. That is, based on the factor agency, one can speak of the local implementation of a macro policy. In short, the examination of the relevant texts, unfortunately, does not allow us a definite answer whether or not the policy-like statements regarding language choice at the Rwandan Parliament constitute a micro declared language policy. The problem is, not that of description, but that of theory. It is that of whether agency should be the only defining criterion of a micro language policy. More work on this issue of theory in language policy research is needed.

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