

# The “C” word

We hear it a lot; the “C” word. It is a real swear word and highly offensive. We hear it a lot, in fact every day on radio Cornwall we hear it. Or rather every minute of every day Radio Cornwall describes our home, our land, our nation as... the “C” word. Yes, we are talking about “county”.

At every opportunity those who claim to govern us slip “county” into their flow, and our children from a very young age are taught that we live in a “county”. People are surprised, confused, and even affronted when Cornish people complain about its use, and yet seem not to appreciate or even comprehend what an affront “county” is to us!

“County” is a really offensive word to use to many Cornish people who know from our history that Cornwall has a unique status, so why is that? What is it about “county” that is so offensive to Cornish people?

Well first off, it’s inaccurate. While Cornwall is governed as if it were a “county”, our legal status is not the same and people seem to be unable to grasp this simple fact; the territory of Cornwall is a constitutional Duchy, with its own laws of governance. The oldest known charter of 1201 is a confirmation of existing rights from “ancient usage” which are mainly concerned with mining<sup>1</sup>. The Duchy itself was then formed in 1337, for: “the restoration of old honours”, and “Cornwall, over which awhile ago Dukes for a long time presided as chief rulers”.<sup>2</sup> This recognises that Cornwall was governed as a Duchy.

If you want further confirmation, the Duchy’s own solicitor summed it up in the nineteenth century like this, albeit couched in English terms: “The three Duchy Charters are sufficient in themselves to vest in the Dukes of Cornwall, not only the government of Cornwall, but the entire territorial dominion in and over the county which had previously been vested in the Crown”<sup>3</sup>. It is quite simple really – the laws of the Duchy apply in Cornwall, and the ultimate owner of all freeholds in Cornwall is the Duchy, regardless of the freeholds the Duchy holds (from itself) in Cornwall and from the English crown in England. So when the Duchy says it owns less than 2% of land in Cornwall, that is far from the point. The Duchy is Cornwall and Cornwall is the Duchy.

That is the constitutional, legal status of Cornwall, whatever you think of the Duchy, and whatever you think of the Duke. There are some in Cornwall who do not like the Duke much, and we will probably mention one or two reasons why this could be the case. I am sure there are some in Cornwall who would like to do away with the Duchy, but while they remain, the legal status of Cornwall is that of a unique Duchy, and it is because of our legal status as a Duchy that Prince Charles would not be prosecuted if he was stopped for speeding in his car, while Princess Anne can and has been!

So calling our home, our nation, our land a “County” is inaccurate, so what? Well, by calling the Duchy of Cornwall a “county”, our constitutional rights are being eroded, our status is reduced and we are marginalised and excluded from participation in civic life. You see, part of the legal constitution of Cornwall is our right to veto legislation made by Parliament. Our ancestors bought that right and it is theirs and their heirs, and all we Cornish are their heirs. That these rights exist is proven by the use of them by Prince Charles who, “by right of the Duchy of Cornwall” can override planning law in Cornwall, and enjoys crown immunity.

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<sup>1</sup> [https://en.wikisource.org/wiki/Charter\\_of\\_liberties\\_to\\_the\\_tinners\\_of\\_Cornwall\\_and\\_Devon,\\_1201](https://en.wikisource.org/wiki/Charter_of_liberties_to_the_tinners_of_Cornwall_and_Devon,_1201)

<sup>2</sup> Charter of 16th March 1337 <http://www.cornishstannaryparliament.co.uk/#6>

<sup>3</sup> 19<sup>th</sup> century Duchy preliminary statement <http://www.cornishstannaryparliament.co.uk/#1>

So Charles uses the Duchy law for his own benefit, and so it follows that the Cornish people also still have the rights as laid down in the Duchy charters and also what is known as the “Charter of Pardon”<sup>4</sup>.

The Duchy of Cornwall tries at every opportunity to make us Cornish forget that we are a constitutional Duchy, despite raking every last ounce of revenue and privilege from the legal fact of our constitution. This can be seen in the Duchy’s statement in the nineteenth century that confirmed Cornwall’s status as a Duchy while still calling us a “county” in the same sentence<sup>5</sup>. This could be why some people want it ended, since it is all one way because the Duke’s rights are maintained while the rights of the Cornish that flow from the same legislation are ignored.

Please take a moment to comprehend this; a whole nation, a whole people, have specific rights under specific legislation. So does one person. While the rights of our nation, our people are being denied, the rights of that one person in the same legislation are upheld. Is that not discrimination?

What rights are we talking about? Well by far the most important is the right of self-governance! We Cornish have the right of self-governance as laid down in the various Duchy charters, and the Cornish Stannary Parliament historically performed the function of governance over all of the Duchy of Cornwall – i.e. the whole territory of Cornwall. Therefore, we should have our Cornish parliament in full possession of its ancient rights and privileges to ensure that decisions taken about Cornwall are made, once again, in our land. Real devolution has occurred in Wales and Scotland; like them we have a separate identity from England and should be given the same right to determine our own future, and not this unitary authority which is apparently bound by laws that harm us, especially the wrong sort of development!

Why is it important? Well, while we are governed now as a unitary authority, our country’s integrity is being threatened by a “boundary review” that looks like it will not respect the ancient border of Cornwall. If our right to self-governance were recognised, our right to our territorial integrity would flow from that.

Also, if our right to self-governance were recognised, we could perhaps address the housing issues that have arisen out of treating houses as commodities and not as homes. We could do this better without interference telling us to build more second houses, which is the sort of thing that happens when your government is suppressed to turn Cornwall into a playground for holiday house owners. In a nutshell we need affordable houses, while developers only want to build expensive houses and holiday lets.

At a conference recently we were told we must not give the Cornish “special rights” – it is funny how the “equality” groups employ the language of bigotry when it comes to the Cornish. It is not “Special rights” to expect that the legislation that grants privilege to one person should also be upheld for the entire nation who paid for their rights therein.

So “county” is a loaded term which is used to try and make us Cornish forget our rights - it is used to denigrate and marginalise us, to reduce our status and distinctive heritage. It is used to prevent us from exercising our legal right to self-governance. If we allow Cornwall to be a “county” we are agreeing to forget that the law that Duke Charles employs at every turn, and leans on so heavily, gives us specific rights as well. Rights that we are denied access to because we are refused our self-governance and are reduced to an “English county”.

We also pay for our children’s education which forces them into an English-only mono-view of history where Cornwall is reduced to a “county”, so we are in effect paying for our own reduction and our own marginalisation – again something that our own parliament could address.

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<sup>4</sup> <http://cornishstannaryparliament.co.uk/resources/article.php?story=20080101005807926>

<sup>5</sup> 19th century Duchy preliminary statement <http://www.cornishstannaryparliament.co.uk/#1>

There is a whole host of issues with using the “C” word and so for many years Cornish people have objected to its use. When they do, they have been portrayed as unreasonable, outrageous and again marginalised and excluded as a result. That can no longer be the case; you see the Cornish are a protected national minority now and so once again we are protected, despite Cornwall Council’s “equality” team and their friends attempting to portray us as unreasonable and trying to claim that our rights don’t matter! You cannot marginalise and exclude the Cornish minority any more. Well, you can but you now face prosecution for doing so.

If you continue to use the “C” word after having an explanation why you shouldn’t, you are being deliberately provocative at best, and offensive and racist at worst.

Acceptable alternatives:

- Country (NOT Westcountry)
- Duchy (some people don’t like it, but it is from this legal fact that our rights as Cornish people derive)
- Area
- Region
- Cornwall

...or why not just “Kernow”?