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(English)

EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

COMMENT - INFORMATION

**Submitted to the Committee of Experts
in accordance with paragraph 2 of Article 16 of the Charter**

UNITED KINGDOM

Comment submitted by Scots Tung

INTRODUCTION

In accordance with paragraph 2 of Article 16 of the European Charter for Regional or Minority Languages, legally established bodies and associations may submit comments/information for the attention of the Committee of Experts for the Charter. The purpose of these comments is to draw the Committee's attention to matters relating to the undertakings entered into by that Party under Part III of the Charter, or concerning state policy pursued by a Party in accordance with Part II of the Charter.

After consultation with the party concerned, the Committee may take into consideration the content of this information in their report to the Committee of Ministers of the Council of Europe.

This comment was submitted by Scots Tung, UK. The Committee is invited to examine the enclosed comment.

**EXTRACTS TAKEN FROM THE UK'S PERIODICAL REPORT TO THE
SECRETARY GENERAL OF THE COUNCIL OF EUROPE ACCORDING TO
ARTICLE 15 OF THE CHARTER FOR REGIONAL OR MINORITY LANGUAGES
AS IT APPLIES TO THE SCOTS LANGUAGE.**

Scots Tung's comments on the answers given by the Scottish Executive to the Secretary General of the Council of Europe with regard to the Scots Language are shown in boxes.

PART ONE

1. Please state the main legal act(s) whereby the European Charter for Regional or Minority Languages has been implemented in your State. If you so desire, please mention the general considerations which have guided your country in the ratification process.

The main legal acts which have enabled the UK to ratify the Charter are:

SCOTS

There is no legislation pertaining particularly to the Scots language.

2. Please indicate all regional or minority languages, as defined in paragraph (a) of Article 1 of the Charter which exist on your State's territory. Indicate also the parts of the territory of your country where the speakers of such language(s) reside.

SCOTS

There are Scots speakers throughout Scotland.

3. Please indicate the number of speakers for each regional or minority language. Specify the criteria for the definition of "speaker of regional or minority language" that your country has retained for this purpose.

SCOTS

The 1991 and 2001 Censuses did not include a question on Scots. However, surveys have indicated that 30% of respondents said they could speak Scots; a large proportion of the Scottish population speak Scots to a greater or lesser degree.

Scots is on a linguistic continuum with English. Many Scots literally switch between English and Scots in mid-sentence by using Scots words and Scottish grammar.

Comment:

The same could be said about switching between Scots and English in mid sentence. The 2001 Census did not have a question on Scots because the Scottish Executive did not want to put one in despite a long five year campaign by Scots speakers to have one. Perhaps they feel that if the true extent of Scots speaker numbers was officially established, it would become more difficult for them to continue with their present levels of suppressed resources not to mention their hidden suppression of the language itself.

4 Please indicate the non-territorial languages, as defined in paragraph (c), Article 1 of the Charter, used on your State's territory and provide statistical data concerning speakers.

Not applicable.

5 Please indicate if any body or organisation, legally established, exists in your State which furthers the protection and development of regional or minority languages. If so, please list the names and addresses of such organisations.

SCOTS

No answer.

Comment:

This means there are none for the Scots language though there are a number of such organisations for Welsh, Gaelic and Ulster Scots.

6 . Please indicate if any body or organisation has been consulted on the preparation of this periodical report. In the case of an affirmative answer, specify which ones.

SCOTS

No answer.

Comment:

This means that no-one was consulted on the preparation of this periodical report with regard to the Scots language and the quality of the answers could well indicate that answering these questions for Scots may have been left to a very junior civil servant with other things on his mind. Consultations were made however with bodies concerned with Welsh, Irish and Ulster Scots.

7. Please indicate the measures taken (in accordance with Article 6 of the Charter) to make better known the rights and duties deriving from the application of the Charter.

SCOTS/GAELIC

The Minister of State for Scotland, George Foulkes, issued a press notice on 27 March 2001 welcoming ratification of the Charter. Opportunities are taken to highlight the Charter in speeches given by Ministers.

Comment:

What has this answer got to do with the above question? No government departments, local governments, education authorities, media or indeed any other establishment body has been instructed, either verbally or in written form, about the rights and duties the Scots language should expect under Part II of the Charter. Measures have been taken in various degrees with regard to Welsh, Gaelic, Irish and Ulster Scots.

PART TWO

1. Please indicate what measures your State has taken to apply Article 7 of the Charter to the regional or minority languages referred to in paragraphs 2 and 4 of part I above, specifying the different levels of government responsible.

Article 7: Objectives and principles

1. In respect of regional or minority languages, within the territories in which such languages are used and according to the situation of each language, the Parties shall base their policies, legislation and practice on the following objectives and principles:

a) the recognition of the regional or minority language as an expression of cultural wealth;

SCOTS

National Guidelines on the education of 5-14 year-olds advocate the inclusion of Scots literature in the Scottish curriculum, and the teaching of a proper awareness and appreciation of the language. The Scottish Consultative Council on the Curriculum produces teaching materials in support of this inclusive policy.

Comment:

The guidelines and Scottish curriculum referred to above are not compulsory in Scotland and adherence to them is left up to the individual teacher. Note that it is only awareness and appreciation that should be taught. There is no suggestion of teaching children the Scots language. ie. Speaking, reading, writing and understanding the Scots language. The major teaching resource produced by the, now renamed, SCCC is called "The Kist". It has been out of print for a number of years now and there are no plans for a reprint despite a growing demand by teachers.

- b) the respect of the geographical area of each regional or minority language in order to ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of the regional or minority language in question.*

SCOTLAND

No answer.

Comment:

No answer has been given for the Scots language but answers have been given in respect of Welsh, Irish, Ulster Scots, Gaelic and even “community identities” in England.

- c) the need for resolute action to promote regional or minority languages in order to safeguard them*

SCOTS

The Sport, the Arts and Culture Division of the Scottish Executive Education Department is responsible for providing policy advice, support and guidance to Ministers, colleagues and others on issues relating to Scottish Gaelic and Scots.

Comment:

Note that there is no mention of which resolute action this department has recommended because there is none. Scots is usually buried within Arts and Culture and seldom referred to by name. Compare this answer with the ones given for Welsh, Irish, Ulster Scots and Gaelic.

- d) The facilitation and/or encouragement of the use of regional or minority languages, in speech and writing, in public and private life***

SCOTS

No answer.

Comment:

There are a couple of positive answers the Scottish Executive could have given here with regard to Scots but they are not interested enough in the language to make the effort and Scots Tung is certainly not going to do their work for them. On the negative side, they have decided that signage in the new Scots Parliament building will be restricted to English and Gaelic even though Scots is the biggest spoken language in the UK after English. Scottish government leaflets are normally offered in Gaelic, Cantonese, Punjabi, Hindi, Gujurati as well as English but never in Scots. British government leaflets are offered in Gaelic, Arabic, Bengali, Welsh, Gujurati, Hindi, Punjabi, Urdu, Chinese, Vietnamese, Greek, Turkish and Somali but never in Scots. A week or two ago, a Sheriff in Stirling Sheriff Court refused to allow an accused teenager to use the Scots “aye” and insisted he must use the English “yes” while in HIS court. Comparison with the answers given for the other four minority languages shows clearly which language bears the brunt of linguistic suppression.

- e) The maintenance and development of links, in the fields covered by this Charter, between groups using a regional or minority language and other groups in the State employing a language used in identical or similar form, as well as the establishment of cultural relations with other groups in the State using different languages***

SCOTS

Scottish Gaelic and Scots are also represented on the UK Committee of the European Bureau for Lesser Used Languages.

- f) the provision of appropriate forms and means for the teaching and study of regional and minority languages at all appropriate stages***

SCOTS

No answer.

Comment:

No provision has been made except reference to the answer to 7.1(a). Teachers are not trained to have skills in teaching Scots.

- g) *the provision of facilities enabling non-speakers of a regional or minority language living in the area where it is used to learn if they so desire***

SCOTS

No answer.

Comment:

No provision at all has been made for Scots though all the other languages are provided for. This discriminates against both native speakers and potential learners.

- h) *the promotion of study and research on regional or minority languages at universities or equivalent institutions***

SCOTS

The Scots language and literature may be studied at a number of universities in Scotland. The Scottish Arts Council provides funding in support of the Dictionary of the Older Scottish Tongue, the Scottish National Dictionary Association and the Scots Language Resource Centre. The two dictionary bodies are merging into a new Scottish Language Dictionaries body with effect from 1 May 2002.

Comment:

Funding for Scots is provided by the Scottish Arts Council (treating Scots as an art form rather than a language) whereas funding for the other languages is provided directly from the Scottish or British Governments. Lack of research reinforces the policy of neglect through omission carried out by the British and Scottish governments.

- i) *the promotion of appropriate types of transnational exchanges, in the fields covered by this Charter, for regional or minority languages used in identical or similar form in two or more States***

SCOTS

No answer.

Comment:

The Scottish Executive has failed to set up any official Scots language institution whereas the British government does have one for Ulster Scots therefore no transnational exchange can be initiated by the Scottish Executive.

- 2. *The parties undertake to eliminate, if they have not yet done so, any unjustified distinction, exclusion, restriction or preference relating to the use of a regional or minority language and intended to discourage or endanger the maintenance or development of it. The adoption of special measures in favour of regional or minority languages aimed at promoting equality between the users of these languages and rest of***

the population or which take due account of their specific conditions is not considered to be an act of discrimination against the users of more widely used languages.

There is no legislation or public administration rule/practice in Scotland or Northern Ireland that supports any unjustified distinction, exclusion, restriction or preference relating to the use of regional or minority languages and intended to discourage or endanger the maintenance or development of such languages.

Comment:

The Scottish Parliament Corporate Body has ruled that the maximum number of languages that can appear on signs is two and therefore only English and Gaelic will be allowed to appear on notices and signs within the new parliament building and, though Scots is the next biggest language after English, it is to be left off. They claim to base this decision on a belief that this is the normal practise in other European institutions. Both the Scotland Office and the Scottish Executive in the recent past have refused to print leaflets in Scots along with the other minority languages on the grounds that "It is not the policy of the Scotland Office/Scottish Executive to have leaflets published in Scots." No reason or explanation for having such a policy was given.

- 3. The parties undertake to promote by appropriate measures, mutual understanding between all the linguistic groups of the country and in particular the inclusion of respect, understanding and tolerance in relation to regional or minority languages among the objectives of education and training provided within their countries and encouragement of the mass media to pursue the same objective.***

The Scottish Executive's National Cultural Strategy states that: "A wide range of languages other than English, Scots and Gaelic is spoken in Scotland, representing the culturally diverse nature of the population and recent patterns of settlement. It is important that there are opportunities for all Scots to celebrate their language and traditions and to participate fully in the cultural life of their own community and of Scotland. The different languages and dialects spoken in Scotland provide clear links with the family and community traditions which enrich our culture."

Comment:

The Scottish Executive's Cultural Strategy remains just words on a piece of paper. Nothing has been done to implement these ideals and no appropriate measures have been undertaken to promote them. If they ever get round to undertaking any of them in the future, you can be sure that, based on past practices, Scots will be the only language left out. Nothing has been done to persuade the mass media to pursue the same objectives outlined in this question.

4. *In determining their policy with regard to regional or minority languages, the Parties shall take into consideration the needs and wishes expressed by the groups which use such languages. They are encouraged to establish bodies, if necessary, for the purpose of advising the authorities on all matters pertaining to regional or minority languages.*

No answer.

Comment:

Over the last five years, little or no consideration has been taken by the Scottish government of the needs and wishes expressed by groups which use Scots. Their refusal to include a question about Scots in the 2001 Census is a case in point. They have not encouraged the establishment of an advisory body on Scots but have allowed the formation by others of a Parliamentary Cross Party Group on Scots. The fact that this does not appear in their answers to the Secretary General is another indication of how little interest they really have in the Scots language and how little effort they are prepared to put into meeting the requirements of Part II as they apply to the Scots language.

5. *The parties undertake to apply, mutandis mutandis, the principles listed in paragraphs 1 to 4 above to non-territorial languages. However, as far as these languages are concerned, the nature and scope of the measures to be taken to give effect to this Charter shall be determined in a flexible manner, bearing in mind the needs and wishes, and respecting the traditions and characteristics, of the groups which use the languages concerned.*

Not applicable.

CONCLUSIONS BY SCOTS TUNG

Part II of the European Charter for Regional or Minority Languages, **as it is presently applied to the Scots language by the Scottish government**, appears to be hardly worth the paper it's printed on.

Resistance to giving resolute support to the Scots language by the government and other establishment bodies appears to be motivated by a fear, real or imagined, that a stronger Scots language might be a threat to the dominance of English in this country. A strong Gaelic language is not seen as posing such a threat to the dominance of English. However, because the majority of speakers in Scotland use either Scots or a form of Scots which lies somewhere along a continuum between Scots and English, there is a fear in some circles that too much support for the language will move the centre of gravity of Scottish speech away from the English end of that continuum and therefore, by giving Scots people a better awareness and understanding of their own cultural identity and perhaps exposing some of the reasons why their language was suppressed in the first place, weaken their links and loyalties to the UK.

As we state earlier, comparison of the answers given for Scots with the answers given for the other four minority languages shows quite clearly which language bears the brunt of linguistic suppression for whatever reason.

Scottish politicians go to great lengths to show that they are not unpatriotic, eg by signing and ratifying the above Charter, but actions speak louder than words and the Scottish government's lack of actions says more than anything else about its true hidden agenda with regard to the Scots language.

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