

# Role and functions of code-switching in Malaysian courtrooms

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## *Abstract*

*Malay is the National Language of Malaysia. English is an important second language. Many of the older lawyers are more comfortable and proficient in English as English was the medium of instruction when they were in school. The younger lawyers had Malay as the medium of instruction and are consequently more comfortable in Malay. It was therefore hypothesized that code-switching would be used in a courtroom setting and the objective of this research is to investigate the functions of code-switching used by key personnel in a courtroom, i. e. lawyers, judges and witnesses.*

## **Background of the setting**

Malaysia is a multi-ethnic, multi-lingual country with a population (1999) of about 22 million people speaking at least a hundred languages. Malaysia comprises two areas, Peninsular Malaysia (previously known as Malaya) and Sabah and Sarawak on the Island of Borneo. The British era in Malaysia began in Malaya in the late 18th century and independence was granted to the Federation of Malaya in 1957. In September 1963, Malaya combined with Singapore, Sabah and Sarawak to form Malaysia. Singapore left the union shortly after.

There are three main ethnic groups in Malaysia, i. e. Malays (61 percent), Chinese (28 percent), Indians (8 percent) (Khoo 1991: 40). In 1991 there were 8.79 million Malays, and another 1.85 million non-Malay *bumiputras* (or 'sons of the soil'), 4.94 million Chinese and 1.39 million Indians (Sun, January 14, 2001). Within each ethnic group a variety of languages and dialects are found.

Malaysian schools are divided into national or national-type schools. Malay is the medium of instruction in national schools, which are fully government assisted. In contrast, Chinese and Tamil are used as the