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‘BURYING ALIVE’: UNFOCUSSED GOVERNMENTAL
LANGUAGE POLICY AND SCOTS

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ABSTRACT. In 2001, the United Kingdom government ratified the European Charter for Regional or Minority Languages, recognising Scottish Gaelic, Welsh and Irish under Part III of the Charter, but Scots, in Scotland and Ulster, only under Part II. It may be that this distinction is representative of the *dialectalised* nature of this language in relation to its near relative, Standard English. Nevertheless, this paper demonstrates that implementation of language policy on Scots at all levels of government – European, United Kingdom, Scotland and local – has been half-hearted, ill thought-out and buried in a swathe of other ‘cultural’ issues. Whilst it would be impossible to prove actual animus against the language by governmental actors, it is likely that prevailing sociolinguistic attitudes towards the vernacular’s status have encouraged the ineffectual nature of policy towards Scots.

KEY WORDS: Europe, Scotland, Scots, United Kingdom

INTRODUCTION

By the middle of the 16th century, Scots, the native Germanic vernacular of Scotland, was in the process of standardisation; the language was used at all levels of the royal administration, as well as being employed in literature of considerable quality and diversity. By the end of the 18th century, however, Scots, in its various dialects, had been placed in a diglossic relationship with its close relative Standard English, the latter being used as the language of authority and report. Scots had maintained a literary presence, however, being employed in poetry and in dialogue in novels. In Kloss’ terms (1967: 35–36), an *Ausbau* process had been converted by social and political developments into a state of *dialectalisation*. This position was reinforced by the development during the 18th century of Scottish Standard English, a variety which is Scottish primarily in its accent, although elements of Scots lexis and structure are still present in most speakers’ repertoire, whether overtly or covertly (Aitken, 1979).

With the growth of urban areas in the 19th and 20th centuries, a dichotomy began to develop (as elsewhere) between ‘good’

country dialects and ‘corrupt’ urban ones – a view shared by many speakers of both varieties. In a country which, by the middle of the nineteenth century, was highly literate in Standard English, a continuum inevitably developed between ‘dense’ Scots (McClure, 1979) and Scottish Standard English; a continuum along which speakers moved, to a greater or lesser extent, depending on the context. By the end of the twentieth century, in urban dialects in particular, the ‘barrier’ between Scots and colloquial English, never entirely impermeable, had been completely broken. Much traditional lexis was lost in this process (Macafee, 1994). Scots had, to a very large extent, become a socially conditioned dialect, prone to exactly the same centripetal forces as other English dialects.¹

In the same century, however, the literary tradition, which had become associated to a large extent with sentimentality, was revived by the use of Scots in modernist poetry which consciously made the equation between language and nationhood (McClure, 2000). The vernacular’s use in non-literary prose was limited only to some elements within the activist movement, however (Millar and Weyland in preparation).

It was in these less than favourable circumstances that the first positive language policy towards Scots was mandated by the ratification in 2001 of the European Charter for Minority or Regional Languages by the United Kingdom Government. As part of the same process, the newly formed Scottish Executive created a cultural strategy, *Creating our future... ...Minding our past* (Scottish Executive, 2000a), which offered some support to Scots. As this paper will demonstrate, however, the policies instituted for Scots were ill thought-out, often contradictory and ‘buried’ in a range of other measures. Whether this ‘burying alive’ represented an active animus against the vernacular or merely confusion and faulty prioritisation will also be considered.

EUROPEAN LANGUAGE POLICY AND SCOTS

Perhaps the most important pan-European institution in relation to minority language rights is the Council of Europe. Nevertheless, it was not until the 1980s that legislation on these matters was considered, and, only after a lengthy process, that the European

¹ This dialectalisation process has been well-covered in the literature; interested readers might wish to turn in the first place to Millar (2005: 89–91, 189–98).

Charter for Regional or Minority Languages was published in November 1992.²

Despite earlier reservations (Scheidhauer, 2001: 12), this Charter was ratified by the United Kingdom in 2001. In the articles of ratification, a distinction is made between the provisions intended for the different 'regional or minority languages' of the United Kingdom. Welsh, Gaelic and Irish are treated according to Article 2, paragraph 2 of the Charter. This implies that Part III, dealing with the practicalities of application, according to choices made by the government, comes into force. Scots and Ulster Scots are covered under Article 2, paragraph 1 of the Charter, however.³ This means that only Part II of the Charter is applied.

Only applying Part II is unusual: the Netherlands, Sweden and Spain being the other main examples. With the first, whilst Frisian is recognized under Part III, Lower-Saxon, Limburger, Yiddish and Romanes are only recognized under Part II. With the first two languages, their partial dialectalisation might make a more focussed treatment problematical, as is also the case with Scots.⁴ With the latter two, their non-territorial language status makes actions on their behalf difficult; this may also explain why the Swedish government only extends Part II protection to Romani Chib and Yiddish (Hult, 2004). Similar distinctions are made between the *Ausbau* languages of Spain – Basque, Catalan and Galician – and more marginal languages, such as Asturian (Fernandez, 2004). On all occasions, however, there is considerable evidence that each government has invested time, money and thought in the promotion of their Part II languages. What, then, does Part II protection offer to a language?

² Chronologies for the developments which led up to the publication of this treaty can be found in Moreno (2001) and Grin (2003: 55–58). A rather darker view is taken by Scheidhauer (2001).

³ In all documentation, the United Kingdom Government (and, presumably, its devolved organs) maintains an absolute distinction between the Scots dialects of Scotland and Ulster. Although a strong case could be made for this absolute distinction being flawed, the terminology has been maintained in order to present more clearly the differences in policy measures taken towards the same language in Northern Ireland (and, indeed, the Republic of Ireland) and Scotland.

⁴ The second Periodical Report from the Netherlands Government (2003) provides more material on what is known about these languages in terms of speaker numbers and what is actively being done to maintain and promote the Part II languages than any United Kingdom document does for Scots. Van der Goot (1999: 32) discusses the decision-making processes of the Netherlands Government over what constituted a *language*, before the Charter was ratified, also strikingly different from what happened in Scotland.

PART II OF THE CHARTER

Section 1 (c) of Part II (Council of Europe, 1992a), recognising ‘the need for resolute action to promote regional or minority languages in order to safeguard them’, stands as a summary of the following sections.⁵ The onus is placed upon a government to take ‘resolute action’ for maintenance and promotion of a language. Three sections (f, g and h) deal specifically with language use. For native speakers, this implies both learning about and using the language ‘at all appropriate stages’ (a phrase left open to government interpretation); at university level, only ‘promotion of study and research on regional or minority languages’ is required, not, it would seem, education *through* the language. Provision is also required for teaching a language to non-native speakers. A more holistic approach is suggested by section (d), dealing with the ‘facilitation and encouragement’ of the language in both written and spoken forms in a wide range of domains.

A central criticism of these objectives is that they are too general, perhaps even vague, to act as a blueprint for action, at least without the specific provision guaranteed by Part III. This trait may result from the need to produce a document which would suit the ideologies of most European states.

Section 2 of the article demands an end to the state sponsorship or tolerance of linguistic prejudice. It points out that favourable policy for lesser-used languages ‘is not considered to be an act of discrimination against the users of more widely used languages’, allaying fears that these stipulations run counter to any equal opportunities legislation a state has or the ideology of homogenous egalitarianism some states espouse. These negatively phrased commitments are countered by section 3, which requires the signatory to foster ‘respect, understanding and tolerance’ for the languages in question in the education process and the mass media.

Many of the points raised up to this point are concerned only with government actions, inevitably external to the minority speech community. In Section 4, however, a more democratic approach to language policy is taken (a central prop to any such venture, as Grin (2003: Chapter 8) proposes). Particular stress is given to consultation with language activists and native speakers, perhaps including the

⁵ Sections (b), (e) and (i) are rendered redundant by the fact that – with the exception of the Scots dialects of Ulster – Scots is confined to Scotland.

establishment of bodies to advise ‘the authorities on all matters pertaining to regional or minority languages’.

In Part IV, periodic reports to the Secretary General of the Council of Europe on application measures by the contracting state are required (Council of Europe, 1992a: 15, Section 1); these must be made public. Again, policing of application might appear confined to bodies external to native speakers. A Committee of Experts are therefore appointed to assess the periodic report in relation to the Charter as a whole. Moreover, the Council of Europe, through its Committee of Experts, expressly wishes to take into consideration the views of a language body, or bodies, independent of governmental authority (Council of Europe 1992a: IV, Sections 1–2).⁶

UNITED KINGDOM APPLICATION OF THE CHARTER⁷

The first periodical report from the United Kingdom Government was received by the Council of Europe in July 2002. It follows a near-standard pattern, roughly mirroring the first three sections of the Charter. In the report, support given to each recognised language is generally outlined, although this is not always done for Scotland.

In the preamble (United Kingdom Government, 2002), the present governmental structure of the United Kingdom is explained; the devolved authorities have responsibility for the Charter’s implementation. This may explain why the report occasionally seems disjointed: separate units have composed separate parts.

From its first laconic mention – ‘[t]here is no legislation pertaining particularly to the Scots language’ – Scots is treated perfunctorily in comparison to the level of detail provided for the Part III languages and Ulster Scots. We are told that ‘There are Scots speakers throughout Scotland’; no figures on speaker numbers are available, however, because there is no question on Scots on the census. The linguistic continuum mentioned above is used as an explanation for this.

When asked for details on bodies which further ‘the protection and development of regional or minority languages’, the section

⁶ The selection and remit of the Committee are discussed in Council of Europe (1992b): Section 131.

⁷ This paper was essentially completed before the United Kingdom Government submitted its second report in June 2005. Since the Committee of Experts will not present their report for some time, it was felt better to leave this document for a later discussion.

headed 'Scottish Gaelic/Scots' includes no mention of Scots at all; this also happens in response to question 7 on 'the measures taken ... to make better known the rights and duties deriving from the application of the Charter'.⁸ This contrasts with the citation of *Tha Boord o Ulster Scots*, the promotion body for that variety set up as part of the Belfast Agreement, in the Northern Ireland section of the Report. This lack of detail is matched in the response to the inquiry whether 'any body or organisation has been consulted on the preparation of this periodical report', demonstrating that this did not happen in Scotland (see also Dunbar, 2003: 47), unlike in Wales or Northern Ireland.

In Part II, reference is made to Article 7 of the Charter. The signatory is asked to describe its policies in promoting 'the recognition of the regional or minority language as an expression of cultural wealth'. The reply for Scots is:

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.

With the exception of the section on Irish/Ulster Scots, where the Belfast Agreement is quoted, the United Kingdom Government appears to view recognition of regional or minority languages 'as an expression of cultural wealth' in terms of how much they are taught in schools.

When asked specifically about promotion and maintenance efforts, Gaelic and Scots are again placed together. The Gaelic discussion describes concrete action, mainly connected to relatively impressive funding for broadcasting. In comparison, Scots is treated as an addendum, with no discussion of potential or actual funding for the language. Given the different relationship between language, politics and culture in Northern Ireland (Allan, 2000), Ulster Scots receives a great deal more attention. In response to inquiries on 'the use of regional or minority languages, in speech

⁸ The responses to sub-section (g), on 'enabling non-speakers of a regional or minority language living in the area where it is used to learn if they so desire', and to sub-section (i), on 'the promotion of appropriate types of transnational exchanges ... for regional or minority languages used in identical or similar form in two or more States' no mention of Scots is made. With (i), the fact that Scots is only spoken in Scotland and Ireland might have encouraged its exemption, particularly since the discussion of Gaelic for this sub-section mentions Gaelic in Canada. More vitally, however no teaching of Scots to non-native speakers is mentioned.

and writing, in public and private life', the ways in which the Scottish Executive (and other organizations, such as the Scottish Arts Council) supports and promotes Gaelic are enumerated. There is no mention of Scots. This is also true for the response to questions on the establishment of native speaker groups 'for the purpose of advising the authorities on all matters pertaining to regional or minority languages'. Scots appears, as elsewhere, an afterthought.

On the other hand, the report is more positive on the point of academic study of, and research into, the languages. In fact, on this occasion, Scots receives as much attention as Gaelic, as it is connected in particular to the production of dictionaries. This point will be discussed further below.

The remainder of the initial periodical report is concerned with the implementation of Part III of the Charter, and therefore makes no reference to Scots.

THE COMMITTEE OF EXPERTS' REPORT

The Committee of Experts' Report on the United Kingdom implementation of the Charter was presented to the Secretary-General of the Council of Europe in March 2004.

In Chapter 1, the Committee describes their method, which included both a judgement of the United Kingdom Government's initial periodical report, as well as visits to the areas concerned. A brief résumé of the histories, numbers of native speakers and status of the various languages and territories concerned is also given. Yet even in this chapter, it is noted (Committee of Experts, 2004: Section 35) that 'within the devolved government of Scotland, there seems to have been a lack of clarity as to which undertakings apply to Scottish Gaelic'. Although reference is made on this occasion only to Gaelic, the Executive's lack of co-ordination and its results are not ignored.

The Committee also notes the comparatively weak position of Scots in relation to both the Part III languages and Ulster Scots (Committee of Experts, 2004: Section 45):

There is no official policy for Scots and the authorities, whether at local or regional level (Scotland), have not taken any steps to protect the language. There is no domestic legal provision guaranteeing the promotion and protection of Scots, which makes it very difficult to provide a stable foundation for the language in public life. The UK authorities have recognised Scots through the ratification of

the Charter but there is a real need to initiate a process to clarify how the users of Scots would like the authorities to support the language and thereby begin to implement the Charter for Scots.

This point is returned to on a number of occasions (for instance, Committee of Experts, 2004: Sections 54, 64, 73 and 91; see also Dunbar, 2003: 48, where it is noted that the lack of an ‘umbrella’ organization makes communication difficult for governmental organisations at any level). Particularly striking is their comment on official educational provision for the language (Committee of Experts, 2004: Section 69), which notes that:

... the national guidelines are not compulsory and teachers are not obliged to include the Scots language in their programme, even if it has been encouraged officially through these guidelines. The Committee of Experts has been informed that there are no Scots classes in primary or in secondary schools, and, in the few cases where the language is taught, the teaching relies on the initiatives of individual teachers. Some literary works in Scots are included in the English curriculum.

Whilst this passage tries to be fair, its indictment of voluntarism masquerading as policy is irrefutable, as is their highlighting of the lack of central co-ordination.

Yet despite the regular and (diplomatically) harsh criticism of this (lack of) policy, it is dispiriting that the United Kingdom Government’s response (United Kingdom Government, 2004) makes no mention of (mainland) Scots at all. Although the Scottish Executive and Parliament have not been as supine as this suggests, the absence of response is indicative of the status of the language for policy makers and governmental actors. It may also reveal fundamental misunderstandings (common, as we will see, in a state – and language-speaking area – where language planning and policy has been largely *circumstantial* rather than *engineered*, Joseph, 1987: 60–2). De Varennes (2002: 19) suggests:

... that a lot of the situations where the committee of experts has raised concerns involve not bad faith in the implementation of the charter, but simply a lack of appreciation of the type of specific regulations and legislative measures which ought to be in place.

Whether this is the case in the Scottish situation will be returned to in the following.

The brief report produced by the Committee of Ministers (Committee of Ministers, 2004) in response to the Experts’ findings includes as its seventh recommendation that the ‘British authorities ... as a matter of priority’ should ‘create conditions for the use of Scots and Ulster Scots in public life, through the adoption of a language policy and concrete measures, in co-operation with the

speakers of the languages.’ Bearing this in mind, we will now turn to what policies United Kingdom (and, specifically, Scottish) governmental actors have pursued recently in relation to Scots.

UNITED KINGDOM GOVERNMENTAL LANGUAGE POLICY AND PRACTICE

Official language policy has rarely been viewed as necessary by the United Kingdom Government. It is not so much that governmental actors at least overtly *oppose* maintenance and promotion; rather, the need for actions of this type has not struck them. This lack of awareness is symptomatic of the political traditions from which government in Scotland derives; they can still be seen in the views expressed by Mike Watson MSP (Watson, 2002), then Minister for Sport, Arts and Culture, in refusing to accept that government might ‘interfere’ in language provision.

From the early 1990s, language activists from a variety of different backgrounds campaigned for a question on Scots in the Scottish version of the United Kingdom Census. This request was investigated by the General Register Office for Scotland which, with the help of activists, conducted pilot surveys in 1996. The final report (Máté, 1996) recommended that no question be included because of speakers’ problems in defining ‘Scots’. As Macafee (2000) points out, these findings are flawed, largely because the researcher was a sympathetic observer without a sufficiently strong sociolinguistic background.⁹ The idea of a census question on Scots was dropped.

With devolution in 1999, both individual activists and a variety of Scots language organisations attempted to tackle the Executive on this matter. No change was considered, however. Moreover, in the policy on Scots which the Executive promoted in its Cultural Strategy, no mention of this problem of definition, and how this might be solved, was made.¹⁰

SCOTTISH GOVERNMENTAL LANGUAGE POLICY

This transfer of ideology from unitary British state to the newly devolved government demonstrates the level to which the new system

⁹ A discussion of the process of the survey can be found in Horsburgh and Murdoch (1996); preliminary findings were presented in Murdoch (1995).

¹⁰ Perhaps the most positive result of the Census campaign was the eventual creation of the Cross Party Group, of which more will be said in the following.

inherited the position of language policy in its strategy hierarchy from its forebears. Closer examination demonstrates, however, that the Scottish Executive *does* have an embryonic language policy embedded in its cultural strategies. Whether these are helpful for maintenance and promotion for Scots is dubious.

In the Executive, responsibility for language policy has largely fallen inside the provision of the Sport, Arts and Culture division of the Education Department. A specific post of Minister for Gaelic exists (although the incumbent is responsible for a larger portfolio); no equivalent exists for Scots. Nevertheless, mention of both languages was present in the flagship publication of the section (Scottish Executive, 2000a). All of Scotland's language policy (with the partial exception of educational policy) stems from one paragraph:

Promoting Scotland's languages as cultural expressions and as means of accessing Scotland's culture

Language lies at the heart of any culture. A diverse range of languages and dialects is spoken in Scotland. English, as a dominant international language can be regarded as both asset and threat. It enables Scotland's citizens to communicate readily with the many English speakers from other countries while maintaining the identity associated with the distinctive Scottish accents. However, the dominant position of English arguably¹¹ has a negative effect upon Scotland's other languages and dialects and, more generally, upon people's motivation to learn languages of other countries. (Scottish Executive, 2000a: 6)

More coherent is the comment that:

The Executive values language diversity. National Guidelines 5–14 for schools recommend that all pupils should have opportunities to reflect upon their own use of language and to develop 'a conviction of the worth of their own accents and dialects'. They also recommend that teachers should foster 'respect for and interest in each pupil's mother tongue and its literature, whether English, Scots, Gaelic, Urdu, Punjabi, Cantonese or any other'. (Scottish Executive, 2000a: 6)

It may not be coincidence, of course, that this coherence is associated with educational policy, which was more advanced in this matter (Millar and Weyland, in preparation).

The autochthonous languages are also apparently placed within the same framework as languages of recent immigration. But while policy provision for languages of ethnic minorities is embedded in language policy as a whole (Scottish Executive, 2000a: 6), this is concerned with encouragement of group-external tolerance and

¹¹ This *arguably* is diplomatic rather than factual. There can be absolutely no doubt that the position of Standard English as *de facto* official language of Scotland has affected both national vernaculars negatively.

assistance for group-internal language maintenance. Nonetheless, this confusion over language remains in many official documents.

It is instructive to compare the proposed provision for the two languages:

Gaelic

Scottish Gaelic is unique to Scotland and is spoken by 1.4% of the population. The Scottish Executive values Gaelic as an important part of Scotland's living cultural heritage. It has a vigorous programme to encourage the use of the language and its transmission to the next generation. This involves specific grants for Gaelic-medium education, grants to a number of organisations concerned with Gaelic and with Gaelic culture, and funding for Gaelic broadcasting.

As a result:

There are now 59 primary schools offering Gaelic-medium education.

Improved teaching materials are being developed and steps are being taken to increase the supply of Gaelic-medium teachers.

Sabhal Mor Ostaig, the Gaelic college on Skye, provides a programme of courses related to and largely taught through the medium of Gaelic.

The Gaelic Broadcasting Committee currently funds about 160 h of Gaelic programmes annually.

Proiseact nan Ealan, [sic] successfully promotes Gaelic arts across a range of media.

The Task Force on Gaelic Broadcasting, chaired by Alasdair Milne, has recently proposed a set of measures for the development of a Gaelic broadcasting service.

Scots

The Scots language continues to be widely spoken today and has a long and important history. It is a living language, and is the subject of increasing academic study and discussion. A group of university staff and others concerned with both Scots and Gaelic have recently put forward a proposal for a centre for the languages of Scotland. This could provide a framework for the extensive data held on the languages by various bodies, including the Scottish National Dictionary, supported by S[cottish]A[rts]C[ouncil], and the Dictionary of the Older Scottish Tongue, supported by the universities. A feasibility study is planned. (Scottish Executive, 2000a: 6)

Perhaps in anticipation of Charter ratification (or because this had been standard practice for the former Scottish Education Department), commitment to Gaelic is significantly more concrete than to Scots, which focuses on academic initiatives with little immediate effect for status or acquisition planning. Scots seems visualised as a

commodity, marketable in terms of 'heritage', or as a subject for academic study, rather than as a living resource.

The language policy aspect of the cultural strategy finishes with a list of 'actions to promote the languages spoken in Scotland':

We shall:

Continue to support, where demand is sufficient, Gaelic-medium pre-school and primary education.

Examine the feasibility of a centre for the languages of Scotland covering Gaelic and the varieties of Scots which could incorporate the Scottish National Dictionary.

Ensure that through their initial training and continuing professional development, teachers are well prepared to promote and develop all pupils' language skills.

Continue to support the production of education resources which encourage language diversity and learning about all the languages spoken in Scotland.

Establish an action group to consider how the languages and cultural traditions of Scotland's ethnic minorities can be supported and how their contribution to Scotland's culture can be recognised and celebrated.' (Scottish Executive, 2000a: 6).

Whilst this is laudable, little Scots status planning (beyond anodyne statements about teacher training and the production of materials encouraging knowledge about the languages spoken) is proposed.

After the success of the governing coalition in the 2003 election, another language policy element was added:

We will develop a new focus for Scotland's languages recognising both our heritage and our diversity.

We will legislate to provide secure status for Gaelic through a Gaelic Language Bill. We will introduce a national language strategy to guide the development and support of Scotland's languages. We will give local authorities and other public bodies a responsibility to draw up a languages plan which reflects the communities they serve. (Scottish Executive, 2003: 43)

Whilst elements of this commitment have been achieved in local authorities' cultural provision and the Gaelic Language Act (2004), giving considerable official status and support to that language, no such strategy has yet been announced.

THE SCOTTISH PARLIAMENT AND LANGUAGE POLICY

As the forum from which the Executive derives its mandate, the Scottish Parliament also takes an interest in language; particularly through its Education, Culture and Sport Committee. Its conclu-

sions on Scots language policy can be found in Education, Culture and Sport Committee (2003):

... there needs to be a cohesive National Languages Policy. It is recognised that a lot of preparatory work would need to be done before introducing such a policy, but the overwhelming view is that a co-ordinated, systematic approach is the best solution to the problems highlighted. (Education, Culture and Sport Committee, 2003: Section 77; emphasis in the original)

In more general terms, the Parliament's web-site (<http://www.scottish.parliament.uk/home.htm>) – and also official documentation produced more traditionally – presents much of the material in a variety of languages: English, the autochthonous languages and a number of community languages. But it also states that telephone queries are only answered in English or Gaelic; again, this demonstrates prevailing sociolinguistic attitudes to Scots, more common as a demotic speech form in Edinburgh than Gaelic, in official circles.

This division between English (and to some extent Gaelic) and Scots is emphasised in the Scottish Parliament Corporate Body's Language Policy of 2004. This policy begins by stating that

The SPCB's view is that there are strong historical and cultural reasons for the Parliament to carry out work in Gaelic, as well as encouraging the use of Scots, and that there are strong access reasons for carrying out work in other languages, including sign language. (Scottish Parliament Corporate Body, 2004: 1)

Gaelic therefore has an official presence, whilst Scots is merely encouraged.

The rest of the document is concerned with when Gaelic can be used, working from the first precept that '[t]he normal working language of the Parliament is English' (Scottish Parliament Corporate Body, 2004: 1), and, moreover, that:

The Parliament legislates in English only. Therefore, all bills, delegated legislation and their accompanying documents must be in English. When an M[ember of the] S[cottish] P[arliament] or a committee wishes the SPCB to produce a translation of a bill they are introducing, and/or its accompanying documents, they must seek the prior approval of the SPCB. (Scottish Parliament Corporate Body, 2004: 1)

Despite this:

With the prior agreement of the Presiding Officer, MSPs may use any language in parliamentary debates. When MSPs use a language other than English or Scots, the SPCB will arrange interpretation.

With the prior agreement of the Presiding Officer, any person officially invited to address the Parliament may do so in any language. When they use a language other than English or Scots, the SPCB will arrange interpretation. (Scottish Parliament Corporate Body, 2004: 2)

Thus, although Gaelic is given extra rights in comparison with Scots in relation to the provision of signage in that language in the parliament building at Holyrood, the general assumption is that all MSPs will be able to understand Scots. This relationship is also recognised in rules on the use of the autochthonous languages in parliamentary debates, and how this is reported, with Scots being included verbatim (albeit in an *ad hoc* manner) in the *Official Report* without translation (as is the case with Gaelic). The close relationship between English and Scots is both a blessing and a curse.

A more forthright approach was taken by an independent group formed by MSPs and interested outsiders, the Scots Parliament Cross Party Group on the Scots Language, in a booklet on future parliamentary policy for Scots, which has at its heart concerns about full recognition for the language:

We cry on government in the UK as a signatory tae the Chairter tae dae awthing in its pouer tae uphaud an upheeze the Scots language as pairt o a coherent languages policy for Scotland unner the terms o the Chairter signed til. The principles outlined in the document, *Scots: A Statement o Principles*, pit forrit practical measures tae stert fulfillin thae obligations and ideals wi commitment unner the terms o the Chairter.

We speer, forby, for the Scots language tae be recognised unner Pairt III o the Chairter that serves tae translate intil precise rules the general principles affirmit in Pairt II, kennin this last matter tae be ane reservit tae the Westminster Pairlament. (Scots Parliament Cross Party Group on the Scots Language, 2003: 18–19)

It is striking that a policy document *about* Scots should be written *in* Scots (even if some of the grammatical elements in the ‘Scots’ represented suggest a translation from English). This may be normal in other lesser-used language situations; the fact that it is unusual with Scots speaks volumes about its official position.

We will return to our discussion of the language policy and language ideology of governmental actors in the conclusion to this paper. What needs to be recognised here, however, is that it is difficult to find coherent direction towards Scots in governmental strategy at any level. It is not that the language is not mentioned at all; rather, Scots is an addendum, mentioned in several contexts but rarely foregrounded. The results of these tentative – if not half-hearted – steps can be seen in the language policies – or lack thereof – developed in response by local authorities.

LOCAL GOVERNMENT POLICY

Local government in Scotland occupies an awkward position in relation to central government. Whilst most policy-making power resides at the centre, it is the actions of these local authorities which impinge upon the implementation of any policy. But Scotland is environmentally varied; policy implementation must balance awareness of this diversity with the need for consistency.

With this in mind, one of the first actions of the Executive was to conduct a survey of local authority cultural policy and activities. The resulting report (Scottish Executive, 2000b) demonstrated that few authorities had *any* cultural strategy. To remedy this, the Executive issued draft guidance on the implementation of its National Cultural Strategy (Scottish Executive, 2002). At the heart of this document is the requirement that:

[e]ach authority should:

Recognise and embrace the broad definition of culture and cultural provision outlined in Scotland's National Cultural Strategy.

Develop cultural policies and strategies/plans.

Relate these policies and strategies/plans to the National Cultural Strategy and appropriate policies in cultural (e.g. *Sport 21*) and other (e.g. social justice) fields ... (Scottish Executive, 2002: 2).

Tables on themes for cultural provision were also provided (Scottish Executive, 2002: 12–13; 14–16). The autochthonous languages are mentioned only in relation to *arts*, embedded in a range of activities representing rather smaller groupings within the community:

arts projects to support specific aspects of Scottish cultural identity (including Gaelic & Scots arts projects, gay & lesbian events, minority ethnic art projects).

and diversity:

Recognition and support for diversity, e.g.

Language.

Gaelic and Scots culture.¹²

Religion, including religious education/tolerance.

Multi-culturalism (including minority ethnic interests/needs for services, and contributions to local culture).

Equality issues (including gender, race, sexual orientation, age).

¹² Since *Scots* can be applied both to the language and the nation as a whole, this must represent (conscious or unconscious) elision.

This places language policy development within a greater range of issues, making it relatively easy for local authorities to overlook when producing policy. To be fair, the draft guidance document does include some paragraphs on support for the indigenous languages. Two of these deal in depth with concrete policies and strategies for Gaelic. Rather more vague (including even the name of the language or its status) is:

In addition, Scots and Doric language or dialect traditions are a feature of life in many parts of Scotland, and also have a distinct cultural role. A significant proportion of the writing which the Scottish Arts Council supports, including some of the literary publications, is in Scots. The Executive guidance on the curriculum stresses that pupils should learn to understand and appreciate Scots and that they should develop their ability in self-expression, including their proficiency in Scots. (Scottish Executive, 2002a: 69)

Again, the difference between the proactive policies expected for Gaelic and the restrained advice for Scots, interested more in heritage and comprehension, couched in creative terms, should be noted.

The recommendations which follow are also concrete on what is expected for Gaelic. No direct reference is made to Scots at all; instead, encouragement towards provisions for 'native languages' is made.

What, therefore, are the results of this lack of clarity in terms of the policies adopted towards Scotland's indigenous languages by local authorities?

In early 2005, a survey was made of the cultural provision of the 32 local authorities of Scotland, with the exception of Comhairle nan Eilean Siar (the Western Isles Council), officially bilingual in Gaelic and English since its establishment in 1975. Representatives of the councils were asked for direction to 'any material produced by the council, whether this be policy documents or minutes, referring to the council's policy towards the Scots language (or its local dialects)¹³ in particular and to language use in general. I am particularly interested in your response to the Scottish Executive's Cultural Strategy'.

Representatives of 16 councils replied with more than a perfunctory acknowledgment. Of these, the representative of Dundee (Dundee Council, p.c., 9 February 2005) stated that 'no mention of Scots or Gaelic was made to the Executive'; East Dunbartonshire Council's

¹³ In the case of the three local authorities of the North-East of Scotland (Aberdeen City, Aberdeenshire and Moray), the parenthesis 'often referred to as "the Doric" in this area' was added for the sake of clarity.

strategy dealt only with Gaelic (East Dunbartonshire Council, p.c., 11 February 2005), as did Argyll and Bute's (Argyll and Bute Council, p.c., 28 February 2005); North Ayrshire's response referred only to the provision of learners' Gaelic classes (North Ayrshire Council, p.c., 31 January 2005). West Dunbartonshire's (very brief) Cultural Strategy counts as one aim 'To promote Gaelic and other languages spoken in West Dunbartonshire' (West Dunbartonshire Council, 2004); Highland Council mainly concentrated its language policy on Gaelic learning, maintenance and promotion activities. Its representative stated that 'The Council does not have a policy or plans in relation to Scots language, though we will be outlining approaches to all lesser-used languages in our forthcoming Cultural Strategy' (Highland Council, p.c., 1 February 2005). West Lothian Council did not have specific policies towards Scots, but their response to the Cultural Commission 'indicates that we would be supportive of indigenous Scottish Culture' (West Lothian Council, p.c., 31 January 2005); Falkirk Council did not have a specific Scots policy, but did refer to their interpretation of the 5–14 Guidelines on English Language teaching, which included encouragement of the use and study of local varieties (Falkirk Council, p.c., 11 February 2005).

More information was provided by the remaining respondents. Orkney Council make some reference to their local dialects in their Heritage Development Plan (Orkney Islands Council, 2003). Perth and Kinross Council did not refer to language policy at all in their Cultural Strategy; the council was one of the main funding sources for the Scots Language Resource Centre in Perth and had, in the past, supported Scots maintenance and promotion, most notably in relation to the census campaign, however (Perth and Kinross Council, p.c., 3 February 2005). Aberdeenshire Council also supported the census campaign, as well as helping finance the annual Doric Festival (Aberdeenshire Council, p.c., 25 January 2005). An interesting example of revision due to consultation can be found in the Cultural Strategy Draft of Aberdeen City. The original draft did not mention Scots. In the summary of responses to this draft, however, it was stated that 'priority ... be given to the need to preserve and celebrate North East Scottish character, particularly Doric' (Aberdeen City Council, 2004).¹⁴

¹⁴ Material from Dumfries and Galloway Council (1999: 6) suggests that hesitations of this type are due to a wish not to exclude speakers of languages of recent immigration.

A rather more proactive stance is taken by Moray Council. Significantly, its policy dates from, and was implemented before, the initial consultation of the Scottish Executive in 1999. Its policies are described in the first place in a bold statement:

The teaching of Scots language and Scottish culture

The Moray Council recognises the value of the linguistic and cultural heritage of the people of Moray.

The Council supports the use of Scots language and encourages the recognition of its status as a language with an identity separate from that of English.

The Council encourages the permeation of Scottish culture (including Scots language) in all its education establishments. (Moray Council, 1999: 2; emphasis in the original)

It then moves on to specifically educational issues, clarified in a further seven pages. The strategy goes well beyond anything the Scottish Executive has proposed, envisaging not merely tolerance *for* and teaching *about*, but also teaching *of* and *through*, Scots.

Dumfries and Galloway Council are also proactive in terms of Scots provision. In their response to the national cultural strategy consultation, they state:

Dumfries and Galloway Council believes that efforts to promote and maintain the Gaelic and Scots languages should be supported. One of the most expressive writers in Scots, Hugh MacDiarmid, came from Langholm, and Dumfries and Galloway's writer in residence, Liz Niven, is helping to keep the language alive in the region's schools. (Dumfries & Galloway Council, 1999: 6).

The reference to creative writing should again be noted. They go on to say that:

English, Scots and Gaelic languages should have equal status as cultural assets, and due recognition should be given to the languages spoken by other communities within Scotland, such as those of South East Asia and the Indian sub-continent (Dumfries & Galloway Council, 1999: 7).

Perhaps the most striking and fullest response to the language policies suggested by the Executive's Draft Guidance for the National Cultural Strategy is in the report by the Director of Leisure Services of Angus Council (2002). The section of the report dealing with indigenous languages acts as a reasoned critique of the way in which the National Cultural Strategy frames its language policy:

The National Cultural Strategy recognises that 'Language lies at the heart of any culture.' This is encouraging to those concerned with the Scots tongue who recognise that the relevant issues are not just cultural and historical but bear on social

and democratic inclusion. There is a danger, however, that the cultural strategies adopted by local councils will arrange for the administration and delivery of events and exclude the possibility of the expression of self-critical thinking and action relating culture both to potential social and democratic development and/or to the lack of developments.

The National Cultural Strategy does not fully recognise the impoverished state of Scotland's indigenous languages, only that these languages exist. A determination to place the Scottish languages genuinely at the heart of our culture must be embedded in the National Cultural Strategy.

Moving on from these general observations, the report adds that:

In the Learning section in Table A (3.2.3) it is recommended that there be 'authority support for native languages/culture.' In the Learning Section at 6.6 the Gaelic language is recognised as singularly demonstrating Scotland's identity and Scots is mentioned in a way which suggests it is merely a dialect: 'In addition, Scots and Doric language or dialect tradition are a feature of life in many parts of Scotland ...'(6.6.16). The treatment of Scots advocated in the Learning section is not going to encourage local authorities to develop strategies to bring the language out of social disrepute nor to correct existing ignorance about the language.

The report recommends:

that a coherent policy be produced after consultation with the relative Scots language bodies at a national level and specific guidelines produced to enable local authorities to develop policy.

It is significant that these criticisms – levelled at language policy for Scots from a local perspective – should find resonances in the criticism from a European viewpoint, as discussed above. There is something missing in the centre.

The document continues with a series of principles and aims, dealing with the centrality of Scots to Scotland and the need for further recognition, in particular to alleviate the sociolinguistic status of Scots among its speakers. It connects ignorance about Scots specifically to flaws in the Cultural Strategy. Interestingly, it associates lack of recognition and promotion for Scots with adult illiteracy. Recognition and use of the language goes far beyond any cultural strategy: practical means of status raising are mooted.

What are we to make of the responses by the Scottish Local Authorities? Many councils do not appear to have formulated a language policy at all, or, if they have, have concentrated on Gaelic provision alone. These lacunae may be explained by how the Executive phrased their views on language policy in their advisory document. Those councils which have considered Scots are often those with a history of status planning activities predating the Cultural Strategy; their strategies are better thought out than the central

one. This may be because the areas in question – North–East and Southern Scotland – are where the most traditional dialects of Scots are spoken by a considerable portion of the community. Under these circumstances, their contact with Scots will be more natural and less cerebral than in the more rarefied environment of Holyrood.

CONCLUSION

Scots appears to be perceived essentially as an addendum to Gaelic by the Scottish authorities. Whilst the positive recognition of the language at European, United Kingdom and Scottish levels constitutes an advance, the practical steps taken have been limited, and generally focussed on either its literary use or research into its decline, thus encouraging the ‘outside looking in’ perception of Scots. The unwillingness of governmental actors, whether United Kingdom or Scottish, to include a question about Scots use in the 2001 Census is indicative of the lack of commitment felt in these circles towards language promotion, or even language maintenance. There can be little doubt that what passes for language policy on the part of United Kingdom and Scottish governmental actors has been poorly assembled and implemented in a half-hearted and contradictory manner. What is striking is that, whilst Gaelic has suffered somewhat from these flaws, it is Scots which has particularly lost out. Horsbroch (2000, 2002) assumes, quite understandably, that there has been an actively hostile attitude towards Scots – whether in terms of language policy or even language maintenance – on the part of at least some officials and members of the Executive and Parliament. There is certainly little evidence that these bodies have taken the issue of language policy for Scots seriously.

Although the criticism by the Committee of Experts of the United Kingdom Government’s (devolved to the Scottish Executive) application of the European Charter is to be welcomed, its recommendations on actions for Scots have been masked by a great many other recommendations in their report, so that Scots can be relatively easily overlooked (as the United Kingdom Government, 2004) chose to do in its response). Interestingly, similar ‘burial’ of recommendations for the language in a mass of other material may explain why so few Scottish local authorities have considered it necessary to produce a policy for the use and promotion of Scots in their culture strategies.

Yet it is all too easy to blame governmental actors for their lack of response to the very obvious need Scots has for status planning. This cannot be the complete answer. The social, cultural, historical and linguistic issues which lie at the heart of the ‘problem’ of Scots are exaggerated by other issues; otherwise, Scotland would find itself in a situation not dissimilar to that of Norway in the course of the 19th century. What makes the position of Scots problematical in the eyes of legislative and executive actors is both the language attitudes which many of them no doubt hold *and* the long-standing view that United Kingdom institutions do not willingly enter language policy and planning debates. When they have done so, at least since popular government was achieved, this has largely been due to the presence of a large, active and effective language movement demanding change, as was the case for Welsh (Ager, 2003: 160–164). As Millar and Weyland (in preparation) demonstrate, this has not been present for Scots.

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