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Tim Moore

Ombudsman Gender Neutral?

1 Introduction

This paper has been prepared in response to a request from the COFMDFM, which introduced the 'Public Services Ombudsperson Bill' to the Assembly on 20 April 2015. The Bill is currently being considered at Committee Stage by an Ad Hoc Committee.

At its meeting on 3 June 2015, COFMDFM considered correspondence from the Ad Hoc Committee which included a request for clarification on a number of issues, including the rationale for the changing the title of the Bill from the 'Public Services Ombudsman Bill' to the 'Public Services Ombudsperson Bill'. The Ad Hoc Committee advised that a number of respondents have expressed concern about the use of the title 'Ombudsperson', as they considered the term 'Ombudsman' to be gender neutral; it is an international and trusted brand; and the change of title will cause confusion.

The Committee agreed to ask RaISE for a paper outlining the etymology of the term 'Ombudsman'.

2 Etymology and observations

One source provides the following comment regarding the word ‘ombudsman’ and background to the ‘modern’ use of the term.

The word "Ombudsman" can be found in Old Swedish as the word *umbudsmann* (accusative) and as *umbuds man*, meaning "representative". The modern meaning of the term emerged when the Swedish Parliament appointed an Ombudsman in 1809 to safeguard the rights of citizens through establishment of a supervisory agency independent of the executive branch.¹

The Oxford English Dictionary provides the following information on the etymology of the word *ombudsman*.²

ombudsman, n.

Pronunciation: Brit. /'ɒmbʊdzmən/, U.S. /'ɑm,bədzm(ə)n/

Inflections: Plural *ombudsmen*.

Forms: also with capital initial.

Etymology: < Swedish *ombudsman* legal representative or adviser (early 15th cent. in Old Swedish as *wmbitzman*; also in Old Swedish as *ömbotzman*) < Old Swedish *umbop* commission, order (see *umbot* n.) + *man* n.1 Compare Old Danish (plural) *ombytzmen*, *vmbodsmen* legal representatives, plenipotentiaries (both second half of the 15th cent.), Danish *ombudsmand* (1953, reborrowed < Swedish). Compare *umbotman* n.

It has been argued that, based upon its Scandinavian roots, the word *ombudsman* is gender-neutral in origin, as the ‘man’ suffix itself is gender neutral. The International Ombudsman Association, for example, has stated that:

The word “Ombudsman” is Scandinavian and means “representative” or “proxy.” The term is gender-neutral in origin and is used by the International Ombudsman Association (IOA) to communicate to the widest possible community. Variations of the term exist (i.e. *ombuds*, *ombudsperson*) and are common among those practicing in the *ombudsman* field.³

Responding to a question regarding the gender neutrality of the word *ombudsman* and similar words with the suffix ‘-man’, the Swedish Parliamentary Ombudsman has, in the past, written that the ‘Government’s linguistic experts had stated that *ombudsman* and other similar words with the suffix –man. i.a. [sic] *talman*, *talesman*, *fortroendeman*, are gender neutral in the Swedish Language’.

¹ http://federalombuds.ed.gov/federalombuds/ombuds_FAQs.html

² <http://www.oed.com/view/Entry/131181?redirectedFrom=ombudsman&>

³ <https://www.ombudsassociation.org/Resources/Frequently-Asked-Questions.aspx>

Indeed, the suffix can be found in Diskrimineringsombudsmannen⁴ (The Equality Ombudsman) which is the name of the Swedish government agency that seeks to combat discrimination on grounds of sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age.

In spite of such observations, the United Nations Multilingual Terminology Database has suggested that:

The term "ombudsman" is rendered gender neutral by use of either "ombudsperson", "ombuds" or "ombud". Alternatively, a female ombudsman might prefer to be called an "ombudswoman".⁵

Others, however, have argued that such changes are meaningless.

I fear that the suggested substitutes for what looks like a sexist expression are wrong... Put simply, the word 'Ombudsman' is not an English word: it is Swedish. It does not therefore lend itself to conversion to the 'ombudsperson' or 'ombudswoman' that the manual suggests... it makes it meaningless because such suffixes are not recognised as Swedish'.⁶

An "ombudsman" will now be an "ombuds". "Ombudsmand", a Scandinavian word, has the etymological meaning a "man who is asked for something", ie, help or redress. Washington has shorn the title down to a meaningless "ask-for".⁷

Regarding, the word ombudsman and alternatives, the International Ombudsman Association (IOA) states that 'The term ombudsman is used to communicate to the widest possible community and is not intended to discourage others from using alternatives. IOA respectfully acknowledges that many practitioners use alternative forms of this word, such as ombuds or ombudsperson'.⁸

The range of the titles used for Ombudsman Offices in the EU includes the following:

Ireland	Office of the Ombudsman/Ofig an Ombudsman
Sweden	Riksdagens ombudsman
Netherlands	Nationale Ombudsman
France	Défenseur des droits
Spain	Defensor del Pueblo (the office but, (as the post holder is female her title is Defensora del Pueblo)
Germany	Petitionsausschuss
EU	European Ombudsman

⁴ <http://www.do.se/en/>

⁵ <http://unterm.un.org/dgaacs/unterm.nsf/8fa942046ff7601c85256983007ca4d8/2e129932e6473e6a85256fd50061e131?OpenDocument>

⁶ <http://www.ombudsman.gov.au/pages/about-us/our-history/1988-1991.php>

⁷ <http://www.economist.com/blogs/johnson/2013/04/gendered-language>

⁸ <https://www.ombudsassociation.org/Resources/Resource-Library/Tools-for-Ombuds-Office-Operations/Academic-PD.aspx>

Within the United States of America, it appears that 'Ombudsperson' is the most commonly used description of university based ombudsman offices. In a 1998 exchange of emails between the then Concordia University (Canada) Ombudsperson, Suzanne Belson, and the then Ombudsman for the city of Dayton (Ohio), Marie D Ferguson, the former explained that:⁹

Although I was very committed to the title ombudsMAN - because of all the word meant to me after having done the job for so long (and because it bugged me that so often men get to be men and women get to be persons) - I decided to change to ombudsperson for two fairly practical reasons: one, I found myself repeatedly having to justify, explain and support the rationale for using ombudsman and it was getting tedious; and two, in my view the etymology of the word becomes irrelevant at some point if we're talking about modern English usage at a time when we know the effects of non-gender neutral language. (This seemed especially important given the work we do.) English is a language in constant evolution; and while I find myself constantly railing against the recent trend of turning perfectly good nouns into verbs and similar abominations (and no doubt showing my age), I didn't consider this particular evolution on quite the same plane. So I switched. And it was hard at first - I guess I felt that ombudsperson didn't quite have the cachet of ombudsman, (which, I have to say is a hard thing for a feminist to confess). And, true enough, ombudsperson is not such an attractive word - it's cumbersome and doesn't roll off the tongue so easily. But, here I am, years later, comfortable and content with my present title; I guess it took me about 6 months to adapt and even now, I make the occasional slip. But one thing I do know for sure - no one's EVER asked me why I call myself an ombudsperson rather than an ombudsman!

Regarding the general understanding of the word ombudsman, a recent review of the UK Financial Ombudsman Service suggested that people might not find ombudsman a welcoming word. In response, the Financial Ombudsman Service invited people to tell it what they thought about its name and published the following comments that supported the dropping of the word 'ombudsman'.¹⁰

- We're British, not Swedish. A simpler word would help those who just don't know what an "ombudsman" is – and that's probably 50% of the population.
- "Financial Consumer Complaints" or something working around that would do the trick. Possibly something even simpler – "Money Complaints"?
- I personally consider that it would be a good idea to change the name "ombudsman", making it easier for people who don't understand what it means.
- I think your name should be more matter of fact and explanatory – for example "Independent Financial Complaints Service".

I hadn't a clue what the name meant till I heard a programme on Radio 4 last week.

- I count myself as pretty clued-up – but I had never heard of this word "ombudsman" before reading the BBC story. The name needs to be more

⁹ <http://www.usombudsman.org/library/7-22-1998-summary-of-research-on-the-term-ombudsman-to-the-aba-committee-archives.pdf>

¹⁰ http://www.financial-ombudsman.org.uk/news/updates/ombudsman_change_name.html

self-explanatory.

- How about changing your name to "The Equaliser"? Or may be "Captain Cash" – who *Sun* readers write to with their financial concerns.
- I think you should change it – the word's rather dated. Many consumers can't pronounce it – or spell it!

"Ombudsman" is an unintelligible, lugubrious, pretentious, imported name, which should have been stifled at birth!

- "Referee" is simple, generally understood and widely respected. Please adopt "Referee" as soon as possible.
- I think the name needs to be changed, as most people don't know what "ombudsman" means, and it can be a bit of a mouthful to say as well.
- I doubt that many people understand the word "ombudsman", other than understanding by its context. "Mediator" or possibly "arbitrator" gives a better sense of the actual work that the ombudsman does.
- "Financial Mediation Service" (FMS) would be a better name for the Financial Ombudsman Service.
- My vote would be to change to something that is more understandable and descriptive!
- Change the name "ombudsman" – not everybody understands Swedish!

and finally – a native Danish-speaker emailed us to put us right on the derivation of the original word "ombudsman" ...

I have read your description of what the word "ombudsman" means in Swedish – a "representative of the people" – and I'm sorry to say you're wrong! What you're referring to is the *institution* of the ombudsman as an arbiter for the Parliament – instituted in Sweden in 1809.

But the original word "ombudsman" is much older. It was used in Scandinavia in medieval times to describe the messenger who relayed the king's message to his local chiefs. In Danish (my native language) the word "bud" means "message", "om" means "around", and "mand" means "person".

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