

## **Appendix A**

### **Language Policy of the Department of Defence**

## LANGUAGE POLICY FOR THE DEPARTMENT OF DEFENCE

- Reference      A: The Constitution of the Republic of South Africa, 1996 (Act No 108 of 1996)  
                     B: The Pan South African Language Board Act, 1995 (Act No 59 of topic- and text-type-specifically 1995)  
                     C: The Draft Language Policy and Plan for South Africa dd 5 June 2000 (Department of Arts, Culture, Science and Technology)  
                     D: The White Paper on Defence

- Appendix    A: Glossary  
                     B: Language Provisions in the Constitution and the White Paper on Defence

### SUPERSESSION OF EXISTING POLICY

1.      This policy supersedes NDFO/CSP/40/94 and DODI: Pol & Plan No 26/2000, which are hereby cancelled and withdrawn.

### GLOSSARY

2.      Definitions or explanations for words and concepts typed in bold and marked with an asterisk can be found in Appendix A.

### INTRODUCTION

3.      The Department of Defence (DOD) is characterised by the linguistic diversity of both its members and employees, and the community it serves. It consequently considers it to be its duty to uphold the constitutional provisions on language, to adhere to the prescripts of the national language policy and to adhere to regionally and internationally accepted language practices, insofar as such provisions, policy and practices are not detrimental to the achievement of its mission.

4.      The DOD is thus committed to
  - a.      non-**linguicist\*** practices;
  - b.      the promotion of multilingualism among its members/employees and the linguistic empowerment of its members/employees, thereby contributing positively to its efficient functioning;

- c. regarding linguistic diversity as an asset in its dealings with both its members and employees, and the community at large;
- d. applying, wherever possible, the principle of **functional multilingualism\***; and
- e. achieving **language equity\*** within its ranks.

## AIM

5. The aim of this policy is to establish a practical language dispensation in the DOD by striking a balance between the constitutional imperatives and the operational needs of the DOD.

## ELABORATION ON THE DOD LANGUAGE POLICY

6. A common communication system needs to be devised to coordinate the effective and efficient attainment of the mission, goals and objectives of the DOD in a context of language diversity and to overcome the challenge of **command and control\*** in eleven official languages. Such a system can be devised by the use of a single, designated, **thread language\***. This thread language shall be English. The use of appropriate **link languages\*** shall support English to facilitate communication further.

## PROVISO

7. The use of English as the departmental thread language shall not exempt the DOD, its members and employees from their constitutional responsibility to recognise, respect, foster, use and enhance the status of all the **official languages\***.

## UNDERLYING PRINCIPLES

8. The following principles underlie the implementation of this policy:

- a. In order to promote the efficient functioning of the DOD, the use of a thread language and appropriate link languages shall be integrated into the general functioning of the Department. The thread language for the DOD shall be English.
- b. The linguistic origin of a member or employee shall not bar or restrict his or her appointment or career progression, provided that the member or employee improves his or her competence in the thread language of the DOD. To this end English language courses shall be presented by language practitioners at the various human resources support satellites.

- c. International communication on the part of the government shall be in English or the preferred language of the relevant country. In the regional and African context, other languages such as Portuguese, French and Kiswahili are important for communication and operational purposes.
- d. Functional multilingualism shall be practised as required.
- e. The originator or relayer of any communication shall ensure that such a communication has been understood by the recipient.
- f. In order to ensure effective communication, the onus shall be on seniors at all levels to ensure that their orders, instructions and all other communications are understood by their subordinates and by the members/employees of the community who may be the recipients of such communications.
- g. In order to ensure effective communication, the recipients at all levels shall have a responsibility to indicate to the originator or relayer of such a communication his or her understanding or lack of understanding in respect of such communication. Failure to indicate a lack of understanding cannot be used thereafter as an excuse for disobedience.
- h. Language facilitation measures (interpreting, translation, mediating, etc) shall, at all times, support effective communication and promote respect amongst the members/employees of the various language groups, while contributing to the efficient functioning of the Department and giving effect to this policy.
- i. For training purposes, all instructors shall be proficient in English.
- j. All members and employees who need to improve their competence in English in order to perform their tasks or duties shall be afforded opportunities for such improvement.
- k. Language facilitation measures shall be implemented whenever language problems are identified.
- l. The language policy shall apply to all members and employees of the DOD and includes the members/employees of the Reserve Force of the DOD. Additional provisions may have to be made to implement the language policy in the Reserve Force.
- m. Adequate resources must be made available in order to give effect to this policy.

## **POLICY IMPLICATIONS**

### **LANGUAGES OF RECORD**

9. The original language in which a document is drawn up and signed shall have the status of **language of record\***. If necessary, documents of record in languages other than English should have summaries in English filed along with the originals.

### **POLICIES, ORDERS AND INSTRUCTIONS, COMMAND AND CONTROL**

10. **Ministry of Defence and the DOD Head Office.** As from the date of promulgation of this policy, all policies, orders and instructions issued by the ministry and DOD head office shall be translated into English if they do not originate in English. It shall be the responsibility of the originator to ensure that such **seminal documents\*** are translated into English. Seminal documents shall also be promulgated in English and in any other language upon request.

11. To promote effective communication, important documents affecting all members and employees of the DOD, such as leave policy and remuneration policy, shall be translated into the official languages by applying the **rotation principle\***. When it is not possible to provide a translation of a seminal document, an executive summary of the content of such a document must be provided on the rotation principle. An English translation of a seminal document shall always be available on record if it did not originate in English.

12. **Territorial and Formation Headquarters and Unit Territorial Level.** Senior officials and officers who are employed in a supervisory capacity at these levels shall, when issuing orders and instructions (or relaying or transmitting such orders and instructions from a higher level), be guided by the principles (see par 8) contained herein. This implies that it may be necessary to translate or interpret the spirit and letter of such orders and instructions into the link language(s), by making use of the services of the language practitioners/**language facilitators\*** situated at the Human Resources Support Satellites .

13. All members/employees of the Department shall adhere to the principle that the DOD is committed to the promotion of multilingualism among its members/employees and to the linguistic empowerment of its members/employees, thereby contributing positively to its efficient functioning. All members/employees have a responsibility to promptly bring to the notice of their superiors the fact that they do not understand a policy, an order or instruction and to request assistance in this respect. Seniors shall have the duty to respond positively to such requests, failing which, subordinates shall be entitled to use the mechanisms

available to them to report their grievances.

## MILITARY OPERATIONS

14. The language to be used during operations shall be determined during operational planning, ie prior to operations. English shall be used as a basis for all military vocabulary. Commanders shall ensure that their subordinates understand them, whether such commanders provide oral or written explanations to their subordinates.

15. During the planning phase of operations, linguistic factors shall be borne in mind. The linguistic abilities and composition of the leaders and their subordinates, as well as the linguistic demographics of the region in which they are to be deployed, will affect the outcome of operations. Language shall be treated as a factor in command and other appreciations, particularly in the conduct of peace-support operations, when communication with foreign forces and populations may present unique problems.

16. In the operational environment, it is of vital importance that commanders at all levels ensure that operational orders, instructions, commands, battle plans and communications (be they oral or written), are understood by all the recipients concerned.

## TRAINING

17. **Basic Training**. During basic training any official language that is understood by both the instructor and the learner body may be used for training and assessment purposes. However, all instructors shall also be proficient in English, as learner bodies should be familiar with the common operating English vocabulary for future training and utilisation.

18. **Intermediate Training**. The use of English shall prevail and shall be commensurate with the level of training. The other official languages may be used to facilitate learning. Students may take their tests or do their assignments in the official language of their choice. However, prior to doing so, they shall be required to consult their instructors in order to ascertain whether the language they have chosen to work in will be understood and whether such an arrangement is practicable.

19. **Command and Staff Courses**. From the level of the junior staff course, command and staff courses shall be conducted in English only as students at this level are expected to be proficient in the thread language.

20. **Training and Assessment Material**. All training and assessment material shall be compiled in English.

## PROMOTION AND APPOINTMENT

21. The linguistic origin of a member or employee shall not be a barrier to or place a restriction on his or her appointment or career progression, provided that a member or employee is proficient in the thread language at the required level.
22. The functional requirements for certain posts may demand a degree of English language proficiency. As a member or employee advances in his or her career, a greater degree of proficiency in English will thus be required.
23. Every effort shall be made to assess a member's or employee's ability to communicate effectively in his or her prospective working environment and to fit the post language profile, should such profile exist. Should any language problems or lack of language proficiency be identified in this respect, members/employees shall be afforded every opportunity to remedy such problems or lack of proficiency.

## DEPARTMENTAL CORRESPONDENCE

24. **Between Two Individuals.** Any official language may be used in correspondence between two individuals. If the matter under discussion involves other parties in addition to the two individuals communicating, preference shall be given to drafting such correspondence in English.
25. **Correspondence to More than One Addressee.** Correspondence to more than one addressee shall, unless otherwise stipulated, be drafted in English. If, however, a link language ensures effective communication at decentralised level, such a language may be used.
26. **File References, Address Blocks, Signature Blocks and Distribution Lists.** To accommodate registry personnel, the file reference, address block, signature block and distribution list of all correspondence shall be in English, irrespective of the language used in the body of the document.

## LANGUAGE RIGHTS OF DOD MEMBERS AND EMPLOYEES

27. The following measures shall apply:
  - a. Members and employees shall be entitled to use their official language of choice when, for example
    - i. making written statements;
    - ii. submitting affidavits;



- iii. communicating, orally or in writing, with their seniors about personal, health and social problems or administrative enquiries;
  - iv. replying to remarks in their merit assessments, confidential reports, etc.
- b. Members/employees of the DOD shall be entitled to the services of an official and competent **interpreter\*** during internal DOD judicial proceedings such as military courts, boards of inquiry or disciplinary hearings.
- c. If necessary, members/employees of the DOD may request the services of an interpreter or language facilitator during formal interviews with superiors.
- d. The South African Military Health Service (SAMHS) may use the services of language facilitators when consulting or treating patients, in cases where communication presents a problem or if specifically requested by the patient. However, a patient's dignity and right to confidentiality shall be respected at all times.
- e. Contractual documents, such as letters of appointment and education contracts, shall be in English, unless another official language is specifically required and mutually agreed upon.
- f. Ceremonial documents, such as deeds of commission, may be provided in the language of choice of the recipient.

**NOTE:** The Constitution allows the DOD the right to limit the language rights of individuals in operational circumstances where a language service is not available.

## LANGUAGE IN THE WORKPLACE

28. All members and employees of the Department shall
- a. be sensitive to the needs of one another, in terms of their language of preference, in order to achieve effective communication;
  - b. ensure that language emphasises cohesion and does not divide members/employees; and
  - c. display respect for other language groups by ensuring that effective communication takes place during meetings and presentations (ie that all that is presented/said is understood by all).

## MULTILINGUALISM AND THE ACQUISITION OF LANGUAGES

29. Multilingualism is particularly important as a factor that promotes cohesion and *esprit de corps* within the Department and as a necessity for regional and international communication. Members and employees shall be encouraged to learn languages other than their mother tongue and English. The Language Service Centre shall provide the opportunities for such language learning.

## CORPORATE COMMUNICATION

30. Corporate communication is the vital link between the individual and the Department, and between the Department and the community. It is important that this function should acknowledge and reflect the linguistic diversity of both the Department and the community at large.

- a. The publication of articles in all the official languages in corporate communication publications shall be encouraged.
- b. DOD press releases and electronic media interviews by senior officials and officers of the Department should, in addition to English, also be in the other official languages, with consideration being given to the **rotation principle**\*.
- c. Use shall be made of the provincial official languages on ceremonial occasions (for aspects such as prayers, announcements, programmes and invitations), as well as during cultural activities such as concerts, galas, shows and exhibitions. Speeches by dignitaries should, whenever possible, be multilingual.
- d. Information boards and warnings (indicating danger, restricted access, prohibition, etc) shall be in English and a link language or language of the region in which a unit, command or headquarters is situated.

## LANGUAGE USE IN DOD HERALDIC DEVICES

31. As language has a strong emotional connotation, sensitivity must be used when selecting an official language for heraldic devices, and care must be taken to ensure that the legend or motto is relevant, pronounceable and easily recognisable. The wording chosen should convey the intention in the shortest, yet most effective way possible. Unless it is possible to reflect the identity of the group by using the majority language of that group, one of the lesser-known languages should be given preference.

## **LANGUAGE ADVISORY BOARD**

32. A language advisory board shall be established that shall report to the Chief of Human Resources Support. It shall advise the DOD on the implementation, effectiveness and review of the DOD language policy in terms of national policy. The board will consist of members/employees of the DOD Secretariat, the uniformed component, the PSAP component, the Language Service Centre and members/employees representing other interest groups, as well as departmental and other experts, and it shall be chaired by the Senior Staff Officer Language Services.

## **COORDINATION**

33. The Language Service Centre shall coordinate the implementation and execution of this policy and shall deal with language grievances.

## APPENDIX A TO LANGUAGE POLICY

### GLOSSARY

1. In this document, unless otherwise indicated, the following definitions and explanations of terms apply:
  - a. **Command and Control** means the exercise of authority and direction over allocated forces in the accomplishment of a mission, by an arrangement of personnel, equipment, telecommunications, communications, facilities and procedures employed by a commander in planning, directing, co-ordinating and controlling forces and operations in the accomplishment of the mission.
  - b. **Functional Multilingualism** means an approach that takes in account the language preference, use and proficiency of a particular group, so not all the official languages need to function in every context.
  - c. **Interpreter** means a person who is able to clarify the meaning of an oral communication for another person who is not conversant with the language medium of a particular communication, either by undertaking a word-for-word translation, or by providing the gist of its content, in the presence of the client.
  - d. **Language Equity** means the impartial, fair and just treatment of all languages.
  - e. **Language Facilitator** means any appointed member or employee of the DOD who, as an over-and-above task and without necessarily having any advanced linguistic, interpreting or translation training, is deemed competent by the Language Service Centre to facilitate on an *ad hoc* basis. Such a language facilitator may be called upon (as an informal language resource) to facilitate oral or written communication between parties who do not understand one another's language. A facilitator may also facilitate the process of language learning.
  - f. **Language of Record** means the original language in which a document was produced and in which it must be recorded, filed or archived and which therefore has official, legal status.
  - g. **Linguicism** means discrimination against a person on the grounds of his or her language preferences or language background, and linguicism has a corresponding meaning.

- h. **Link Language** means an official language that may be predominant in a region, zone, command, formation or unit.
- i. **Official Languages** means the languages listed in Section 6(1) of the Constitution, ie Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa and isiZulu.
- j. **Rotation Principle** means the principle of using four categories of languages on a rotational basis in relevant government structures, in order to ensure parity of esteem and the equitable use of the official languages, except in instances where
  - i. all eleven languages have to be used; and
  - ii. the availability of (a) document(s) in a particular language is essential to the stable and effective operations of government at any level. In such cases, documents should be translated into the relevant language.

The categories are

- i. Nguni group (isiNdebele, isiXhosa, isiZulu and siSwati);
  - ii. Sotho group (Sepedi, Sesotho and Setswana);
  - iii. Tshivenda/Xitsonga; and
  - iv. Afrikaans/English.”
- k. **Seminal Documents** means documents such as DOD policies and orders that significantly impact upon **all** the members and employees of the DOD and, as such, must be accessible to the widest possible range of readers.
  - l. **Thread Language** means English as the language used throughout the DOD in order to facilitate general communication, command, control and coordination, for formulating orders and instructions on behalf of the Minister of Defence and to serve as a communication medium across decentralised DOD elements.
  - m. **Translator** a person who transfers a written communication from a source language to a target language.

## APPENDIX B TO LANGUAGE POLICY

### LANGUAGE PROVISIONS IN THE CONSTITUTION, THE BILL OF RIGHTS AND THE WHITE PAPER ON DEFENCE

1. In terms of the **Constitution**, the founding provisions on language [Chapter 1 of the *Constitution*, sub-subsections 6. (1), (2), (3)(a), (4) and sub-subsections (5)(a) (i) to (iii)] read as follows:

#### "Languages

6. (1) The official languages of the Republic are Sepedi, Sesotho, Setswana, Seswati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa and isiZulu.
- (2) Recognising the historically diminished use and status of the indigenous languages of our people, the state must take practical and positive measures to elevate the status and advance the use of these languages.
- (3) (a) The national government and provincial governments may use any particular official languages for the purposes of government, taking into account usage, practicality, expense, regional circumstances and the balance of the needs and preferences of the population as a whole or in the province concerned; but the national government and each provincial government must use at least two official languages.
- (4) The national government and provincial governments, by legislation and other measures, must regulate and monitor their use of official languages. Without detracting from the provisions of subsection (2), all official languages must enjoy parity of esteem and must be treated equitably.
- (5) A Pan South African Language Board established by national legislation must-
  - (a) promote, and create conditions for, the development and use of
    - (i) all official languages;
    - (ii) the Khoi and San languages; and
    - (iii) sign language; and ... "

2. In terms of section 30 and sub-subsection 31 (1)(a) of the ***Bill of Rights*** (Chapter 2 of the *Constitution*), the following rights are accorded to all citizens:

"Language and culture

30. Everyone has the right to use the language and to participate in the cultural life of their choice, but no-one exercising these rights may do so in a manner inconsistent with any provision of the Bill of Rights.

Cultural, religious and linguistic communities

31. (1) Persons belonging to a cultural, religious or linguistic community may not be denied the right, with other members of that community –

(a) to enjoy their culture, practise their religion and use their language; and..."

3. The ***White Paper on Defence*** (as approved by Parliament on 14 May 1996) states the following:

- a. (Chapter 2: The Challenge of Transformation, p. 7, subpar 11.11): "The SANDF shall operate strictly within the parameters of the Constitution, domestic legislation and international humanitarian law. It shall respect human rights and the democratic political process."
- b. (Chapter 2: The Challenge of Transformation, p. 7, subpar 11.14): "The SANDF shall develop a non-racial, non-sexist and non-discriminatory institutional culture as required by the Constitution."
- c. (Chapter 2: The Challenge of Transformation, p. 7, subpar 11.16): "The SANDF shall respect the rights and dignity of its members within the normal constraints of military discipline and training."
- d. (Chapter 3: Civil-Military Relations: Rights and duties of military personnel: p. 18, par 51):  
 "The SANDF shall respect the constitutional provision on language and shall endeavour to cater for the different languages of its members. Instruction, command and control shall be conducted in a language that is commonly understood by all."