

PUBLICATIONS OF LINGUISTIC HUMAN RIGHTS MATTERS: APRIL 2020 – MARCH 2021

Compiled by : Ms KB Maleme

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The Pan South African Language Board (PanSALB) is a constitutional entity established by the Constitution of South African of 1996. PanSALB is envisioned in Section 6 of the Constitution and was created in terms of the PanSALB Act 59 of 1995 as amended in 1999. It was established to promote and ensure respect for multilingualism in general and foster respect for all languages spoken in the Republic, including languages other than the South African official languages.

Objectives

The objectives of this focus area are as follows:

1. To facilitate investigations of linguistic human rights violations and publish the findings of the Hearing Committee
2. To raise public awareness in order to influence and promote multilingualism in all organs of society through effective protection and promotion of linguistic human rights.
3. To establish and maintain strategic partnerships with other constitutional bodies dealing with linguistic human rights.
4. To act as an agent of change by
 - Making language findings public; and
 - Approaching institutions that commit language rights violations with a view to assisting them with their practices and policies.
5. To commission
 - A comparative study on language rights complaints systems;
 - A language rights study on the prevention of the use of any language for the purpose of exploitation, domination or division;
 - A multi- disciplinary study on language and the law, alternative dispute resolution and related disciplines

Province						
North West	<u>KPI</u>	<u>Complaints Received</u> <i>(name of the case)</i>	<u>Nature of the case and its Assessment</u> <i>(Provide the type of complaint received: general/education/etc.)</i>	<u>Resolved / Pending</u> <i>(select one)</i> <i>(provide brief summary of the resolution or reason for pending)</i>	<u>Approach violator and consider response</u> <i>(Did you write to/notify the violator? What was the response?)</i>	<u>Findings</u> <i>(observations or outcome of investigation)</i>
	Publications on Linguistics human rights matters	Snega (Daniel Mokwa) v/s African Rainbow Life (Ref No. 2020/06/30-002NW)	A letter was written to the CEO of African Rainbow Life on behalf of the complainant unsuccessful in our engagement. The complaint was about wrong spelling of the word “ Re butsi” instead of “Re butse” which constitute a grammatical error. The case did not fall within our scope of work/ mandate. The complainant was alerted on the development of the case and status.	Case could not be further entertained based on the reason indicated unless advised otherwise by the LHR Committee. <i>The case was closed.</i>	The violator approached via e-mail but no response yet	The case did not fall within our scope of work/mandate
	Publications on linguistics human rights matters	Seleka vs Matjekane (Group of Medical Doctors of Clin-Med) (Ref No. 2020/04/28-001NW)	The complaint is about the translation of documents for Covid 19 by a group of Medical Doctors of Clin-Med. The complaint was about the Setswana	Dr Matjekane was engaged on the translated material and acknowledged that the translation could have not been of quality because they are not professional translators but they were trying to heed the call of the National	The violator was approved via emails.	Poor quality of translated material for COVID 19.



			<p>translated documents which were regarded as sub- standard material.</p> <p>The Covid 19 related information was circulated on TV channels such as Newsroom Afrika during the day and this covers only those who have satellite dishes</p>	<p>command of making information available in different languages.</p> <p>The case was resolved</p>		
Limpopo	<u>KPI</u>	<u>Complaints Received</u> <i>(name of the case)</i>	<u>Nature of the case and its Assessment</u> <i>(Provide the type of complaint received: general/education/etc.)</i>	<u>Resolved / Pending</u> <i>(select one) (provide brief summary of the resolution or reason for pending)</i>	<u>Approach violator and consider response</u> <i>(Did you write to/notify the violator? What was the response?)</i>	<u>Findings</u> <i>(observations or outcome of investigation)</i>
	Publications on linguistics human rights matters	TT Maligavhada v/s Pharos Multilingual Illustrated Dictionary (Ref No: 2021/03/15- 001LP)	<p>Language violation</p> <p>The usage of derogatory words referring to people in ‘Pharos Multilingual Illustrated Dictionary’ (First Edition published in 2006, Second impression 2007, Third impression 2008. ISBN: 978-07021-6712-6)</p> <p>On page 295 for example in Sesotho they used LeVenda instead of Muvenda LeTshakane instead of Motsonga, LeQhotsa instead of umXhosa. The correct address could have been</p>	<p>The violators admitted the error from their side and promised to correct it going forward. They committed to review it in the next reprinting of the multilingual dictionary.</p> <p>The case was resolved</p>	The violators were approached and accepted the error/violation	<p>The findings were as follows:</p> <p>Indeed the ‘Pharos Multilingual Illustrated Dictionary’ (First Edition published in 2006, Second impression 2007, Third impression 2008. ISBN: 978-07021-6712-6) contained derogatory words referring to people on page 295 for example in Sesotho they used</p>



			Motsonga, Muchangana and umXhosa			<p>LeVenda instead of Muvenda LeTshakane instead of Motsonga . We note that there was a violation with those references.</p> <p>The violator accepted the error and promised to correct.</p>
Western Cape	<u>KPI</u>	<u>Complaints Received</u> <i>(name of the case)</i>	<u>Nature of the case and its Assessment</u> <i>(Provide the type of complaint received: general/education/etc.)</i>	<u>Resolved / Pending</u> <i>(select one) (provide brief summary of the resolution or reason for pending)</i>	<u>Approach violator and consider response</u> <i>(Did you write to/notify the violator? What was the response?)</i>	<u>Findings</u> <i>(observations or outcome of investigation)</i>
	Publications on linguistics human rights matters	Jika-Jika-Balarane vs Littlewood Primary (Ref no. 2020/11/05/-001WC) Language discrimination against the complainant who was compelled to respond in Afrikaans during the interview for HOD post . Her/his language of choice would have been English as opposed to Afrikaans.	Language discrimination: Complainant was discriminated on the basis of language during an interview session.	The two parties amicably agreed on the matter of language discrimination-thus the matter was internally resolved. Case resolved	Both parties were engaged hence the matter was resolved internally.	Language discrimination during interview, however a complainant was engaged



	Publications on linguistics human rights matters	Dr M Jadezweni vs Clicks (Ref No. 2020/05/28-001WC)	The complainant lodged a case on WhatsApp with the Board indicating that the poster of an advert by Clicks did not conform to the correct spelling and orthography of isiXhosa. The translation or the message was wrong	An e-mail was sent to the violator and the posters were later rectified, revised representing the correct isiXhosa version The case was resolved	The violator was approached through an email correspondence	An e-mail was sent to the violator and the posters were later rectified, revised representing the correct isiXhosa version
Gauteng	KPI	Complaints Received <i>(name of the case)</i>	Nature of the case and its Assessment <i>(Provide the type of complaint received: general/education/etc.)</i>	Resolved / Pending <i>(select one)</i> <i>(provide brief summary of the resolution or reason for pending)</i>	Approach violator and consider response <i>(Did you write to/notify the violator? What was the response?)</i>	Findings <i>(observations or outcome of investigation)</i>
	Publications on linguistics human rights matters	N/a	N/a	N/a	N/a	N/a
KZN	KPI	Complaints Received <i>(name of the case)</i>	Nature of the case and its Assessment <i>(Provide the type of complaint received: general/education/etc.)</i>	Resolved / Pending <i>(select one)</i> <i>(provide brief summary of the resolution or reason for pending)</i>	Approach violator and consider response <i>(Did you write to/notify the violator? What was the response?)</i>	Findings <i>(observations or outcome of investigation)</i>
	Publications on linguistics human rights matters	N/a	N/a	N/a	N/a	N/a
Northern Cape	KPI	Complaints Received <i>(name of the case)</i>	Nature of the case and its Assessment <i>(Provide the type of complaint received: general/education/etc.)</i>	Resolved / Pending <i>(select one)</i> <i>(provide brief summary of the resolution or reason for pending)</i>	Approach violator and consider response <i>(Did you write to/notify the violator? What was the response?)</i>	Findings <i>(observations or outcome of investigation)</i>
	Publications on linguistics human rights matters	 Davids vs University of Cape Town (Ref No. 2020/10/29 -001NC) A Nama Language (Khoekhoegowab was taught	The complaint was both general and linguistic in nature as registered by Davids. A Nama Language (Khoekhoegowab was	No progress report was received from the Northern Cape Provincial office Case will be referred to relevant agencies or be	Complainant was engaged on the nature of the case. Attempt to secure appointment with the violator proved fruitless	Matter related well to labor than to linguistic violation matters



		by the person at the University whose language is not Nama. This is viewed as gross linguistic violation	taught by the person at the University whose language is not Nama	removed from our complaint register because the Board has minimal role to engage University on this matter.		
Eastern Cape	KPI	Complaints Received <i>(name of the case)</i>	Nature of the case and its Assessment <i>(Provide the type of complaint received: general/education/etc.)</i>	Resolved / Pending <i>(select one)</i> <i>(provide brief summary of the resolution or reason for pending)</i>	Approach violator and consider response <i>(Did you write to/notify the violator? What was the response?)</i>	Findings <i>(observations or outcome of investigation)</i>
	Publications on linguistics human rights matters	N/a	N/a	N/a	N/a	N/a
Free State	KPI	Complaints Received <i>(name of the case)</i>	Nature of the case and its Assessment <i>(Provide the type of complaint received: general/education/etc.)</i>	Resolved / Pending <i>(select one)</i> <i>(provide brief summary of the resolution or reason for pending)</i>	Approach violator and consider response <i>(Did you write to/notify the violator? What was the response?)</i>	Findings <i>(observations or outcome of investigation)</i>
	Publications on linguistics human rights matters	PanSALB vs Multichioce (Ref No. 2020/07/01-001FS)	The complaint was about the Covid 19 advert for Sesotho by Multichoice during the play of the Queen where the person chosen to read the advert was not fluent in Sesotho and had mispronounced many Sesotho terms. The complainant felt that the Sesotho language is not respected.	Case closed based on the observation i.e. withdrawal of the advert	The letter was written to Multichoice informing them about the violation in relation to the advert. The violator did not respond to the email however the Sesotho advert was withdrawn whilst other languages adverts continued to be aired. E.g isiXhosa/isiZulu.	Mis-pronouncement of the Sesotho terms on the advert by Multichoice and the subsequent withdrawal of it which could only indicate that the violator noted the error.
Mpumalanga	KPI	Complaints Received <i>(name of the case)</i>	Nature of the case and its Assessment	Resolved / Pending <i>(select one)</i>	Approach violator and consider response	Findings



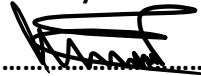
			<i>(Provide the type of complaint received: general/education/etc.)</i>	<i>(provide brief summary of the resolution or reason for pending)</i>	<i>(Did you write to/notify the violator? What was the response?)</i>	<i>(observations or outcome of investigation)</i>
	Publications on linguistics human rights matters	isiNdebele NLB vs Dis-chem(Mpumalanga) (Ref No. 2020/10/01-001MP) Discrimination of isiNdebele language exclusion by Dis -chem Pharmacy on their adverts of carry bags. The IsiNdebele NLB felt that their language must be included like other Languages in the advert of their carry bags because Dis -chem served their own clients which predominantly were situated in the Mpumalanga precinct.	Linguistic Human Rights Violation of exclusion of isiNdebele by Dis-chem in their carry bags (Mpumalanga)	The letter was received by the office through the NLB Chairperson and despatched to Dis-Chem to attend the violation. The matter was mediated by the Mpumalanga Provincial Office and resolved Case resolved	The letter was written to violator – Dis-Chem. The violator responded positively, apologised and acknowledged the oversight.	The violator acknowledged the language discrimination /exclusion of isiNdebele.
Head Office	<u>KPI</u>	<u>Complaints Received</u> <i>(name of the case)</i>	<u>Nature of the case and its Assessment</u> <i>(Provide the type of complaint received: general/education/etc.)</i>	<u>Resolved / Pending</u> <i>(select one)</i> <i>(provide brief summary of the resolution or reason for pending)</i>	<u>Approach violator and consider response</u> <i>(Did you write to/notify the violator? What was the response?)</i>	<u>Findings</u> <i>(observations or outcome of investigation)</i>
	Publications on linguistics human rights matters	Ikwekwezi FM vs PanSALB Head Office (Ref No. 2020/10/15 -001HO) Misrepresentation of PanSALB by the former isiNdebele Chairperson, Ms NM Masombuka	The nature of the case was general but the interview conducted was addressing linguistic related matters. Linguistic violation and misrepresentation of PanSALB by former isiNdebele Chairperson, Ms NM Masombuka	The case was resolved amicably after both parties agreed to the term and conditions set by the complainant governing radio interviews/communication flow. Case resolved	The violator was approached by PanSALB through a formal letter and the complainant acknowledged misrepresentation.	Misrepresentation by the former Chairperson of isiNdebele during radio interview. Audio recordings were received as evidence. Apology letter was issued by the violator as well as carrying out live apology on air - Ikwekwezi FM

Overall Summary of the Publication of Linguistic human rights matters.

The following cases were published on PanSALB website and would also be included in the Annual Report 2020/2021:

- Snega (Daniel Mokwa) vs African Rainbow Life (**Ref No. 2020/06/30-002NW**)
- Seleka vs Matjekane (Group of Medical Doctors of Clin-Med) (**Ref No. 2020/04/28-001NW**)
- TT Maligavhada v/s Pharos Multilingual Illustrated Dictionary (**Ref No: 2021/03/15/001LP**)
- Jika-Jika-Balarane vs Littlewood Primary (**Ref No. 2020/11/05-001WC**)
- Dr M Jadezweni vs Clicks (**Ref No. 2020/05/28-001WC**)
- Davids vs University of Cape Town (**Ref No.2020/10/29-001NC**)
- PanSALB vs Multichoice (**Ref No. 2020/07/01-001FS**)
- isiNdebele NLB vs Dis-chem (**Ref No. 2020/10/01-001MP**)
- Ikwekwezi FM vs PanSALB Head Office (**Ref No. 2020/10/15-001HO**)

Verified by:



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Mr WP Manana
NW Provincial Office Senior Manager

07/04/2021

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Date:

Approved by:

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Mr JJ Dantile
Executive Head-Languages

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Date:

42 Proctor Avenue Street
Golfview
Mahikeng
2745
Cell: 079 888 4443
E-mail: panw@pansalb.org

