I refer to the Committee’s call for evidence in relation to the above Bill, and submit the following views, focussing in particular on the question of whether the ballot paper should be in a bilingual (English/Gaelic) format.

I believe strongly that the ballot paper for the referendum on Scottish independence should be available in a bilingual format (Gaelic and English), and that the Bill should specify this. There are various reasons for this, many of which are incorporated in the attached PDF document which contains the substance of an e-petition (PE01483)¹ which I recently submitted for the attention of the Public Petitions Committee of the Scottish Parliament. While the e-petition should be referred to for the detailed arguments I set out, I can summarise the position as follows:

1. The Gaelic Language (S) Act 2005, which received all-party support in the Scottish Parliament, was passed “with a view to securing the status of the Gaelic language as an official language of Scotland commanding equal respect to the English language”

2. The Scottish Government has published a Gaelic Language Plan, prepared under the above legislation. It states that “when delivering services in Gaelic, we shall endeavour to ensure they are of a comparable standard and quality as those they provide in English” There is also a commitment to enhance the status of Gaelic by ...
   “ensuring that Gaelic is given an increased profile within Scottish public life …”

3. In a written reply to a Scottish Parliamentary Question² the Deputy First Minister stated that the Scottish Government does not plan to provide a Gaelic language version, and that the Electoral Commission in a recent test of a proposed question (in English) found that some voters who speak Gaelic as a first language had understood the question easily and experienced no difficulty in completing the ballot paper. In a recent reply from the Scottish Government to a letter I wrote to her following this response, I have been informed that the ballot paper arrangements in the Bill “replicates the standard arrangements in place at elections and referendums in Scotland and the U.K.” I would dispute this as my information indicates that in a referendum that took place in Wales in 2011, on the subject of the voting system for UK elections, the ballot paper was in both English and Welsh, so the precedent has already been set.

¹ Public Petition PE01483. Accessible at: http://scottish.parliament.uk/GettingInvolved/Petitions/petitionPDF/PE01483.pdf

4. The justification for promoting Scottish Gaelic is not about “an ability to understand English” but about “language rights” and “equality of respect between Gaelic and English”. Indeed, the use of Gaelic in a key constitutional process such as a referendum on independence – a question the Scottish Government has said is the most important question put to a Scottish electorate in more than 300 years – is necessary in order to maintain the relevance of the language as “an official language of Scotland”.

5. It is expected that the referendum electorate will include 16 and 17-year olds, some of whom will be products of the successful development of Gaelic-medium Education over the past 25 years. They deserve to have their education language given the due “recognition” and “respect” that the law says it should have.

6. It must also be remembered that the United Kingdom has ratified the European Charter for Regional or Minority Languages, and the Scottish Parliament and the Scottish Government must respect commitments made under the charter. Article 7(1) requires governments to base policies, legislation and practice on a number of principles, including the need for resolute action to promote Gaelic in order to safeguard it (c), and the facilitation and/or encouragement of the use of Gaelic, in speech and writing, in public, as well in private life (d). If the referendum is the most important decision to be taken in Scotland in 300 years, allowing those Scots who wish to use Gaelic to express their views on this matter must surely be the most important thing that the Scottish Government could do to satisfy commitments made under the Charter.

Leis gach deagh dhùrachd,

4 June 2013