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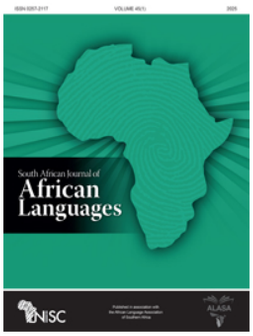

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A critical examination of the socio-onomastic controversy of Sepedi and Sesotho sa Leboa/Northern Sotho language names and the role and effectiveness of the Commission for Cultural, Religious and Linguistic Communities

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The article examines the failure to take action and implement effective measures in resolving the socio-onomastic controversy surrounding the Sepedi and Northern Sotho/Sesotho sa Leboa language names, while evaluating the effectiveness of the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (CRL Commission) as a Chapter 9 institution in the matter. The research was conducted at five South African universities where the language is offered as a module. Employing a qualitative approach, the study primarily uses content analysis of data from constitutional documents and minutes from the Parliamentary Joint Constitution Review Committee. In addition, self-administered questionnaires and face-to-face interviews were employed to supplement the content analysis as qualitative. A purposeful sampling technique was used to select 267 participants, including students, lecturers, language authorities and experts from the Department of Sport, Arts and Culture, as well as its provincial departments in Limpopo and Gauteng provinces. The article establishes that the lack of intervention by the CRL Commission exacerbates non-compliance issues as far as dual use of these names is concerned. It further argues that the lack of compliance not only undermines linguistic rights, but also disregards South Africa's constitutional democracy, which should be safeguarded. Practical and decisive measures, rooted in constitutional principles, are recommended to resolve the matter effectively.

Introduction and background

The Constitution of the Republic of South Africa is known as the supreme law of the country. It provides the legal foundation for the existence of the country, sets out the rights and duties of its citizens, and defines the structure of the government. Section 3(1) of the interim Constitution of the Republic of South Africa (Act No. 200 of 1993) states that Afrikaans, English, isiNdebele, Sesotho sa Leboa, Sesotho, Siswati, Xitsonga, Setswana, Tshivenḓa, isiXhosa and isiZulu are to be accepted as the official South African languages.

Subsequently, on 8 May 1996, the South African Constitution (1996) was adopted, and amended on 11 October 1996 by the Constitutional Assembly. This Constitution was promulgated on 18 December 1996, and came into effect on 4 February 1997 (Rakgogo & van Huyssteen, 2019). Section 181(1) provides that the following state institutions strengthen constitutional democracy in the republic:

(a) The Public Protector;
(b) The Human Rights Commission;
(c) The Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (CRL Commission);
(d) The Commission for Gender Equality;
(e) The Auditor-General; and
(f) The Electoral Commission.

In terms of this article, the Chapter 9 institution (CRL Commission) is the one that will be given a close examination. Its relevance to the current article is the constitutional mandate to advocate, promote and protect the rights of linguistic communities. From a constitutional implementation point of view, my contention is that this commission as a Chapter 9 institution has a role to play in the socio-onomastic controversy between the language names Sepedi and Northern Sotho/Sesotho sa Leboa. The dilemma with these two language names is that they have been and still are used to refer to one and the same language in informative, descriptive, policy and constitutional documentation, whereas these two names mean two different things to different people.

Contrary to the earlier interim Constitution (1993), Section 6(1) of the legal, final and present Constitution of the Republic of South Africa declared Sepedi, Sesotho, Setswana, siSwati, Tshivenḓa, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa and isiZulu as the official South African languages. It is important to emphasise that Section 8 of the Constitution stipulates that the signed copy, as the English version of the Constitution, is conclusive, since it was signed by the president of the state. In terms of this article, the name Sepedi is considered legal and valid since it is covered and protected by the signed version.

Noting the discrepancy between the interim and final constitutions, it may be argued that the onomastic controversy involving Sepedi and Northern Sotho/Sesotho sa Leboa must refer to one and the same official language as promulgated and perpetuated by the discrepancy in the earlier interim Constitution of 1993, and the 1996 version that

came into effect on 18 December 1996, after it was adopted and amended by the Constitutional Assembly on 11 October 1996. It needs to be mentioned that the language name contradiction is only the specific case of Sepedi and Northern Sotho/Sesotho sa Leboa. All the other official languages that were proposed in the interim Constitution are also listed in the final Constitution. Kretzer (2016) criticises that the selection and announcement of the 11 official languages caused certain reasonable criticism and debates, specifically regarding Sepedi as one of the official languages.

Scholars such as Mojela (1997; 1999; 2007), Kretzer (2016), Rakgogo (2016; 2019) and Rakgogo and Van Huyssteen (2018; 2019) agree that the finalisation of the Constitution of South Africa (1996) was not entirely successful, since it lacked transparency and proper consultation, particularly when it comes to the name change from Northern Sotho/Sesotho sa Leboa to Sepedi. The Parliamentary Joint Constitutional Review Committee of 2011, 2016 and 2017 confirmed that nobody knew what caused the replacement of the Northern Sotho/Sesotho sa Leboa name with Sepedi in the final Constitution, especially since the process was not consultative.

It is against this background that scholars such as Rakgogo (2016; 2019) and Rakgogo and Zungu (2021; 2022a; 2022b) argue that the replacement of the name Northern Sotho/ Sesotho sa Leboa with Sepedi was unconstitutional. The reason for this submission is that there are no proper and transparent reasons why the Sepedi name was privileged over the Sesotho sa Leboa name in the final South African Constitution of 1996. Critics may support that the name Sepedi was an imposition and was also enforced on people at grass-roots level, and lacked proper consultation with the first language speakers of the language. Thus, it can be interpreted that this kind of exercise was perpetuated by a complete abuse of powers by those who were involved in the compilation and finalisation of the Constitution.

In this article, I put forward that the lack of decisive measures from the relevant language authorities, i.e. the Department of Sport, Arts and Culture and its Pan South African Language Board, as well as the CRL Commission as a Chapter 9 institution, in resolving this controversial discrepancy is noticeable. I believe that there is considerable evidence to prove the confusion and injustice that are caused by the discrepancy between the two versions (interim and final) of the constitutions. Rakgogo and Zungu (2022b) submit that there is an intentional disregard and violation of Section 6(1) of the Constitution by competent organisations, some government departments, language authorities and higher education institutions. They further postulate that this is a deliberate effort by those who do not accept the status of Sepedi as one of South Africa's 11 official languages as cited in Section 6(1) of the Constitution of South Africa. A critical question that is: What are the contributing factors to the reluctance and resistance, and how can the opposing views be resolved regarding the socio-onomastic controversy of the name preference between Sepedi and Northern Sotho/ Sesotho sa Leboa?

During a Parliamentary Joint Constitutional Review Committee of 2011, a committee member expressed that there is a need to establish from a legal and constitutional point of view whether the replacement of Sesotho sa Leboa with Sepedi was an error of fact, or an error of law and which was responsible for the discrepancy between the interim (1993) and final (1996a) Constitutions. The committee member went on to say that the parliamentary committee needed to determine whether this kind of discrepancy (the inclusion of Sepedi in the final version) was politically motivated .

After the Constitution was finalised, it had to be translated from the English source text (in which the language was referred to as Sepedi) into all the official languages. According to the minutes of the Parliamentary Joint Constitutional Review Committee of 2011, Boshego was the first person to inform Parliament that the designation of the language name 'Sepedi' was incorrect and should have been 'Sesotho sa Leboa'. After he had been asked by Parliament to translate the final Constitution of South Africa into Sepedi, he maintained that he discovered this 'mistake' of the language name because the interim Constitution designated Sesotho sa Leboa as one of the 11 official languages of South Africa, but in the present Constitution it is designated as Sepedi.

According to Rakgogo and van Huyssteen (2019), it is only the English and isiZulu versions of the Constitution that recognise Sepedi as one of the 11 official languages. All the other nine versions declare Northern Sotho/Sesotho sa Leboa as an official language. The irony is that the heading of the Department of Justice and Correctional Services's website gives the document as the 'Sepedi Constitution'. Yet, in the translated sections of the Constitution, the name of the language is contradictorily Sesotho sa Leboa. In a more practical sense, the Sepedi version of the Constitution records Sesotho sa Leboa as one of the 11 official languages. However, Sepedi is written on the book spine cover of the same Constitution, not Sesotho sa Leboa. In terms of this study, the author postulates that this kind of a discrepancy does not suit the transformation and decolonisation agenda.

It is against this background that Rakgogo and van Huyssteen (2019) postulate that this kind of exercise may be perceived as a political message embedded in the translation project. From a translation point of view, it has surfaced that the translation task has become a controversial issue because of the discrepancy of the dual designation of a language name. Critics may further argue that a mere linguistic matter was politicised to serve the interests of certain individuals, not those of the general speakers of the language.

Webb and Du Plessis (2006) assert that 26 years after the acceptance of the Constitution, there is still a considerable amount of disillusionment, disappointment, confusion and frustration among those who hoped that the 12-language principle with the inclusion of the South African Sign Language and the egalitarian sentiments it represented would be translated.

I acknowledge that there is considerable scholarly work on the politics of naming languages, including reference to Sepedi and Northern Sotho/Sesotho sa Leboa. Scholars such as Mojela (1997; 1999; 2007), Webb and Du Plessis (2006), Kretzer (2016), Rakgogo (2016; 2019), Rakgogo and van Huyssteen (2018; 2019) and Rakgogo and Zungu (2021; 2022a; 2022b) have focused on the politics that surrounds the name of the language. However, it needs to

be mentioned that this matter was never dealt with from a Chapter 9 institution perspective. The current article enters into discourse with these preceding studies and further pushes the dialogue.

Research problem

For the purposes of this article, it is crucial to take note that the Constitution, which has been accepted as a legal and valid document that serves as the supreme law of the Republic of South Africa declares Sepedi to be one of the 11 official languages, not Northern Sotho/Sesotho sa Leboa. The current issue is compounded by the frequent and intentional utilisation of the name Northern Sotho/Sesotho sa Leboa by certain government departments, language authorities, higher education institutions and private organisations as the official standard language, without facing accountability from the CRL Commission, a Chapter 9 institution.

In a more practical sense, the current article is more concerned with the silence and lack of action of the CRL Commission on the violation of linguistic rights. My contention is that the concurrent use of Sepedi and Northern Sotho/Sesotho sa Leboa in policy and official documentation to refer to one and the same language undermines Section 6(1) of the Constitution of South Africa. Therefore, as a Chapter 9 institution, the CRL Commission has a role to play in protecting linguistic rights and the constitutional democracy.

I argue that it is now 28 years after the promulgation of the Constitution of South Africa (1996) and where the L1 speakers of the language under examination, and speakers of other languages, are confused by the concurrent use of two different language names (Sepedi and Northern Sotho/Sesotho sa Leboa) that have been and are still used to refer to the same language. What deepens the problem is a lack of compliance, accountability and decisive measures for the violation and disregard of Section 6(1) of the Constitution, particularly when it comes to Sepedi as an official language.

My argument is that the dual use of both Sepedi and Northern Sotho lacks compliance and thus undermines the constitutional democracy. This must be addressed and interrogated by the CRL Commission. In the context of this article, what exacerbates the problem is the absence of any action or interventions from the CRL Commission, which, as a Chapter 9 institution, is constitutionally tasked with advocating and safeguarding the rights of cultural, religious, and linguistic communities in alignment with the country's constitutional democracy.

Aims and objectives of the article

Emanating from the dual-name problem with its socio-onomastic controversy of Sepedi and Northern Sotho/Sesotho sa Leboa as two different languages names that are used interchangeably, the main objectives of the article is to:

- assess how relevant (language) authorities have been failing to resolve the socio-onomastic controversy of Sepedi and Northern Sotho/Sesotho sa Leboa language names;
- explore the confusion of roles and responsibilities between PanSALB, the Department of Sport, Arts and Culture and the CRL Commission as a Chapter 9 institution; and
- provide some practical interventions on how the socio-onomastic dilemma of Sepedi and Northern Sotho/Sesotho sa Leboa can be addressed sociolinguistically and politically.

Literature review

When touching on the constitutional and political imperatives that problematise the current article, Makoni et al. (2005) say that both the African National Congress (ANC) and the National Party (NP) served as the major players in the new democratic language policy in South Africa. Du Plessis (in Ditsele 2014) confirms that a few weeks after then President de Klerk announced political reform in the country, an ANC language commission was established to serve as a think-tank on language issues. Nearly two years later, in February 1992, the commission proposed that the following languages: Afrikaans, English, isiNdebele, Sesotho sa Leboa, Sesotho, Siswati, Xitsonga, Setswana, Tshivenda, isiXhosa and isiZulu be listed in Section 3(1) of the Interim Constitution of South Africa as official languages. In terms of this article, it is important to mention that all the afore-mentioned languages were accorded the official status in the Section 6(1) of the South African Constitution (1996).

According to South African History Online (2017), a draft of the final Constitution was to be prepared within the next two years following the interim Constitution and it would have to be approved by two-thirds of the legislators as well as by the Constitutional Court. According to Rakgogo (2019), the issue of language(s) was of utmost importance during the negotiations. However, a language commission initiated by the ANC to oversee and provide advice on the issue of official languages should have been mandated to establish and handle a discrepancy of this nature with due diligence; however, this never happened.

South African History Online (2017) further states that the Constitutional Assembly had an important aim, which was that the crucial process of drafting and adopting the final Constitution had to be made transparent, open and credible. It had a vison that since the Constitution would govern the people of South Africa, it was therefore vitally important to incorporate their input for it to be effective and successful. However, this was not the case, and it is unfortunate that the decision was taken and adopted without proper consultation with the relevant speech communities.

According to Rakgogo (2019), there was a memorandum which was sent by the Sesotho sa Leboa National Lexicography Unit to the Office of the Public Protector asking that institution to intervene. The Public Protector responded in September 2013 by sending a letter to the Minister of Justice and Constitutional Development indicating that the issue of the Sepedi and Sesotho sa Leboa language names falls within the jurisdiction of the Department of Justice. The letter further stated that Section 6 of the Public Protector Act grants the discretionary powers to decide not to investigate a matter when it can be adequately addressed by another competent authority. Having examined all relevant factors, and in view of the provision of Section 6(4)(c)(ii) of the Public

Protector Act, we have concluded that the Department of Justice and Constitutional Development can adequately address the replacement of Sesotho sa Leboa with Sepedi in the final South African Constitution.

In a Parliamentary Joint Constitutional Review Committee of (2011), Mojela said that nobody knew what caused the change from Sesotho sa Leboa in the Interim Constitution to Sepedi in the Final Constitution, primarily because Northern Sotho language speakers were not consulted. Mojalefa, in the same Parliamentary Joint Constitutional Review Committee argues that the Interim Constitution was supposed to serve as a temporary measure until an acceptable version could be produced, and it reflected the status quo at that time. The then Language Board recommended that Sepedi should replace Sesotho sa Leboa in the final version, taking into consideration historical reasons. It is for this reason that a research committee of the Language Board agreed unanimously that the correct name was in fact Sepedi. He concludes that the decision was made official even though there was no consultation with the affected speech communities.

Rakgogo and Zungu (2021) believe that the replacement of the name Northern Sotho/Sesotho sa Leboa with Sepedi in the final Constitution was unconstitutional. Their reasoning cited the following factors:

- Lack of proper justifications for a name change;
- Lack of consultation with the L1 speakers of the language in question; and
- Lack of transparency which led to the violation of a linguistic right.

According to Rakgogo and van Huyssteen (2018), the translation of Section 6(1) of the Constitution of the Republic of South Africa is the pivot around which the problem of the current study revolves. In the Interim Constitution of South Africa (Act No. 200 of 1993), the language was designated as Sesotho sa Leboa, However, in the final Constitution of 1996, 'Sesotho sa Leboa' was replaced with 'Sepedi' in the English version. The latter version was presented as source text to translators for translation into the 10 other official South African languages. It is interesting to note that the name 'Sesotho sa Leboa' was used as a translation equivalent of 'Sepedi' in all the other translated versions, except isiZulu. Thus, of the 11 versions of the Constitution of the Republic of South Africa only the English and isiZulu list Sepedi as one of the official languages, while the rest of the translated versions (nine of them) view Sesotho sa Leboa as one of the official languages.

In a Parliamentary Joint Constitutional Review Committee (2011), Mojalefa points out that the individual assigned to perform this task of translation did not have the right to manipulate the final Constitution of South Africa by allegedly influencing the translation. He further argued that the translator(s) were supposed to focus on the content according to the principles that govern translation. He laments that the translators did not have a legal constitutional right of changing the Sepedi language name to Northern Sotho/Sesotho sa Leboa. This is confirmed by Rakgogo and van Huyssteen (2019) when articulating that the translation of the 1996 Constitution was hijacked by those individuals who regard Northern Sotho/Sesotho sa Leboa as a colonial and instructive name. It is sad to note that all this happened in the democratic South Africa and there have still been no legal consequences.

In a Parliamentary Joint Constitutional Review Committee of 2020, Lotriet asked if Sipamla could provide an update on the issue of Sepedi and Sesotho sa Leboa which was also raised in 2017. In the response, Sipamla addressed the question on why Sesotho sa Leboa was not referenced as an issue that had come through to the committee previously. It was pointed out that there was a difference of opinion on whether Northern Sotho or Sepedi should be reflected in the Constitution. It was further asserted that Sepedi was incorrectly reflected, and that Sesotho sa Leboa (Northern Sotho) should be reflected instead. It was not a matter that submitters were requesting for official language status, but rather the submitters had requested that their language must be reflected as Northern Sotho instead of Sepedi. The committee consulted extensively at that time and the experts advised that in the Sepedi version of the Constitution the language is reflected correctly, whereas in the English version of the Constitution, it is reflected in a different way.

In the context of this article, this submission reveals that the committee was convinced that the English version of the Constitution did not provide a true reflection. My argument is that the English version is considered the original version, according to the principles of translation. Therefore, if there is a document that is misrepresenting and misleading, it is the translated versions of the South African Constitution that recorded the name of the language as Northern Sotho/Sesotho sa Leboa, whereas the source text cited Sepedi as an official language.

The Pan South African Language Board (PanSALB), the Sesotho sa Leboa National Language Body, the Sesotho sa Leboa National Lexicography Unit and the Limpopo Provincial Language Council (PLC) (all South African language authorities that are considered important in promoting, developing and protecting the officially recognised South African indigenous languages) support the Northern Sotho/Sesotho sa Leboa language name ,whereas Sepedi is stipulated as an official language in the current, legal and valid South African Constitution. Despite the constitutional mandate and responsibilities, these organisations opted for the Northern Sotho/Sesotho sa Leboa name to be used in naming the official body, while such a name is not supported by the Constitution. In this article, it is worth noting that these language authorities deliberately obscured the onomastic discrepancy of Sepedi and Northern Sotho/Sesotho sa Leboa instead of providing a clear way forward on how the issue could be resolved.

The discrepancy of language designation is further highlighted in naming conventions used by government departments, such as the Department of Sport, Arts and Culture, which uses the name 'Sepedi' when referring to the name of the official language. It is important to mention that this is in alignment with the nomenclature used in the Section 6(1) of the South African Constitution. Furthermore, the Gauteng Department of Sport, Arts, Culture and Recreation (2005) also uses the name 'Sepedi' when referring to the name of the official language.

In addition, the Department of Basic Education (DoBE) recognises Sepedi as one of the official home languages to be learnt and studied at schools. The assumption is that

learners come to school able to speak and understand their particular home language (DoBE, 2013). The Sepedi language name has been used and is still used by the DoBE in informative and descriptive documents such as school question papers, textbooks and matric certificates.

Similarly, the South African census (2011) declares Sesotho sa Leboa as the language of the Limpopo province, formerly known as Northern Province, where it is spoken by approximately half of the population. The language is spoken by approximately 2 826 464 speakers (61.20%) in Limpopo, and is also commonly used in Mpumalanga and Gauteng provinces. In Mpumalanga province, it is spoken by approximately 372 392 speakers (8.06%), while in Gauteng, it is spoken by approximately 1 282 896 speakers (27.78% of the provincial population) (Stats SA, 2011).

In the higher education landscape, the name Northern Sotho/Sesotho sa Leboa dominates in policy and official documentation, while Section 6(1) of the Constitution records Sepedi as one of the official languages. Furthermore, legislative frameworks such the Higher Education Act of 1997, the Use of Official Languages Act of 2012, Language Policy Framework for Public Higher Education Institutions of 2020 state that Sepedi is one of the 11 official languages. However, the language policies of nine universities (University of the Witwatersrand [2003], University of Johannesburg [2006], University of Pretoria [2010], University of South Africa [2010], North-West University [2005], University of Limpopo [2005], University of Venda [2005], University of Mpumalanga [2024] and Tshwane University of Technology [2005]), all situated in the north-eastern, inland provinces and that offer Sepedi as a first, second or third (practical or conversational) African language module, cite Northern Sotho/Sesotho sa Leboa as the preferred name of the language.

In terms of this article, it is thus germane to assume that Sepedi learners will always become confused when they reach university level, especially at universities where Sepedi is seemingly not offered and instead the Sesotho sa Leboa language name is used, such as at the University of South Africa, University of Limpopo, University of Johannesburg and Tshwane University of Technology.

Another critical argument that comes to the fore is that the language name choice and preference indirectly suggests that there is a need to revisit what has been stipulated in Section 6(1) of the Constitution, especially in the context of Sepedi as one of the official languages. This argument is supported by the view that almost all South African universities (Tshwane University of Technology, University of South Africa, University of Johannesburg, University of Venda and the University of Limpopo) that offer the language opted for Northern Sotho/Sesotho sa Leboa in official and policy documentation. It is only the University of Pretoria and the University of Mpumalanga that opted for Sepedi.

A few South African financial institutions, such as First National Bank, ABSA Bank, Nedbank, Capitec Bank and Standard Bank, opted for Northern Sotho/Sesotho sa Leboa in informative and descriptive documents. Furthermore, when making financial transactions on an ATM, it is noteworthy that when it comes to the names, Northern Sotho/Sesotho sa Leboa was the name that was opted for even though it is not recognised by Section 6(1) of the final Constitution. In terms of this article, it is important to indicate that these names only appear in the translations of the Constitution. However, it should be noted that these translations are not considered original since they were not signed by the president.

Based on these language name discrepancies, I argue that this can be interpreted as a disregard and violation of Section 6(1) of the Constitution of South Africa, particularly to organisations and institutions which use Northern Sotho/Sesotho sa Leboa as a language name. What compounds the problem here is the silence and lack of action by relevant language authorities, particularly the CRL Commission as it is a Chapter 9 institution that is constitutionally mandated to protect the constitutional democracy.

When focusing on the constitutional imperatives, Rakgogo and Zungu (2022b) postulate that there is an intentional disregard and violation of Section 6(1) of the Constitution of South Africa by individuals, scholars and competent organisations who consistently use the name Northern Sotho/Sesotho sa Leboa in policy and official documentation, whereas the Constitution declared Sepedi as one of the official languages. The authors further reveal that this kind of disregard and violation is a deliberate effort by those who do not accept the status of Sepedi as one of the South African 11 official languages, as cited in Section 6(1) of the Constitution of South Africa. The current article argues that the translated versions of the Constitution cannot supersede the English version. Thus, it is only reasonable if the name Sepedi can be used when referring to the official language since it is the name that has been recorded in the original version (English version) of the Constitution.

It is against this backdrop that findings recommend that all those who promote Northern Sotho (Sesotho sa Leboa) in official and policy documentation should rather adhere to what is stipulated in the relevant clause of the Constitution, and use the name Sepedi for the sake of official consistency in language planning and the current sociolinguistic and onomastic context. Thus, at this stage, strictly speaking, Sepedi must not be regarded as the name of a dialect that is associated with a particular ethnic group, but be accepted as the name of an official standard language.

The minutes of the Parliamentary Joint Constitutional Review Committee of 2014 record that the CRL Commission draws its mandate from the Constitution and the Commission for the Promotion and Protection of the Rights of Cultural, Religious, and Linguistic Communities Act (No. 19 of 2002), which establishes the commission. Its mandate is to promote and protect the rights of cultural, religious and linguistic communities in support of the constitutional democracy. The role of the CRL Commission was to establish mechanisms on how to foster social cohesion and nation building.

The current article posits that the constitutional duty of the CRL Commission in protecting the rights of linguistic communities has not been entirely executed when it comes to the existing controversy around the Sepedi and Northern Sotho (Sesotho sa Leboa) languages names. The literature consulted in this article demonstrates that there have been several complaints and submissions from speakers of the language in question to the Parliamentary Joint Constitutional Review Committee regarding the confusion that is caused by the simultaneous use of both Sepedi and Northern Sotho (Sesotho sa Leboa) as the same language.

As a Chapter 9 institution, it can be argued that the onomastics controversy under scrutiny falls within the jurisdiction of the CRL Commission. My contention is that the use of the name Northern Sotho and Sesotho sa Leboa to refer to the official language, whereas the final, valid and legal Constitution (English version) declares Sepedi as one of the 12 official languages, violates the Constitution. Therefore, any linguistic matter that tends to undermine and threaten the integrity of speech communities should be interrogated at the level of the commission.

Research design and approach

For the purposes of the article, I employed the mixed-methods approach to achieve the aims and objectives. In essence, both qualitative and quantitative methods were combined.

Methods of data collection

In this article, text analysis focusing on constitutional imperatives, namely the interim and final Constitutions of South Africa, translated versions of the final Constitution (1996), relevant legislative frameworks and the minutes of the Parliamentary Joint Constitutional Review Committee meetings that took place in 2011, 2016, 2017 and 2020 were mainly considered. In addition, language policies from government departments, South African universities and financial institutions were also incorporated as part of the content analysis. Lastly, self-administered questionnaires with both closed- and open-ended research questions were administered. Face-to-face interviews as a qualitative method of data collection were also incorporated in the study. Questionnaires and face-to-face interviews were employed to help in triangulating and validating the findings emerging from the content analysis.

Sample population

The purposeful sampling technique was used to select 267 participants, but only 265 participants were strictly considered L1 speakers of the language under scrutiny. A large portion of the participants were undergraduate and postgraduate students from five of the South African universities (Tshwane University of Technology, University of South Africa, University of Johannesburg, University of Venda and the University of Limpopo) that offered the language as a L1 and applied language module. The lecturers teaching the language from these universities were also included in the debate.

In addition, language experts from the Pan South African Language Board (PanSALB) and the National Department of Sport, Arts and Culture, including its provincial departments in Limpopo and Gauteng, were also involved in the article. Board Members from the Sesotho sa Leboa National Language Body (NLB) and the Sesotho sa Leboa National Lexicography Unit (NLU) were also consulted.

Data analysis methods

A descriptive and interpretative analysis research paradigm was used to make sense of the data that were collected through the content analysis, the self-administered questionnaires and the face-to-face interviews. Only 10% of the sample population (27 participants) was purposefully selected to participate in the interviews. This consisted of lecturers who taught the language in question and the board members form the NLB and the NLU. My view was that lecturers and board members are more informed about the socio-onomastic politics surrounding Sepedi and Northern Sotho/Sesotho sa Leboa names. My contention is that these methods were relevant to explicitly articulate the nature of the research problem and determined the ontological stance which led to the various epistemological and methodological stances. Data were further scrutinised, and qualitative themes were identified. For the purpose of data presentation, letter codes (P1 for participant 1; RQ1 for research question 1, and IQ1 for interview question 1) are be used for data presentation and analysis purposes.

Discussion of the main findings

RQ1: Do you consider a language name an essential aspect in society?

On this question, a significant majority (96%) of the 267 participants said that they considered the name of a language an important aspect in society. The participants further expressed that in African countries, proper names are generally important because the group or national identity is constructed through a language name. It was further felt that if a language name was not important, people and organisations were not going to revolt by using the name 'Northern Sotho/Sesotho sa Leboa' in official platforms, knowing very well that this name is not supported by the Constitution. However, this is deliberately happening, because relevant stakeholders are reluctant to come on board to resolve the matter that has been dragging for a very long time. In support of this, P238 mentioned:

> A language name identifies and unifies communities speaking different dialects, but belonging to one historical background. For example, Bapedi [Sepedi speakers] speak the 'principal' dialect – and can be linguistically grouped together with the Balobedu, Batlokwa, Bapulana and the rest of the Sepedi dialects. So, a language name is considered an important aspect in sociolinguistics since it binds different ethnic groups into one thing.

To add to this, P236 shared that:

> Language naming is a very important aspect since it emphasises the identity and culture of a particular speech community. There is no language without a name, hence each and every language is called by its name.

In terms of this article, it can be understood that what is expressed by the participants is similar to what has been mentioned in the problem statement where I postulated that it is now 28 years since the promulgation of the Constitution of South Africa (1996). The L1 speakers of the language under examination and speakers of other languages have become caught up and confused by the concurrent use of two different language names (Sepedi and Northern Sotho/Sesotho sa Leboa) that have been and are still used to refer to one and the same language. What captures the attention here is the consciousness of the participants, when showing their knowledge of the disregard of the Constitution, of a lack of any clarity and actions by the relevant language authorities.

Having noted that the participants touched on the issue of identity, it can be argued that the relationship between language, naming and identity is onomastically and sociolinguistically bound. Critics may argue that the linguistic rights of the L1 speakers of the language under scrutiny are being violated. What concerns the current article is the lack of protection and advocacy by the CRL Commission as one of the Chapter 9 institutions that are constitutionally mandated to protect speech communities.

RQ2: Do you think the use of Sepedi and Sesotho sa Leboa language names undermines the integrity of this speech community? Justify your answer.

Most participants (87%) were of the view that the use of both Sepedi and Northern Sotho/Sesotho sa Leboa indeed undermines the integrity of the speech communities of the language under research. Their reasons were that speakers of the other indigenous South African languages do not and have never experienced an onomastic dilemma that has seriously affected and compromised their group identity. They further stated that those speakers of other South African languages are addressed and known by one unique marker or name, unlike speech communities of the language in question. In this regard, P63 said:

> The concurrent use of these language names...undermines the integrity of most speakers who are ethnically classified as Bapedi while they are not, since their languages are not represented in the standard version of the language. Until today, there is no implementation of the recommendations and resolutions taken by the Parliamentary Joint Constitutional Review Committee to replace Sepedi with the Northern Sotho language name.

On this question, the participants' argument was based on the exclusivity of the name of the standard language, since it only accommodates a specific ethnic group. It is interesting to note that the participants touch on the implementation of resolutions that were taken by the Parliamentary Joint Constitutional Review Committee in 2011. What is concerning in the current article is the silence of the relevant Chapter 9 institution on issues that were debated and concluded by one of the parliamentary structures. It can further be postulated that the CRL Commission is failing in its constitutional duties to protect the linguistic rights of the speech communities of the language under attention.

RQ3: Do you associate the onomastic controversy of Sepedi and Northern Sotho/Sesotho sa Leboa language names with political power and influence? Justify your answer.

In this regard, the majority (71%) of the participants mentioned that in the use of Sepedi and Northern Sotho/Sesotho sa Leboa sociopolitics cannot be separated from the abuse of power. The participants' contention is that were it not for political reasons, I would not be investigating this type of phenomena. In this regard, P176 demonstrated that:

> South Africa is a very good...example when it comes to the influence of power and politics on language-related matters. For example, the study like this was initiated by the misuse of power in politics when the apartheid regime divided the languages as Northern Sotho, Southern Sotho and Western Sotho. The separation created by colonialism has caused so many divisions that I doubt it will ever be resolved, since some of the speakers of the Sepedi language still perpetuate and promote names that were imposed on them. In my humble opinion, the controversy that you are investigating originated from petty tribalistic politics coupled with power hunger aimed at achieving personal, greedy goals.

Based on what has been stated, I put forward that it cannot be disputed that the main issue under investigation falls under the jurisdiction of the CRL Commission. In terms of this article, there is empirical evidence to support that the misuse of political power and influence was used to undermine the linguistic rights of powerless speech communities. This can also be drawn from the replacement of the name 'Northern Sotho/Sesotho sa Leboa' by the 'Sepedi' one in the 1996 Constitution without a transparent and consultative process with the relevant stakeholders. In this article, what concerns me is the silence of the CRL Commission amid an onomastic controversy.

It is for this reason that I recommended in 2019 that a commission of inquiry be established to investigate what caused the replacement of Sesotho sa Leboa with Sepedi in the final Constitution of South Africa. A commission could further investigate the reasons behind the onomastic discrepancy of Sepedi and Sesotho sa Leboa language names in official documentation. Equally important, it would be interesting for the commission to investigate what is stopping the implementation of the recommendations that were made by the Parliamentary Joint Constitutional Review Committee after a lengthy debate on Sepedi and Sesotho sa Leboa.

Qualitative themes

The following are the six qualitative themes that emerged from the qualitative data.

Qualitative theme 1: Lack of political will

The article argues that the onomastic controversy surrounding Sepedi and Northern Sotho (Sesotho sa Leboa) was exacerbated by the misuse of political influence. The findings indicate that the replacement of the name Northern Sotho/Sesotho sa Leboa with Sepedi in the final Constitution was driven by political power rather than proper consultation and transparency with relevant stakeholders. Consequently, the article asserts that this onomastic discrepancy is unconstitutional.

Noting that the dual naming issue was also brought to the attention of the Department of Justice and Constitutional Development following a written petition and submission by concerned speech communities to the Public Protector. The Public Protector responded, by stating that the matter falls under the jurisdiction of the Department of Justice and Constitutional Development. It can thus be interpreted that a lack of political will is a contributing factor to the ongoing controversy, where Sepedi and Northern Sotho/Sesotho sa Leboa continue to be used interchangeably to refer to what is essentially the same language whereas the two language names mean two different things.

Qualitative theme 2: The silence of the CRL Commission as a Chapter 9 institution

Regarding the silence of the CRL Commission as a Chapter 9 institution, it may be argued that the issue being investigated is a constitutional matter, and may need the intervention of the Constitutional Assembly (parliament) and the Constitutional Court of South Africa. The literature consulted in this article argued that the CRL Commission as a Chapter 9 institution is the most relevant constitutional body to look into the onomastic dilemma of Sepedi and Northern Sotho/Sesotho sa Leboa since its role is to protect the linguistic rights and the constitutional democracy.

The article further postulates that the silence and lack of action by the CRL Commission opens room for the violation of the Section 6(1) of the Constitution. It is against this background that some speakers, organisations, government departments, universities and some of the language authorities use the name 'Northern Sotho/Sesotho sa Leboa' in official and policy documentation, whereas the Constitution cites Sepedi as one of the official languages. It can be noted that the supremacy of the Constitution is being undermined, disregarded and neglected. This article puts forward that the CRL Commission is considered the major qualitative variable in the lack of compliance and accountability by those individuals and organisations (private and public) that are disregarding the Constitution.

Qualitative theme 3: Lack of public accountability

The article argues that the onomastic controversy surrounding Sepedi and Northern Sotho (Sesotho sa Leboa) was exacerbated by the misuse of political influence. The findings indicate that the replacement of the name Northern Sotho/Sesotho sa Leboa with Sepedi in the final Constitution was driven by political power rather than proper consultation and transparency with relevant stakeholders. Consequently, the article asserts that this onomastic discrepancy is unconstitutional.

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Qualitative theme 4: Confusion of roles and responsibilities

The language policy and planning of the South African context mandates that language-related matters are executed by the following authorities: The National Department of Sport, Arts and Culture; PanSALB; and the CRL Commission. In terms of the PanSALB Act (Act No. 59 of 1995, as amended in 1999), the board was established to promote multilingualism and develop the official South African languages, including South African Sign Language (SASL) and the Khoe and San languages. Similarly, terminology development is currently executed and handled by the national Department of Sport, Arts and Culture, while the CRL Commission is expected to protect linguistic rights. In terms of this article, it is argued that the allocation of language-related responsibilities to three different bodies may be considered one of the contributing factors to the lack of compliance on language policy-related considerations and other important legislation. This argument is largely based on the observation that when more than one organisation is tasked with similar responsibilities, the accountability part will always be a problem. The bone of contention is that PanSALB is constitutionally mandated to do oversight, while the CRL Commission is also mandated to do oversight.

Qualitative theme 5: Lack of synergy and alignment between colonial naming conventions and the transformation agenda

The literature we consulted for this study argued that both Sepedi and Northern Sotho/Sesotho sa Leboa language names are not entirely accepted as a symbol of national identity since they are both associated with colonialism, the apartheid regime and political influence and power. 28 years after the passing of the Constitution, there are still no practical measures from the relevant language authorities including the CRL Commission to resolve the matter. This article records that the colonial language names 'Sepedi and Northern Sotho' are still used interchangeably with no plans to resolve the matter.

Qualitative theme 6: Universities' choice of language name

At the time of writing this article, there were six South African universities — University of Johannesburg, University of South Africa, University of Limpopo, University of Venda, North-West University and Tshwane University of Technology — that have opted for the name 'Northern Sotho/Sesotho sa Leboa' instead of the official name 'Sepedi'. Apart from deviating from Section 6(1) of the Constitution that listed Sepedi as one of the official languages, the choice and language name preferences by these universities indirectly shows that there is a need for language planners to revisit the issue of Sepedi and Northern Sotho/Sesotho sa Leboa.

Conclusion

This article aimed at analysing the reasons and thinking behind the lack of decisive measures in resolving the socio-onomastic controversy of the Sepedi and Northern Sotho language names as two different language names referring to the same language. The silence of the CRL Commission as a Chapter 9 institution that is constitutionally mandated to protect the linguistic rights and constitutional democracy is what compounded the problem statement of the current article. In terms of this article, I have explained the nature of the research problem and established the ontological argument which led to the epistemological and methodological stances. The article employed the descriptive and interpretative paradigms which helped in the analysis of the qualitative data gathered

from content analysis and face-to-face interviews. The findings of the article reveal that the socio-onomastic dilemma of Sepedi and Northern Sotho/Sesotho sa Leboa as two different language names has been dragging on for the past 28 years. The reason for this is that there is a lack of political will from the relevant language authorities, particularly the CRL Commission. The article also establishes that the dual use of Sepedi and Northern Sotho as language names denoting the same language leads to confusion and constitutional disregard in the continued use of the language name Sesotho sa Leboa in official government communication, the financial services sectors and universities despite what is articulated and pronounced by the Constitution, which is considered a binding document which cannot be superseded by any other law, act or policy.

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