

Promote multilingualism in education

REFLECTING ON THE LAW

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As the laws permit considerable discretion and flexibility, it is ultimately a matter of wisdom, political courage and educational vision.

MALAYSIAN Employers Federation executive director Datuk Shamsuddin Bardan believes poor command of the English language among many Bumiputra graduates is the main reason why they find it hard to get jobs in the private sector, which accounts for 90% of employment in the country.

Our political and educational leaders must take note of this view and accept that felicity with additional languages, especially English and Mandarin, will in no way undermine the sovereign status of our national language and will, instead, open up new possibilities for job seekers in our globalised and digitalised economy.

The purpose of this note is to reveal that there is no constitutional or legal bar to the vigorous promotion of bilingualism or multilingualism in our educational system at the kindergarten, primary, secondary and tertiary levels.

Bahasa Malaysia's pre-eminence: The Federal Constitution, National Language Act 1963/67, Education Act 1966 and Private Higher Education Act 1996 guarantee the pre-eminence and official position of the Malay language.

Article 152 of the Constitution and Section 2 of the National Language Act prescribe that the national language shall be the Malay language and shall be used for all "official purposes".

'Official purpose' is defined in Article 152(6) of the Constitution to mean any purpose of the Federal or state governments or of a public authority.

The Education Act in Section 17 provides that the national language shall be the main medium of instruction in all educational institutions in the National Education System. This means that BM need not be the sole medium for transmitting knowledge.

The Private Higher Education Act (PHEA) in Section 41 requires that all courses should be conducted in Malay unless the Minister approves otherwise subject to conditions. The Minister's discretion is broad.

Linguistic diversity: Despite the understandable emphasis on BM for all official purposes, the Constitution and laws intend to keep the windows of our mind open to the world by permitting the learning and using of English and many other foreign languages.

For this reason, the laws empower Parliament, the Yang di-Pertuan Agong, Education Minister and the states of Sabah and Sarawak to preserve and promote any other language, especially English, plus native languages in Sabah and Sarawak and the vernacular languages of the communities in West Malaysia.

English: In all national primary and secondary schools, English is a compulsory subject of instruction. No statutory guidelines are given as to how many hours per week English may be taught.

The Minister's discretion is very wide to enhance the teaching and learning of and the teaching and learning in the language. Some subjects may be taught in English.

She may raise the level of competence that must be attained in English before the necessary certificate or accreditation is awarded. She may raise the level of competence that trainee teachers must obtain before they can be posted to any schools or confirmed in their positions.

National Language Act: Section 4 of the NLA contains a broad, omnibus provision that "the Yang di-Pertuan Agong may permit the continued use of the English language for such official purposes as may be deemed fit". The King has named these purposes. However, there is no bar to the expansion of these spheres.

Section 4 may be used to enhance the use of English in our entire educational system at any and all levels. Section 4 can be employed to improve the teaching of and teaching in English. Section 4 has no time limit.

The law permits that the national language need not be the main medium of instruction in national type (vernacular) schools established under Section 28.

The national language need not be the main medium of instruction in any other educational institution exempted by the Minister under Section 17(1).

Universiti Islam Antarabangsa, Universiti Teknologi MARA and many other public and private universities and colleges use English as the main language of instruction.

In tertiary institutions, all twinning programmes and external courses use English. Many continuing educational programmes in government departments employ English.

Sabah and Sarawak: The application of the National Language Act in Sabah and Sarawak is not automatic and subject to their consent. Sarawak has not given its consent to the NLA for the state.

Education Act: Under this Act, the Minister has very wide discretion under Section 17 of the Education Act (read together with Section 16) to exempt any educational institution in the country from using

Malay as the main medium of instruction subject to the condition under Section 17(2), that if Malay is not the main medium of instruction, then it shall be taught as a compulsory subject.

The following types of schools can be exempted from the national Malay language policy:

- > Government schools that are national primary, national-type primary and national secondary;
- > Government-aided schools that are national primary, national-type primary and national secondary; and
- > Private schools.

Under Section 143 of the Education Act, the Minister may, in the interest of the pupils or the public, exempt any educational institution or any class or classes of educational institutions from all or any of the provisions of the Act except as to registration. The power is extremely broad.

Languages other than Malay may be used as a medium of instruction: Section 23 Education Act.

In the broad spirit of Article 152, the Education Act 1996 in Section 2 provides that the Chinese or Tamil language shall be made available in national primary and national secondary schools if the parents of at least 15 pupils in the school so request.

Private education: Under Sections 73(3) and 75 of the Private Higher Education Act, private higher educational institutions are provided much latitude and autonomy. Section 75(1)(a) implies that Malay need not be the main medium of instruction but in such a case it shall be a compulsory subject in the curriculum if the medium of instruction is other than the national language.

It is clear, therefore, that our Constitution and laws permit considerable flexibility and many permutations of the law and policy are possible. Ultimately it is a matter of wisdom, political courage and educational vision.

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