Indiana Program Trains South African Legislative Drafters

South Africa adopted a new Constitution in 1996 to bring about democratic social, political, and economic transformation. It is a society very much in transition, urgently requiring legislation to meet the needs of a new heterogeneous, multicultural, and multilingual society. New laws must be written and existing ones revised, amended, or repealed.

The demand for skilled people who can draft such legislation at any level of government is overwhelming, and the lack is critical, says Christo Botha, head of the Department of Public Law in the Faculty of Law, University of Pretoria (UP). To provide assistance in this pressing area, Indiana University entered into a new linkage agreement with UP in May 2002, managed by IU’s Center for International Education and Development Assistance (CIEDA).

“Their needs are inspiring and daunting at the same time,” says Shawn Reynolds, associate director of CIEDA, of the new project. The three-year program is funded by the U.S. Bureau of Educational and Cultural Affairs of the U.S. Department of State. For each of the three years, activities include conducting two-week legislative drafting workshops in South Africa, organizing one-month U.S. internships for selected drafters, and holding periodic interactive videoconferencing seminars between IU and South African partners on various legislative topics.

South African participants are faculty and lecturers from UP; Rand Afrikaans University (RAU) in Johannesburg; lecturers at Justice College, which trains government staff; and mid-level professionals from provincial levels of government who have drafting responsibilities. On the United States’ side are faculty from IU’s law schools in Bloomington and Indianapolis, and attorneys at the Indiana Legislative Services Agency (ILSA) and several Indianapolis law firms.

As Botha says, the goal of the program is to provide potential legislative drafters with the “basic theoretical and practical knowledge, skill, and experience to begin or continue a career in legislative drafting in South Africa and to empower them at all levels of government to draft accurate, effective, and implementable legislation in order to meet the challenges of a society in transition.”

In May, Patrick O’Meara, dean for the Office of International Programs; Roxana Ma Newman, assistant dean; and Reynolds were in Pretoria to sign the agreement and work on implementation plans with Botha and other South African participants. The signing took place at a formal lunch in UP’s historic first building, Kya Rosa, hosted by the university’s Vice Principal J. A. G. Malherbe, with Dean Duard Kleyn of the UP Faculty of Law, Botha, as well as Vinay Rajah, head of UP’s International Affairs Office, and Isobel Vosloo, department liaison officer. At a dinner hosted by O’Meara were also Rassie Malherbe, RAU professor of public law; Gill Jacot-Guillarmod, senior program manager at UP’s Center for Human Rights; and, from the U.S. Embassy in Pretoria, Virginia Farris, public affairs officer, and Donna Roginski, cultural affairs officer.

In June, Philip Sachtleben, executive director of the ILSA, an agency that conducts textual, structural, and procedural reviews on all bills before they are sent to the Indiana legislature, traveled to South Africa. He consulted with several provincial government offices to assess drafting needs and advise them on how to set up and maintain legislative drafting units within their structures.

In early October, Botha arrived in Indiana with the first group of

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fall, in which IU instructors of other LCTLs have also participated.

Materials to be developed for each language over a three-year period are student textbooks, teachers' guides, and interactive CD-ROM workbooks. In addition, CeLCAR's Web site is envisioned as a clearinghouse of information relevant to language learning for all the languages of the Central Asian region.

CeLCAR's native speaker curriculum developers are Talant Mawkanuli, visiting assistant professor in Central Eurasian Studies whose two languages are Uyghur and Kazakh, and graduate student Khwaga Kakar, whose two languages are Pashto and Dari. Other staff members include Anna Jacobson, doctoral candidate in language education who is the center's specialist in computer-assisted language learning; Peter Marsh, a recent CEUS graduate who is the administrative assistant; and Cynthia Ramlo, webmaster and graphic designer.

The materials will be pilot tested each year during IU's Summer Workshop for Slavic, East European, and Central Asian Languages (SWSEEL). Next summer, seven Central Asian region languages are expected to be offered: Azeri, Kazakh, Pashto, Tajik, Turkmen, Uyghur, and Uzbek. "As our government and businesses increase their operations in the Central Asian region, the need for speakers of the languages spoken in these areas and for trained specialists will increase dramatically," said Jerzy Kolodziej, director of SWSEEL.

The highly competitive selection of IUB to create a Central Asian language resource center recognizes Indiana University's long tradition of scholarship and excellence in the languages and civilizations of this vast region.

"The grant is prestigious," says Johnston. "In many ways, it validates the work that already has been done here at a time when the region was not so prominent in world politics."

—RMN

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four mid-level professionals who interned at ILSA. These were Zamikaya Mbalo, legal compliance officer of the South African Sports Commission; Aletta Stelling, legal administration officer of the South Africa Department of Justice; Annelie Bevan, state law advisor of the North West Provincial Government; and Mike Mashapa, attorney with Barry Golele, Attorneys.

During their stay, Botha and the four drafters attended a meeting of the National Conference of State Legislatures on senior bill drafting in Madison, Wisconsin. Botha also consulted with Kathleen Patchel, professor at IU School of Law—Indianapolis, who will lead the first two-week legislative drafting workshop at UP in November. She will be collaborating with lecturers and professionals from a number of participating South African institutions. The workshop is expected to provide training for up to 40 drafters.

The second and third years of the project are similarly structured in terms of workshops in Pretoria, U.S. internships, and professional development visits by UP and RAU faculty. For further information on the linkage, contact

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At the October meeting in Bloomington are (left to right) Shawn Reynolds (CIEDA), Kathleen Patchel (School of Law—Indianapolis), Christo Botha (University of Pretoria), and Philip Sachtleben (Indiana Legislative Services Agency).