

OXFORD

MAGAZINE

No. 448 Noughth Week Hilary Term 2023

Issues related to Freedom of Speech – i.e. how society handles and tolerates expression of often-sharply conflicting viewpoints, sometimes accentuated by deployment of misinformation – underlie many of society’s current discontents and are fundamental to the role and values of a university such as ours. The recent travails of *Oxford Magazine* – the nearest route we have to the free and open expression of opinion within the University community – are symbolic in this regard. What

the magazine stands for has to be actively defended at this particularly critical moment. The moment is all the more critical given the start of the tenure of our new Vice-Chancellor. We wholeheartedly extend our welcome to Irene Tracey and wish her good fortune in fulfilling the extraordinary demands of her position.

The Higher Education (Freedom of Speech) Bill is almost certain to be enacted in the very near future and its possible implications need to be aired and grasped. The Bill has been much contested and may yet be modified. Some are worried that it will create an entirely new form of what might amount to thought policing. The Office for Students will have new powers to enforce (perhaps as another condition for registration) standards written into university regulations and practices that require active support of open expression of positions and opinions including some that potentially clash with existing equality and diversity legislation and policies. With OfS’s new powers there is the prospect of an entirely new bureaucratic apparatus which could well be flooded with complaints worthy of any Twitter storm. A new form of tort is being proposed, as a final route for complaints against universities or student unions. Resolution of complaints

RIGHT TO TRUTH

could take years, long after an aggrieved student has left university.

A common view is that the new Act is unnecessary because the numbers of documented cases of ‘no-platforming’ are so few. But this is to miss the point. The chilling effect of much-publicised cases and widespread ‘self-censoring’ is much harder to measure. In Oxford we have no idea how many and what kinds of complaints are made against staff or how many involve free speech and disputes over opinions expressed, because the data are not collected (see *Oxford Magazine*, No 444, 2nd Week, TT 2022, p13) but the Oxford branch of the University and College Union (of which under 15% of eligible staff are members) assists and advises well over 100 cases every year, many of which could have been avoided by better communication in the first place, while a number revolve around harassment complaints triggered by the misjudged use of language. UCU case workers soon become aware of the inconsistent nature of the judgements made on our colleagues when disciplinary measures are imposed.

As it plans for its new role, the OfS is looking to the Office of the Independent Adjudicator for Higher Education as a model. As the latter’s website states: “We are the independent student complaints scheme for England and Wales. We review unresolved complaints from students about their higher education provider. Where we find that the provider has done something wrong, we make Recommendations for them to put things right.” The OIA has an annual budget of some £6 million. In 2005 it received 542 complaints, in 2012, 2,012 and in 2021, 2,763.

There is clearly potential here for confusion and overlap in the remits of the OIA and the new arm of OfS. Another area of confusion may be the role of the Free Speech

INSIDE

● PARTICIPATION
Page five

● ORGANOGRAMS
Page nine

● THE WRECKERS
Page fourteen

...and much more

Union (barely three years in existence), which currently handles some 50 cases each week, a good proportion from staff and students in UK universities.

A further factor in the complexity we are getting into is the attitude of students, particularly as measured by opinion polls. According to research published by the Higher Education Policy Institute (HEPI) in 2022: 61 per cent of students polled said that “when in doubt” their university should “Ensure that all students are protected from discrimination rather than allow unlimited free speech” (an increase of 24 percentage points from an equivalent poll in 2016). The OfS plans to examine student attitudes in greater detail in this year’s National Student Survey. However, one can question the value of any such polling exercise; students’ responses are too dependent on how the questions are framed and on what they think of the status, motives and expectations of the questioner. They also depend on what students understand about the meaning of “freedom of speech” and its importance in a university context. Their perceptions may apparently differ from the ideals now to be promoted by the OfS, namely that it is fundamental to a university education that students be exposed to contradictory and potentially offensive views so that they acquire the resources and skills to deal with them in real life.

Oxford needs to be very worried that its own disciplinary processes will get taken out of its own hands due

to the imposition of new national standards by the OfS and the courts. Of greatest concern must be a prospect in which the implementation of consequential new University regulations hands over the power to judge the legality of the expression of diverse and heretical views in the lecture theatre or (even more worryingly) on social media to non-academics; i.e. not just to our own administrators and HR but also lawyers or, increasingly, ‘professional’ investigatory commercial companies.

Ultimately universities are there to establish ‘truth’ (through research) but also to instil in students (through teaching) the principles that amount to the right to truth in the face of current assaults from fake news, misinformation or misunderstanding and frank incivility in communication – or simply inadequate access to reliable and comprehensible information.

At the present moment it would appear that we have to defend something even more fundamental than freedom of speech against the mounting restrictions due to regulation and administration, namely freedom of thought itself. These are issues that our new V-C will have to guide us through. She surely needs to set an example in terms of how she encourages free and open sharing of information through our internal communications. We will all need to help her.

B.B., T.J.H

The *Oxford Magazine* is edited by

Tim Horder & Ben Bollig

The *Magazine* normally appears in Noughth, Second, Fifth and Eighth Weeks each Term.
Submissions (preferably by e-mail to: tim.horder@dpag.ox.ac.uk, benjamin.bollig@mod-langs.ox.ac.uk)
should be received by the Wednesday of the previous week.

Literary Editor:

Jane Griffiths at Wadham



Reminders



The following extracts are taken from *Insight 16*, an OfS briefing paper published in December 2022 - eds

<https://www.officeforstudents.org.uk/media/8a032d0f-ed24-4a10-b254-c1d9bfcfe8b5/insight-brief-16-freedom-to-question-challenge-and-debate.pdf>

The Office for Students is the independent regulator of higher education in England. We aim to ensure that every student, whatever their background, has a fulfilling experience of higher education that enriches their lives and careers. We regulate to promote quality, choice, competition and value for money in higher education, with a particular remit to ensure access, success and progression for underrepresented and disadvantaged groups of students.

Introduction and background

Freedom of expression and academic freedom are essential underpinning principles of UK higher education. The core mission of universities and colleges is the pursuit of knowledge, and the principles of free speech and academic freedom are fundamental to this purpose.¹ They provide a necessary context for advancing new ideas, encouraging productive debate, and challenging conventional wisdom.

... While it is not a new issue, public debate over freedom of speech in higher education has intensified in recent years amid concerns that universities and students' unions may not be doing enough to uphold free speech and academic freedom. This has included a growing political focus.

... The debate over free speech, as it plays out in the media, in politics and in universities and colleges themselves, often connects to broader societal issues and concerns. This includes issues relating to identity and equality, harassment and discrimination, the regulation of social media, and even geopolitics. The implications of these concerns for free speech in universities are varied and often complex.

Public interest governance principles

Academic freedom: This is the principle that academic staff are free within the law to question and test received wisdom, and put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or the privileges they may have at their university. This is included in the public interest governance principles that underpin the Office for Students' (OfS's) regulatory requirements relating to the management and governance of universities and colleges, and its inclusion is a statutory requirement. Academic freedom is a component of, rather than being entirely distinct from, freedom of speech.

Freedom of speech: The OfS's public interest governance principles also include a principle on freedom of

speech. This principle requires governing bodies to take reasonably practicable steps to ensure that freedom of speech within the law is secured within their universities and colleges. It reflects the statutory duty on free speech with which higher education providers must comply. Although the OfS's principle (and the statutory duty) refer to freedom of 'speech', this will include written materials and other forms of expression. It is not limited to the spoken word.

Framing of these principles: Freedom of speech and academic freedom that are 'within the law' are protected. Unlawful speech is not protected. However, there is no need to point to a specific legal basis for particular speech. Rather, the starting point is that speech is permitted unless it is restricted by law. It is important to remember that free speech and academic freedom are bound by this requirement of lawfulness....

Harassment: Harassment (as defined by section 26 of the Equality Act 2010) means unwanted conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person because of, or connected to, one or more of the person's relevant protected characteristics. (Marriage and civil partnership and pregnancy and maternity are not relevant protected characteristics for these purposes.)

In deciding whether conduct has the effect referred to, it is necessary to take into account: the perception of the person who is at the receiving end of the conduct; the other circumstances of the case; and whether it is reasonable for the conduct to have that effect.

The last point is important because it introduces an element of objectivity into the test. The perception of the person who is at the receiving end of the conduct is not the only relevant consideration in determining whether the conduct amounts to unlawful harassment.

Changes to the legal and regulatory landscape

Legislative changes are proposed that would strengthen the legal requirements on universities and colleges in relation to free speech and academic freedom, and the OfS's regulatory role, even further. Note that, while this brief is accurate at the time of writing, material relating to legislation currently before Parliament may become quickly out of date.

In the Higher Education (Freedom of Speech) Bill, which is currently going through Parliament, the government has proposed new duties on universities, colleges and their students' unions, and an enhanced role for the OfS in promoting free speech.

Key features of the government's bill are:

- A new duty on the OfS to promote the importance of freedom of speech within the law and academic freedom.

- New OfS conditions of registration for universities and colleges relating to free speech and academic freedom. These include conditions requiring universities and colleges to comply with new free speech duties, thereby giving the OfS a direct role in determining whether universities and colleges are meeting those statutory duties.
- Reframed free speech duties, to include a duty for universities and colleges to ‘actively promote’ freedom of speech, and an extension of the duty, and the OfS’s regulation, to apply directly to students’ unions.
- A new complaints scheme, operated by the OfS, to consider free speech complaints about universities and colleges or their students’ unions, from students, staff or visiting speakers.
- A new role of Director for Freedom of Speech and Academic Freedom in the OfS, to champion free speech and oversee the OfS’s functions in this area.
- The introduction of a statutory tort for breach of the duty (meaning that individuals would be able to seek legal redress for any loss they have suffered because of a breach of the free speech duty).

These provisions may be subject to change as the bill progresses through Parliament. For instance, an amendment was passed in December to include provisions in the bill to prohibit universities and colleges from using nondisclosure agreements in relation to complaints of misconduct.

The OfS is looking forward to working with the government to implement the provisions of the bill, once it has received royal assent. We expect to consult on our ap-

proach to the new mandatory conditions of registration and to publish guidance to support universities, colleges, staff and students to understand the new legal and regulatory requirements.

Conclusion

Freedom of speech and academic freedom have always been essential features of higher education in England. But universities and colleges have not always found it easy to navigate the complexities in this area in practice. There are different views among students and academics about the approaches that would best serve vigorous debate in pursuit of new knowledge, particularly where there is disagreement about strongly held beliefs.

Universities and colleges recognise that, in upholding free speech and academic freedom, they will have to uphold the rights of those whose views are regarded by some as offensive. In doing so they must ensure they operate with an accurate understanding of equality matters, and the extent of their duty to take reasonably practicable steps to secure freedom of speech within the law. New legislation, subject to parliamentary approval, may go further in placing a duty on universities and colleges to promote free speech.

Understanding how to engage with and address the full range of relevant requirements will be essential – for universities and colleges, and for the OfS – as higher education navigates the free speech landscape in the coming years.

The following extracts are taken from the Free Speech Union Annual Report for 2022 - T.J.H.

FSU member Simon Isherwood won his Employment Tribunal case against West Midlands Trains (WMT), with the judgement handed down in August. The rail conductor was dismissed for gross misconduct after asking his wife whether indigenous populations in African countries enjoy ‘black privilege’ following a training session on ‘white privilege’ with around 80 other staff members via Teams. He thought he’d disconnected but he hadn’t and one of his colleagues complained. Instead of laughing off the complaint, WMT suspended him, subjected him to a lengthy investigation and then dismissed him for ‘gross misconduct’.

Simon’s Employment Tribunal hearing took place in May before Judge Stephen Wyeth. In addition to paying Simon’s legal fees, the FSU drafted in leading civil rights barrister Paul Diamond to represent him. In a landmark victory, Judge Wyeth decided that Mr Isherwood had been unfairly dismissed. The judgement reasserted the fact that “freedom of expression, including a qualified right to offend when expressing views and beliefs (in this case on social issues), is a fundamental right in a democratic society”. Particularly important in terms of workers’ speech rights was the clear distinction the judgement drew between the public and private sphere, noting that in Simon’s case, “the expression of his private view of the course to his wife in the confines of his own home was not blameworthy or culpable conduct”....

Three years ago, Professor Jo Phoenix and Professor Rosa Freedman, both gender critical feminists, were disinvited from two separate events at the University [Essex] following protests from LGBTQ+ activists who claimed that allowing them to speak would be a breach of various University policies, including one entitled ‘Harassment and Bullying: Our Zero Tolerance Approach’. Among other things, these policies set out the University’s legal

duty to protect minority students from being harassed or discriminated against under the Equality Act 2010. The protestors claimed that merely allowing these two gender critical feminists on campus, even if they spoke about something entirely unrelated to trans rights, would be against the law.

This double no-platforming provoked widespread condemnation and the University commissioned the equalities barrister Akua Reindorf to review its policies. She concluded that the University was in breach of its statutory duty to ensure freedom of speech for visiting speakers, as well as its regulatory obligations, duties under charity law and – in all probability – its legal duties as set out in the Equality Act 2010. Reindorf said that the University’s policies that had been invoked to no-platform Professors Phoenix and Freedman interpreted the law “as Stonewall would prefer it to be, rather than the law as it is”. It goes without saying that Essex is a member of Stonewall’s Diversity Champions programme.

The report made 28 recommendations, some of them concerning Essex’s policies. The University duly apologised to Professors Phoenix and Freedman and agreed to implement Reindorf’s recommendations in full – but when the LGBTQ+ activists complained that the apology made them feel ‘unsafe’, the University then issued a second apology apologising for the first, which didn’t bode well. Sure enough, it then dragged its feet over making the changes it had promised to make.

We wrote to Essex last November threatening it with a Judicial Review if it didn’t amend its policies to ensure they accurately stated the law and weren’t in breach of the University’s free speech duties. Essex wrote back, agreeing to do some of the things we’d asked, although it claimed it was legally required to comply with all our demands. We then wrote again, extracting a few more concessions... and on and on it went until, eventually, the University agreed to do more or less everything we’d asked.

Participative democracy: making it work?

G.R.EVANS

The 8th Week issue of the *Oxford Magazine* last term invited thoughts on the *Magazine's* 'possible greater involvement in improving internal communication as the bedrock of our democratic governance principles'. In Cambridge too, as the Chair of the Board of Scrutiny recently put it, 'University bodies such as the Council need actively to support and encourage the engagement of the Regent House'.

Oxford and Cambridge are run by democracies which are not 'representative' in either of the term's two main senses. The drive for equality, diversity and inclusion has its own unit in Oxford. Cambridge has a 'specialist advisory section' on equality, diversity and inclusion within Human Resources. However, in neither university has it been suggested that the membership of its sovereign body should be selected so as to meet such objectives. Membership simply depends on the 'grade' of the employee, Grade 8 in Oxford, Grade 9 in Cambridge, pitching it at a level which brings in their academics and academic-related staff.

Nor does Congregation or the Regent House elect 'representatives' or bodies, to whom, or to which, it hands over in its powers to bodies or persons to act on its behalf. Both elect to 'Councils', who carry 'executive' responsibilities, but Congregation and the Regent House always have the last word and can recall or overturn any decision of their Councils or any of the subordinate committees which answer to the Councils. Members of Congregation in Oxford and the Regent House in Cambridge have many constitutional opportunities for direct engagement, both individually and collectively. This preserves a climate in which members may feel free to speak out in debates of Congregation or 'Discussions of the Senate' in Cambridge. Even if line-management may tend to discourage the academic-related and some academics on less secure contracts from doing so theirs is a participatory and essentially a 'direct' democracy.

Despite this privilege, to Oxford and Cambridge unique among universities worldwide, few of their members regularly and actively participate in their University's conduct of its business. The problem of lack of engagement is as great in Cambridge as it is in Oxford. The Chair of Cambridge's Regent-House-elected Board of Scrutiny commented in his speech on 8 November in the Discussion of its *Annual Report* that:

'it continues to be a concern of the Board that engagement of the Regent House has not returned to pre-pandemic levels, and was arguably already declining before that. Given the rarity of the privilege that our governance arrangements afford, it would be a shame for it to be accidentally lost through disuse.'

'Use it or lose it', he said, urging 'that members of the Regent House engage with governance, actively holding the Council and the University administration to account'. In an election to fill a vacancy on the Board of Scrutiny in Michaelmas Term nearly a thousand voted, but that is a modest proportion of a membership of the Regent House which currently numbers 7,244.

The Chair of the Board of Scrutiny listed ways of keeping up on affairs readily available to members of the Regent House:

'more of us need to read the Reporter, to pay attention to Reports, to stand for positions on bodies such as the Council and the Board of Scrutiny, to vote in Ballots, and generally to engage with the governance of the University.'

But there is a need for more by way of giving detailed and timely information so that interest can be actively engaged and responses encouraged. Cambridge lacks a counterpart to the *Oxford Magazine*. Its members and staff have not been showered with communications from 'Communications', its equivalent of Oxford's Directorate of Public Affairs. There is no regularly circulated equivalent of Oxford's *University Bulletin*. Administrative staff in its UAS share 'All University Community' updates by email but those do not reach members of the academic Regent House unless they happen to come across them and sign up to receive them.

Oxford received a summary of Council meetings from a former Vice-Chancellor for a time. In July 2018 the *Blueprint Bulletin* was launched, renamed the *University Bulletin* from October 2020. Departments and Faculties may choose to send news of their own. Some do so actively and comprehensively. MPLS is an excellent example. A Staff Gateway list of these, assuring readers that 'we aim to build channels that build feedback and dialogue between staff members and with senior staff', enables them to be found online. These tend, however, to take the form of one-way communication, and are inherently non-participatory except in the limited sense of envisaging a dialogue, but that is to be between unequal categories of staff (the 'senior' and others).

Constitutional bodies to which there is partial election

It is of course necessary for some responsibilities to lie with individuals or the work of these huge and complex organisations could not be attended to in detail. These direct democracies do not do everything themselves, nor should they attempt to.

In Oxford there is direct Congregation election to a

considerable number of ‘University bodies’, though only to a minority of Council members. Cambridge offers the Regent House direct election to the Council and to the Board of Scrutiny. But even these elected or partly-elected bodies need to be reminded that they are not elected to ‘represent’ Congregation or the Regent House. ‘Representatives’ would have decision-making and legislative powers handed over to them. In both Oxford Congregation and in Cambridge the Regent House is the legislative governing body and in both their sovereign bodies can always say no – and individual members can have their say to some effect.

Self-appointed groupings

Less accountable are the informal groupings which have formed among individuals now described as ‘senior’. For three quarters of a century the historic roles of Registrar (Oxford) and Registrary (Cambridge) have been expanding into extensive and well-staffed administrative provision, whose members at first regarded themselves as a civil service to the academics, more recently as ‘managerial’. The *Education Reform Act of 1988* included in its protections of academics ‘persons whose terms of appointment or contracts of employment’ are ‘so similar to those of academic staff as to justify their being treated as academic staff’. Since the 1990s these have been considered ‘academic-related’ and have had their places in both the participative governing democracies. The Registrar and Registrary or their deputies have a place on many university bodies with an ‘advisory role’ and there is something of a grey area between academic and administrative functions at this level.

Pro-Vice-Chancellors with portfolios were introduced in Cambridge in the 1990s, and in Oxford shortly afterwards as a result of the North Reforms, multiplying from one or two at first. Oxford now has six, with their appointment and duties loosely defined in Statute IX, 15 and 16. In Cambridge there is now a maximum of five, appointed by the Council, and treated as a ‘team’ with a Senior Pro-Vice-Chancellor as ‘team leader’. In principle these ‘share’ the ‘institutional leadership’ with the Vice-Chancellor. In both universities the portfolios are not fixed and have indeed been changed several times..

In Oxford the Pro-Vice-Chancellors and the Registrar offer blogs for circulation, and are described as ‘senior’ in the *University Bulletin*. They may preside or appear at Zoom meetings, but where questions are invited there is usually a request that they be submitted in advance. In neither university do the members of this imperfectly-defined ‘senior’ category form a recognised committee or keep published Minutes of their meetings or exchanges. There is no forum for a meeting of equals in free and frank discussion except the meeting of Congregation, in which such ‘seniority’ has no place.

The Cambridge *Statutes and Ordinances* recognise ‘Senior Leadership’ only as the title of a ‘Master’s Degree Apprenticeship’. Yet in Cambridge a ‘Senior Leadership Team’ got an early mention in a Notice in the *Reporter* of 1 October 2014 in which the Council sought ‘individuals from within the University’ to fill three Pro-Vice-Chancellorships to complete a ‘team’. Something of the sort was forming in a Notice in the *Reporter* of 19 May 2004, seeking a Director of Public Affairs to be part of ‘the senior

team working closely with the Vice-Chancellor, the Registrar, and key stakeholders’.

At the least such entities should be given a defined place in their universities’ governance and records of their activities published, as (now) are those of the Council and many committees. Without such information Congregation and the Regent House cannot hope to engage with them. There can be no conversation or exchange beyond the kind of communication now sent round in Oxford in the form of occasional ‘blogs’ from a Pro-Vice-Chancellor or the Registrar.

The lack of will to improve participation

When the external Report on Cambridge’s disastrous introduction of a new accounting system (CAPSA) was published in November 2001 the Board of Scrutiny commented in a *Notice* that:

‘The Report demonstrates the need for strengthening democratic accountability. The commissioning of the Report and our comments as the elected representatives of the Regent House are part of the democratic process and we look forward to constructive debate.’

However, little came of that hoped-for ensuing ‘constructive debate’.

The conclusion drawn by the Council was that the Unified Administrative Service should be expanded, and there was also pressure for broader governance reform. In February 2002 the Council and General Board published *University Governance: a Consultation Paper* inviting comments to be sent to the Registrar by March. This was ‘based on’ the findings of ‘a joint paper prepared by the Joint Committee on Governance and a special Working Party of the Council on the offices of Vice-Chancellor and Pro-Vice-Chancellor’, in the light of the *Shattock Report* on the ‘governance’ aspects of the CAPSA disaster.

The *Report of the Council on governance (the Regent House, the Council, the Vice-Chancellor, and the Pro-Vice-Chancellors)* appeared on 26 June, 2002. This proposed among other things:

‘An increase in the maximum number of Pro-Vice-Chancellors from two to five. This is in order to support the Vice-Chancellor and to give greater opportunity for senior academic leadership in the overall running of the University.’

As Vice-Chancellor Alec Broers was anxious to see change to a system of governance in which, as he put it in his Annual Address in October 2002, ‘the decisions of the Council can be questioned and a ballot called by a group of unelected members half the size of the elected Council’, a ‘handful of people with no obligation to represent our society as a whole and who, instead, are frequently pursuing personal interests.’ So much for the democratic ‘constructive debate’ the Board of Scrutiny had looked for.

Oxford’s outgoing Vice-Chancellor made a similar comment in her Annual Oration in October 2022, regretting that ‘it takes only two members of Congregation to pose a question and require a meeting of Congregation, which in turn requires the presence of 27 University staff and officers’.

‘Use it or lose it’ is an important warning. What would it take to end these two ancient participative democra-

cies? Oxford does not remind its eligible employees that they need to activate their Congregation membership. It encourages would-be speakers in Debates to give notice of their line of argument and allows the presiding Vice-Chancellor to choose who to call and to end the meeting at will. The length of speeches has become increasingly truncated. Cambridge's Discussions have been allowed since 'Covid' to become mainly Zoom occasions rather than

meetings of speakers and observers in the Senate House where conversations can arise and understandings can develop, with anyone who just came to listen prompted to put up a hand and speak after all.

* * *

Testing 'participation'

In Oxford twenty members of Congregation may create a Congregation Resolution. In Cambridge fifty members of the Regent House may create a Regent House Grace. In Oxford it was a Congregation Resolution which enabled the *Oxford Magazine* to resume publication in Michaelmas Term 2022. In both universities there is an opportunity for the Council to take a view of the acceptability of such a proposal.

In Cambridge a Regent House Grace is currently testing the system. The Council 'shall consider any Grace or amendment' thus 'initiated' and either (i) shall authorize the submission of the Grace or amendment to the Regent House or (ii) shall publish a Report giving reasons for its decision to withhold authorization and recommending the Regent House to approve that decision'. The Council has decided to do the second in a recent case, except that no Grace was submitted for the Regent House's approval of this decision.

The Grace in question, initiated by 84 members of the Regent House, and seeking comprehensively to sever the University's ties with the fossil fuel industry ties, was published in the *Reporter* of 27 July 2022. On 26 October 2022, the Council published a *Report* in response, in which it gave its reasons for withholding its permission for the Grace to be submitted for approval. It recognised that there was 'likely to be support within the University for the underlying aims of the Grace, but also that some members of the University have legitimate concerns about the potential for the means proposed to restrict research that could enable the transition to a carbon-neutral future'. So, 'given the diversity of views, the Council wishes to enable the University community to engage fully on the issues'.

On 22 November a Discussion of this *Report* followed in the usual way. Remarks were sharply divided. Relatively few of those who had signed the Grace spoke, or argued that the Council should not have refused to submit it for approval. A number of speakers on behalf of a range of scientific disciplines expressed concerns about potential negative consequences for academic freedom and research. For example, the Head of the Department of Earth Sciences took the view that:

'the scale of the challenge we face, and the global nature of the solutions that urgently need to be implemented, requires engagement with multinational companies and their subsidiaries. Any limit on the University's ability to collaborate with companies with wide portfolios risks placing us on the sidelines, rather than at the forefront, of the greatest challenge facing humanity. The University has an effective system in place to scrutinise industry

collaborations, and to ensure their compatibility with its net-zero ambitions. The Grace goes far beyond this, however, potentially stymying the University's ability to perform the very research that is needed to help achieve the transition to net zero.'

The Council made its plans for the 'University community' to 'engage fully on the issues'. On 15 December, the *Reporter* published the Council's Terms of Reference for its proposed *Study to assess the likely impact of its proposals on the University's ability to pursue its mission if the Grace was approved*, to be 'led by an individual who is external to the University and who is expert on issues relating to climate change, and that it should be open to that individual to seek expert input from others'. This statement of terms of reference as 'approved' by the Council is published simply 'for the information' of the Regent House. It made no provision to continue the conversation with the Regent House (or the signatories to the Grace).

The last time Cambridge commissioned such a study was when the Board of Scrutiny, jointly with the Audit Committee, pressed for a *Report on the Implementation of CAPSA*. The Board had attempted to raise its own concerns in its *Annual Report* in June 2000, but the Council delayed publication of that *Report* until October 2000. The Board of Scrutiny called a Discussion on a Topic of Concern and the Council responded in a Notice in the *Reporter* of 22 November with a promise that a 'review would be undertaken'.

The Council allowed the Audit Committee to take the initiative in designing this *Review*, explaining that:

'The Audit Committee have now proposed to the Council a review strategy and terms of reference for the review. The Council approved these arrangements at their meeting on 29 January and they are published below for the information of the Regent House.'

It also noted that the Board of Scrutiny had 'accepted the Audit Committee's recommendations for the conduct of the review' and intended to conduct its own investigation and 'report its findings and their implications to the Regent House'.

As the appointment of a person or persons to conduct the review, the Council had 'authorized the Chairman of the Audit Committee to recommend an individual with the expertise and standing to oversee' it, including names suggested at an open meeting on CAPSA in October.

It remains to be seen what will come of the Council's present plans for review of the Regent House Grace on which it has pressed 'pause', but the publication of details of the arrangements without reference to the Regent House does not bode well for improved communications in Cambridge.

Places

(I.M. MIKHAIL SERGEEVICH GORBACHEV)

In a letter to a Georgian friend
Pasternak understood
'To become attached to places
And to certain times of day,
To trees, to people, to the history
of souls' from Privolnoye
to the end of beginnings,
sun close when crops
come in across the stinging
horizon, the machinery of state
not yet set as a harvester of state
for knowing more than most,
wisdom will come in stages
by measurements you never
take for granted, where places
and faces always matter,
not the sources of rivers
in the driest of deserts,
rather the springs of proof
that systems can work
over frontiers, not
in whispers or streams
but through the intentions
of hope.

Emily Bronte's Last Walk

(for Robin Fox)

'Come, walk with me,
There's only thee
To bless my spirits now ...'
Where an anthropologist
dares to tread
the poet hides
her pen, secrets
far more potent
than all we know
or don't against
the cold stones of sorrow
staring down the stripping wind.

Who knows who walks
with you now?
The heathered moor
rides the weaving walls
while empty rooms
seal the fate
of the real imagined,
glancing hand
on a broken door.

And so? Fieldwork
on a flattened day,
boredom always a factor
when denying truth
'And surer than that dwelling dread
The Narrow dungeon of the dead.'

Look up to the wilderness of no reply,
reach beyond the forgotten night
when all the candles died at once.
No-one challenged your voice:
'Come, Walk With Me' to restore
the light.

Note: The quotations are from Emily Bronte's 'Come, Walk With Me'

BRUCE ROSS-SMITH

Bruce Ross-Smith is a Vancouver Island-born, Oxford-based semi-retired lecturer who for decades now has lived with his family on the slopes (pollution and all) of Headington Hill. In December 2022 five of his poems were published in *Poems on Conflict*, Chough Press, Oxford.

Notes from Ivory Flats

ROBERT FOLEY

When actions speak louder than organograms

There is an old joke that vets are better than doctors because they can't ask their patients what is wrong. They have to base their diagnosis on the behaviour of the patient, rather than self-reporting. Of course, the dog about to lose its evolutionary potential, may have different views on the costs and benefits of being able to self-report. I have no idea whether this belief is true or not. However, the difference – alleged – between doctors and vets can be surprisingly insightful about university administration.

Until about ten or so years ago – perhaps more, as age is a known telescoper of the past – when I went to work I would pass the departmental office, and usually exchange a few words with the secretaries there. Over the course of the day, I would probably meet and talk to all the support staff – administrators, technicians, computer officers, custodians – several times. This had a number of effects – communication was fast and nuanced (a raised eyebrow was enough to know my advice was superfluous, so much better than a passive aggressive email); it was a two-way process, implicitly transactional (I'll check those figures if you will return all those graduate applications you're sitting on – unsaid, of course); and merged naturally with gossip, admiration of photos of dogs and children, and a moan about whoever happened to be the villain of the day.

Now, both during and since the pandemic, one sees fewer people, if any. One's administrative colleagues have become a chequer board of faces on a screen at best, and at worst a name on an email. But even before that, things had changed. Secretaries were rebranded as administrators, and one of the differences between secretaries and administrators is that while the former have their doors open, the latter have them shut. The other is that where secretaries owed any loyalty they might have to their department or division, administrators owe theirs further up the ladder, centrally, not locally. This coincided with most universities deciding that localism was outmoded. With email there was no longer a need for secretaries or administrators to be in the same building as the academics, and that way there could be greater efficiency.

Cambridge now has a Unified Administrative Service (the clue is in the name), and at its start a senior administrator said that it didn't matter where a job was done, as long as it was done. This had echoes of globalisation, where it also didn't matter where things were done, as long as they were done in the most cost-effective way. That largely meant that the money was in the centre and the labour at the peripheries. With this greater centralisation there was no need for generalists, but instead specialist roles that could be applied across several departments or units. Out went the foxes, and in came the hedgehogs.¹ So no longer the daily chat and update on the daughter's ballet lessons, and instead the digital 'gentle reminder' that you had forgotten to return the risk assessment on opening stationary packages.

What, you are rightly asking, has this to do with doctors and vets? The somewhat tangential link is that there are two ways of finding out how something is working (or not working). One is the doctor's approach – to ask. This is the basis for much work in anthropology. You are interested in marriage patterns, so you go to whomever you are studying, and you ask them who they are allowed to marry. They give you a list of possible partners and a list of prohibited ones. You then have an understanding of how the society works in terms of marriage practices, and certainly a clear perspective on the ideals and perceptions involved. The second way is the vet's – to watch and observe. Anthropologically that means you find out who is actually married to whom, you go through the marriage register, you go to the ceremonies, you ask no one, but simply watch what actually happens. You will not be surprised to know that there is not always a match between the two. It is the same with doctors, I am sure. What the patient says is the matter is not necessarily what is. My wife, who is an anthropologist, carried out a nutritional survey in the Amazon many years ago. Part of that was to ask people what they had eaten that day – steak, they would reply. And yesterday? Steak. And the day before? Steak. But she was staying with them, and eating with them, measuring their meals – meals of rice and fish. Today. And yesterday. And the day before.

It is the same with universities. We can ask how it works, and admire the organograms, look at the charts of workflows, read the newsletters and announcements of restructuring, or we can observe. On paper it looks as if nothing has changed in terms of provision of support, or even note it is much better. But if we don't read the emails (such a temptation!), and instead be a vet (or a behavioural ecologist) and just observe and see what actually happens, there is a complete change. No longer are there day to day personal interactions, but occasional encounters to discuss particular things. As with Amazonians, on paper it may say steak every day, but fish and rice it is. Location, location, location, it turns out, is not just about buying houses.

I was prompted to think about this change in behaviour by an article in the *Times Higher Education*.² It made two points, and I will give you the good news and the bad news. The good news is that despite a folk view to the contrary, there has not been an increase in the number of administrators in Universities. The bad news is that there has been a major increase in the cost of them. The reason for this apparent discrepancy is, of course, that they get paid more, but this is not just HR giving themselves more money. What has happened is that there has been a change from relatively low-level support staff to higher level managers and senior administrators. And naturally, they are paid more. As John Ross, who wrote the article, says, the level of administrative staff has remained at only 55% (I know, that is still more than half), but what has changed is the proportion – support staff went from about

50% of the administrative staff to less than 15%. Professional staff – those with their own offices and closed doors – are now 60% of general staff.

So my change in behaviour – no more finding out about the secretaries’ book club and complaining that Arsenal lost again – is not that I was getting more remote, but that there are only one and a half people to talk to where before there were five! Doctors and anthropologists might be misled by this, but vets would not. What the dog does is what the dog is, and what the dog feels.

Of course, none of this may matter, except to the budget, if the job gets done. Indeed, if the job gets done better, it is money well spent. No doubt some of it does. As Gwilym Croucher, of the Melbourne Centre for the Study of Higher Education, who carried out the research on which this is all based, is reported to have said:

“It requires people to manage those processes and work with governments, and it cultivates an internal culture of compliance checking”.

And we know no greater ambition an academic does have than ‘greater compliance’.

There is no doubt the external pressure on universities for compliance is enormous, and it would be near impossible for an institution simply to ignore the pressures that come not only from government but also from student and public opinion. Some may even be beneficial. That pressure, along with the search for more and more funding, has almost certainly led to the explosion of managerial and senior administrative posts. That should not necessarily mean there had to be a reduction in actual support for the academics who produce the teaching and research, but something had to go, and it turned out what had to go were the support staff who did the supporting.

And it is the loss of support and its replacement by management that resolves the difference in perception and experience. We have become lazy in complaining about administrators, who are doing the job they have been brought in to do, and conflated that with the issue of loss of support staff who work directly with academics carrying out their job.

Both perspectives are true. The powers that be can point to the extra investment in support, and say what is the problem? And the academics on the chalk face can also say that the support that actually makes a difference to their work – as opposed to the efficiency and well-being of The University – has virtually disappeared, so that they are now doing more and more ‘admin’ – i.e. the basic support work previously done by the aptly called support staff.

The lesson is that support for the ‘The University’ and support for academics is not necessarily the same thing, and may even be diametrically opposed. When the trains in Britain ground to a halt many years ago, the company said the problem was that it was the wrong type of leaves on the rails. Academics may also be grinding to a halt because now they have the wrong sort of support.

Perhaps it is not just a case of less support, or the wrong sort of support, but the replacement of support by a system. Distant administration can only deal with the core of the work, and that means systems rules, procedures, guidelines, and forms. But where on a form can one fill in a comment on the weather? I suppose there could be a tick-box – How are your parents? Well. Been Better. Sadly died (go to section 8). These small bits of chit chat are the lubricants of social interactions, and social interactions are the vehicles by which we work. Systems make the error of assuming that the core is all that matters. It is as if biologists, having recognised that the nucleus is the core of the cell, so discarded the rest – and with it, all the busy little mitochondria that do the work, all the channels of communication between cells, leaving only some highly sprung coils of DNA with their repetitive letters.

And it is not just that the social interactions add a sense of co-operating and so co-operative goals – they do, of course – but also that ad-hoc face to face exchanges with the people we work with are open-ended. What might start as a discussion about the timetable can morph into one about a particular student problem, or the difficulties a colleague may have teaching at a particular time, or indeed, with colleagues this can be the basis for new collaborative ventures.

Now, this all may be completely wrong, because I have withheld a vital fact from the article in the *Times Higher* that triggered these thoughts – the survey was of Australian universities. Perhaps UK ones have retained much tried and trusted administrative principles (Drop In, Have A Chat, and Get it Done), but I rather doubt it. And perhaps worse. At Cambridge since 2010 technical assistant staff increased by 4%, academic staff by 8%, research staff by 43% and academic-related and assistant staff by 49%.³

1 From Isaiah Berlin’s essay, *The Fox and the Hedgehog*, and before that, the Greek poet Archilochus - a fox knows many things, a hedgehog one important thing.

2 *THE*, 25 November 2020, Many masters, few functionaries as professional ranks transform, by John Ross.

3 *The Reporter*, 6587, 29 July 2020.

NOTICE

The Editors of the *Oxford Magazine* regret that they cannot publish any material submitted to them anonymously. If the author requests publication on the basis that the author's name and university address be withheld from the readership, the Editors will consider the reasons given and in their discretion may publish on that basis; otherwise the material will be returned to the author.

How to initiate Congregation actions

How to trigger a debate or discussion in Congregation

It is open to any 20 or more members of Congregation to propose a resolution or topic for discussion at a meeting of Congregation; requests must be made in writing to the Registrar not later than noon on the 22nd day before the relevant meeting. Any 2 or more members of Congregation can submit an amendment to, or announce an intention to vote against, a resolution or a legislative proposal (*i.e.* a proposal to amend the statutes). Notice must be given to the Registrar (in writing) not later than noon on the 8th day before the meeting.

Questions and replies

Any 2 or more members of Congregation may ask a question in Congregation about any matter concerning the policy or the administration of the University. Requests must be submitted to the Registrar (in writing) not later than noon on the 18th day before the Congregation meeting at which it is to be asked. The question and the reply (drafted by Council) will be published in *Gazette* in the week prior to the relevant meeting. The answer is also formally read out at the meeting. Supplementary questions are allowed.

Postal votes

Attendance at meetings of Congregation tends to be low. Postal voting can potentially allow opinion to be easily accessed more widely across Congregation membership. Congregation can trigger a postal vote after a debate (but not after a discussion or a question and reply where no vote is taken). 25 or more members of Congregation have to be present ("on the floor") at the relevant debate. The request must be made by 4pm on the 6th day after the debate, signed by 50 members of Congregation, in writing to the Registrar. Council can also decide to hold a postal ballot, by the same deadline.

Flysheets

To generate a flysheet for publication with the *Gazette*, the camera-ready copy (2 sides maximum) should be submitted with at least 10 signatures on an indemnity form (obtainable from the Registrar) by 10am on the Monday in the week in which publication is desired.

Regulations governing the conduct of business in Congregation can be found at: <http://www.admin.ox.ac.uk/statutes/regulations/529-122.shtml>

Items placed on the agenda for Congregation are published in the *Gazette*.

The Congregation website is at: www.admin.ox.ac.uk/councilsec/governance/congregation.

Advice on Congregation procedures is available from the Council Secretariat on request (email: congregation.meeting@admin.ox.ac.uk).

Disheartened

I tore out the thing with pliers, paring
knife, boxcutter, claw, easing it free
of the tight-lipped ribs, so releasing me
from the tyranny of the ill-faring

chaos of decaying, unclean lumber.
I have read of speaking with the sun,
of being laid asleep to become
a living soul. I must disencumber

myself of that filthy object, the heart,
soiled forever by the vain endeavor
of saying I love you for ever and ever—
sadly deluded, mad from the start.

So here's to the spirit, resurgent, born free,
to intimations of immortality
(the antidote to insularity)
as a white bird on the foam of the sea.

Dreamchild

She returns – child on an old dirt track
walking the road, beneath a parade of oaks.
“Where’s your home?” I want to say, “Your folks?”
But she doesn’t know me and doesn’t look back,
the last of those who for centuries past
farmed and managed and lived on this land. She treads
the path to the turnpike beyond, threads
her way into the dreamscape vast –
coming and going as night succeeds day,
from land to land and from pole to pole,
lone survivor, or some part of the soul
that knows sin and damnation, and the way
to dusty death. And when she turns to me,
the winter of her gaze, oh, it frightens me.

Skink

“Steadily burning ribbon of light, powder-blue
dandy, nature’s original lounge lizard,
frozen on this cabin wall, have you slithered
far today?” Silent a moment, you

dart me a look, blink those leathery lids,
and those schooled tones of reason roll their
rapid waves into the mind, as I stare
in blank confusion. “Languid

visitor, that would expect of me
but a chittering and a cricketing, you may think
me a dinosaur, close to extinct,
hardly worth notice except for these

stripes, because you see only the outside
of things. For the true me, you have to start
deep within the beating heart
of this dark land, or enter inside

its chronicle of foam-flecked bloodlust
possessing incomers to this place
murdering, plundering, laying waste,
eating alive what they find in madness.”

Some time I stared at the thing that addressed
me in my head, some time heard its echoes in
my ears, as if suspended, hanging
in the space between life and death, kissed

by moonlight. And when at this late hour
trees thrash and writhe and scream as if afraid,
I know the truth of what the creature said,
that there is evil here and it has power.

DUNCAN WU

Duncan Wu is a former Fellow of St Catherine’s College and is now Raymond A. Wagner Professor of Literary Studies at Georgetown University, Washington, DC.

Not
the
Gazette

NB The *Oxford Magazine* is not an official publication of the University. It is a forum for the free expression of opinion within the University.

The next issue of Oxford
Magazine will appear in
second week

Plaint for these Distracted Times

*Devil's Bridge Falls, Pontarfynach, Mid-Wales**

We are here on the one descent, rapid or slow,
conscious or unaware, for the final plunge
down to a frothing pool in the distant rocks.
Damp thunder sprinkles our protesting limbs
with splintering drops like flies hurled from the shower.
I grip the rail and struggle to grasp its strains.

Across the bridge of shame a scape-dog runs

Weakness handfasts with wickedness, gorgon-offspring
marbling our hearts, half-rotten wood feeds snakes,
hyperaesthesia of the incurvate ego
couples with brute contempt of tremulous flesh.
What flood can flush our soil, what Alpheus cleanse,
now white, red, black and death-pale whinny around?

To quick destruction speeds the dishonoured hound

What can we do with our world, or what undo?
There must be another domain where love can grow,
where innocents are not butchered, a plateau of peace,
past this collapsing or that convulsive kingdom;
must be, because a garden where good has flowered
cannot be gross at the core, though the ground reeks.

Freedom to run the only food he seeks

Where lies the spring whose filament-streams will press
resistlessly through the errancies of our brains,
the well where the best is blessed and the worst cursed?
Bitter denial is his predestined feast
as on the bridge our panting victim runs
to choke Apollyon's deep astonished maw.

*Over the scandalous arch the scape-dog bounds
deceived and eager breathlessly he runs
freedom to run the only food he asks.*

*According to an ancient legend, the Devil agreed to build a bridge over the gorge if he could take the first living being that crossed it. An old woman threw some bread on the bridge, sending her dog after it, and the Devil had to be satisfied with his prey.

CARL SCHMIDT

Carl Schmidt was formerly Senior English Tutor and is now Emeritus Fellow at Balliol College, Oxford. His last book was *Passion and Precision: Collected Essays on English Poetry from Geoffrey Chaucer to Geoffrey Hill* (2015).

REVIEWS

The Wreckers and “The Wreckers”

Glyndebourne, 16th June 2022



One cannot talk about Opera without mentioning the recent shocking decision by Arts Council England to slash to zero the grant to English National Opera*. ENO has a long history of singing opera in English, supporting young British artists and making opera accessible (and affordable) to young people. The first opera I ever saw, as a teenager, was at ENO, and I suspect I am not the only person to have started there. Sir Bryn Terfel has initiated a petition calling for the reinstatement of ENO's funding, and should you feel moved to support this (and many of us have) please visit www.eno.org/support-us/. It is therefore quite appropriate that the subject of this review is Glyndebourne's production of a little known English opera “The Wreckers”.

Don't worry if you have never seen a production of Ethel Smyth's “The Wreckers”, neither has anybody else! Glyndebourne's revival of this piece is the first production in a lifetime, and Ethel Smyth herself is scarcely better known. Some people know her as the composer of “The March of the Women” for the Suffragette movement, a cause which she supported and for which she went to gaol (where she even composed an opera, albeit not “The Wreckers”). She was the first female composer to have an opera performed at Covent Garden and the Metropolitan NY, as well as the first to be made a Dame for services to music. Thomas Beecham was a great supporter, and it was he who arranged for the first British production of “The Wreckers” in 1909 (it opened in Leipzig, where she had attended the Conservatoire, in 1906). The Glyndebourne production used the French libretto.

The opera is set in a small impoverished Cornish coastal community, which relies upon shipwrecks (“God's harvest from the sea”) to sustain it. The pastor and leader of the wreckers, Pasko, has a much younger wife, Thurza, although she is in love with Marc, an honest fisherman her own age. He in turn has set aside his previous girlfriend, Avis, the lighthouse keeper's daughter, to take up with Thurza but Avis retains her strong feelings for him. Recently the wrecks have dried up, Pasko claiming this is because the people are insufficiently devoted to God, but the prosaic reason is that someone has been lighting warning beacons. This turns out to be Marc, and Thurza assists him in lighting one, evidence

of which is found by Pasko who knows his wife is involved but refuses to say anything to defend himself when the villagers apprehend him and suspect him of lighting the warning. He is on the point of being hung for “treason” when Marc steps forward to take responsibility, followed by Thurza. Avis seeks to save Marc by claiming she has spent the night with him (which no one believes) and Pasko seeks leniency for his wife. She rejects this and demands the right to die with Marc so the pair are left in the cave as the tide comes in.

One could argue that the piece is about the hypocrisy of the Church, ineffective civic leadership and the perils of marrying a free spirited young woman to a much older husband. Which it is, although I think the other key message is to take responsibility for one's actions: Marc could have slunk away, Thurza could have accepted mercy and the lighthouse keeper sends away his daughter as she nearly caused him to hang an innocent man. Smyth herself observed that each character “thinks they are doing the right thing”.

Director Melly Still was responsible for the utterly magical ‘Rusalka’ at Glyndebourne a few years ago, but ‘The Wreckers’ is an altogether darker piece. The production has a dramatic start, in that there is a light flashing on and off (the lighthouse) as the audience file in, with evidence of the storm mounting, then the simultaneous extinction of the light (what the wreckers do) and loud opening notes from the orchestra (*en passant*, it was great to see Glyndebourne back to a full orchestra). The ripple effect of the waves at the outset was powerful, as were the images of faces above the waves- presumably representing the Wreckers' drowned victims.

A strength of the piece is the use of movement by the chorus, whether it is on a revolving platform as the villagers gather, or descending the steps into the atmospheric cave for the last Act. The eeriness was heightened by having the villagers arrive in near darkness, and then candles were lit to partially illuminate the scene. Not all of the effects worked for me: I never did quite follow why Avis was wearing a pair of shocking pink leggings, and Thurza's dungarees did nothing for her (other than perhaps to emphasise that she was a ‘normal’ young woman, not a temptress or particular beauty). Nor did I understand the role of the four dancers, dressed in black, who featured in the backdrop of several scenes (Four Horsemen of the Apocalypse? Or just something spectral?).

In many ways, the real stars of the show were Robin Ticciati's orchestra and the chorus. The latter were excellent, whether partying, looking for guidance in trepidation

as the storm approaches or as a mob baying for blood in the cave. Karis Tucker's Thurza was sung well but I thought Lauren Fagan's Avis demonstrated more passion for the man she loved. Philip Horst's Pasko got a mixed reception from the audience, although part of this could have been due to the character he was playing. I thought he was effective in showing self-doubt in his aria after discovering the evidence of his wife's assistance with the beacon lighting and his pleading for her life, even though she clearly does not love him. I liked bass-baritone James Rutherford's Laurent (the light house keeper), his voice had a rich timbre. I felt I should have liked Rodrigo Porras Garulo's Marc more than I did, as he is the one ‘honourable’ villager.

I very much enjoyed this production. There was a vibrancy to it, accentuated by the movement on stage and the pace of the music, and whilst I recognised none of the arias, the music held my attention. I liked the fact that few of the characters were black and white in their outlooks; notwithstanding some of the obvious hypocrisy, the villagers adhered to a certain moral code with those who broke that code set to be punished (the ‘traitor’ and the ‘adulterer’). As to why the work has been performed so rarely, I could not furnish an explanation, unless the gender of the composer really was a barrier in former years. On merit, this work deserves to be revived: to play it simply because of its historical interest is to do it a disservice.

T.J.N. WICKENS

**For similar reasons Glyndebourne has just announced that it is cancelling its touring programme - eds*

The beauty of holiness

James Stevens Curl, *English Victorian Churches: Architecture Faith, and Revival*. (John Hudson Publishing), 2022. £50 hardback, £19.99 as an e-book. Signed copies for £40 from john@johnhudson-publishing.com.



James Curl is a distinguished scholar of architecture. His *Making Dystopia* was reviewed here in Michaelmas Term 2018 (No. 401). It proposed that modern architecture is often so unappealing because it has turned its back on centuries of rich inherited tradition which produced buildings which people could really love and appreciate. An earlier classic book was *The Erosion of Oxford* (1977).

English Victorian Churches makes a strong case for the vivid attractiveness and the sheer *embarass de richesses* of the buildings. As one reads his warm endorsements of Pugin's St Giles's, Cheadle or Butterfield's All Saint's Margaret Street, or William Burges's St Mary's Studley Royal one feels that there is a subtext condemning what has come after, and the failure in our time to produce anything remotely as arresting. Curl says of Burges's Christ the Consoler, Skelton-on-Ure (1876) that it 'does exactly that; it consoles.'



William Burges, *Christ the Consoler, Skelton-on-Ure* (1876)

The magnificent colour photographs underline and substantiate the point, especially appropriate since in many cases the polychromatic vision was a central element in the aesthetic. A typical example is Ninian Comper's rood screen and loft (1908) in St Petroc Minor, Little Petherick, Cornwall.



Ninian Comper, *Rood screen and loft. St Petroc Minor, Petherick, Cornwall* (1908).

For many of us now the churches loom out of a sort of spiritual darkness, but there was a time when they were filled with light and radiated light. Now we are closer in our response to the first stanza of Arnold's 'Rugby Chapel':

Coldly, sadly descends
The autumn-evening. The field
Strewn with its dank yellow drifts
Of wither'd leaves, and the elms,
Fade into dimness apace,
Silent;—hardly a shout
From a few boys late at their play!
The lights come out in the street,
In the school-room windows;—but cold,
Solemn, unlighted, austere,
Through the gathering darkness, arise
The chapel-walls, in whose bound
Thou, my father! art laid.

Arnold does not tell us that it was designed by Butterfield. That would introduce too pedantic a note. When in March 1906 a later Rugbyian, Rupert Brooke, suffered from conjunctivitis (pink-eye) he attributed it to 'gazing too often on Butterfield's architecture.'

Historians refer to something called the long eighteenth century, which runs from 1688 to 1815, and Curl subscribes to a similar phenomenon called the long nineteenth century, which runs from about 1815 to 1914. It was an extraordinarily vivid and interesting period, in which such a lot happened, socially, artistically, politically and religiously. *English Victorian Churches* is not just about the physical buildings, but about the commitments and energies which produced them, mainly from the Church of England, but other denominations are included. Curl is an expert in dealing with the doctrinal traditions as the architectural, and the book is an exemplary survey of the inter-relations. Many of the neo-Gothic buildings look like the real thing. The church with the spire in Turner's Dudley, St. Thomas's, was actually built in 1815-1818. Appropriately for the Black Country it has iron cores in the pillars, and iron roof-members and window tracery.



St. Thomas's Church, Dudley. William Brooks (1815-18) *We would go and hear Stainer's The Crucifixion there at Easter.*

Many visitors, possibly, believe that St Augustine's Kilburn (1870-7), by John Loughborough Pearson, is the genuine medieval article. Curl says of the interior that 'the architectural effect is mysterious, grand, and Sublime.'



John Loughborough Pearson, *St Augustine's Kilburn* (1870-7). *The orphanage in the foreground has since been demolished.*

We have records of the impact the new churches made on worshippers. When Thomas Hardy came up to London in the early 1860s he visited St Mary's Kilburn (consecrated 20 February 1862). It was built by the Francis brothers (Frederick John (1818-1896) and Horace (1821-1894)) in the Decorated style. In the 1860s it was regarded as one of the leading ritualistic churches in London. On 17 August 1862, when the church was spanking new, he wrote to his sister Mary:

'After the fire a still small voice'—I have just come from the evening service at St. Mary's Kilburn and this verse, which I always notice, was in the 1st Lesson.

This Ch. of St Mary is rather to my taste and they sing most of the tunes in the Salisbury hymn book there.

This is before Hardy began writing such sceptical poems as 'In Tenebris II'. The passage from the Bible appears in chapter 19 of *A Pair of Blue Eyes*, in a religiose context.

* * *

Broadly what happened in the long nineteenth century is that a discontent arose concerning the state of religion existing from the eighteenth century into the early nineteenth. The passions which fuelled the Reformation cooled, and the secularism which it released intensified, leaving belief and worship dry and weak in piety. Movements were afoot to reintroduce spiritual regeneration. Amongst them was the Oxford Movement, which sought inspiration from the imagined sanctities of the Middle Ages. It was thought that sacramentalism could inject vigour and renewed enthusiasm into the church. Some believers, such as A. W. Pugin, John Henry Newman and Gerard Manley Hopkins sought inspiration from Roman Catholicism, and became converts, but many did not see that as the answer, because the post Tridentine catholic traditions were inadequate, and one needed to go back to periods before the Reformation, when the English church was more deeply devout. Evangelicalism also attempted some kind of reform, but placing less reliance on the hierarchy of priests, and more on personal involvement, reinforced by sermons.

This is a thumbnail sketch, but what Curl continually emphasises is that the energies which went into religious controversy and debate in the nineteenth century had immediate effects on church architecture. Gothic architecture guided the spirit, and centuries before John Milton had realised, even though he was a Puritan, that it showed the way: 'storied windows richly dight,/ Casting a dim religious light' as *'Il Penseroso'* has it. The Victorians wanted authenticity, and they realised that the playful eighteenth-century Gothick had to be replaced by something more firmly based on historical research. Hence the Ecclesiological Society, which concerned itself both with religious practices and architecture.

A great parade of names passes us by as we are reading, and some magnificent buildings were produced, many quite close in form to the genuine articles from the Middle Ages, especially those based on French models. When in 1854-60 the Fellows of Exeter College swept away the charming almost domestic chapel and replaced it with something dropped from the sky resembling the Sainte Chapelle in Paris they were expecting it to be inspirational and almost magical. Yes, but think of the thing 'Great' Scott destroyed. And the new thing is too big. The screens and stalls were recycled in St. Mary, Long Wittenham. When Christ Church Choir was given a 'restoration' the stalls were moved to St Peter, Cassington. In villages around Oxford, at Wheatley, Leafield and Freeland, for instance, new, impressive and convincing monuments suddenly appeared.



Exeter College. *The Old Chapel. Destroyed to make room for 'Great' Scott's affair.*



Exeter College. *The Old Chapel. Destroyed to make room for 'Great' Scott's affair.*

Roman Catholic architects tended to stick with classical models, and some were very fine and impressive, such as Joseph John Scoles's chapel at Prior Park, Bath and Charles Day's St. Xavier's, Hereford, but I often wonder what kind of belief is possible in such interiors. It's not unlike Ian Robinson in *The Survival of English* (1973) wondering whether belief is even possible if one is using the language of Edward Heath. He thought it wasn't. Like many architects of the time Scoles could work in different styles, and his Jesuit Church of the Immaculate Conception, Farm Street, London (1844), and St Francis Xavier's, Liverpool (1844) are neo-Gothic.

The story is more complex than this précis makes it sound, because the adoption of Gothic models was not confined to painstaking revivalism. If classicism in the seventeenth and eighteenth centuries had been open to inventive variations, especially with the Baroque, then Gothic was even more open and flexible, and there came a point when although religious messages were built into the structures the architects delighted in the possibilities of searching for new styles and forms. In extreme cases this led to the outrageousness of the so-called 'rogue architects' such as Enoch Basset Keeling, Edward Buckton Lamb, Joseph Peacock, Robert Louis Roumieu and Samuel Sanders Teulon. Teulon's most impressive church is St. Stephen's, Rosslyn Hill, Hampstead, which Curl does not mention, but you can't mention everything. It was at risk for many years.

Curl's knowledge is breath-taking, and he ties things together very tightly. So that rood-screens play their part. Nowadays, as in Larkin's 'Church Going', they are merely of specialised interest for 'ruin bibbers' and

those keen on 'a whiff of organ-pipes and myrrh', but in the nineteenth century they caused passionate debate, since by fencing off the chancel one was introducing mystery and exclusion into worship. In fact from the sixteenth century onwards Roman Catholic architects and their commissioners did not bother with them. Pugin installed one in the first Roman Catholic cathedral since the Reformation, Pugin's St. Chad's in Birmingham, but the ambonoclasts wanting to be 'with it' took it away in 1966-68. It survives in Holy Trinity Reading, collected by Rev. Brian Brindley, a picturesque priest who became Roman Catholic in 1994, remarking, 'I felt as if I had been a commercial traveller who had been selling vacuum cleaners for thirty years, only to discover suddenly that they didn't work.'



Holy Trinity, Reading. *Pugin's screen from St. Chad's Birmingham.*

Holy Trinity, incidentally, is a museum of *disjecta membra*, and contains the pulpit from All Saints, Oxford (now the Library of Lincoln College) and the altar from St Paul's, Walton Street (now a café). It was felt in cities that the new churches should offer consolation and entertainment to the deprived masses, and that, doubtless inspired the erection of St. Barnabas church here in Jericho, designed by Hardy's employer Arthur Blomfield (1869-87). Not, as it happens, Gothic but Italianate Romanesque. It puts in an appearance in Jude the Obscure as St Silas, when Su Bridehead goes to the bad by succumbing to indulgent superstition:

'High overhead, above the chancel steps, Jude could discern a huge, solidly constructed Latin cross – as large, probably, as the original it was designed to commemorate. It seemed to be suspended in the air by invisible wires; it was set with large jewels, which faintly glimmered in some weak ray caught from outside, as the cross swayed to and fro in a silent and scarcely perceptible motion. Underneath, upon the floor, lay what appeared to be a heap of black clothes, and from this was repeated the sobbing that he had heard before. It was his Sue's form, prostrate on the paving. (Part VI, chapter 3).'

Elsewhere though worshippers were experiencing something simpler, expressed by Clough in 'Epi-Strauss-ion' where clear vision is seen through 'windows plainly glassed': 'However,/ The place of worship the meantime with light/ Is, if less richly, more sincerely bright.'

There was a lot of well-meaning effort, when the church started to take on social responsibilities – one thinks of Frederick John Francis’s St. Jude’s in Commercial Street (Next to Toynbee Hall, but demolished in 1927) where the Barnetts organised exhibitions for the poor. It was described by hoity-toity Ecclesiologists as ‘cockney Gothick’.



St Jude’s Commercial Street: ‘cockney Gothick’.



St Jude’s Commercial Street being demolished (1927)

Also administering uplift to the socially deprived was Arthur Cawston’s St. Philip’s in Whitechapel (1888) now a library. And another church established for the poor was George Frederick Bodley’s St. Mary at Eton in Hackney – endowed by Eton College.

For people who think the past was exactly like now, but with different costumes, the Victorian period comes as a shock. There was so much passion and heightened feeling. There is a church in Birmingham, Holy Trinity Bordesley (not a church now

though). It was built by Francis Goodwin in 1820-22. It looks something like King’s College Chapel, Cambridge and was sketched by J.M.W Turner.



Holy Trinity, Bordesley

In 1879 it was the centre of a much publicised scandal when the Rev. Richard Enraught was arrested and sent to prison because of his extreme adherence to ritualistic practices. One gets a sense of the Protestant opposition to the High Church by considering Ruskin’s *Sesame and Lilies*:

‘You might sooner get lightning out of incense smoke than true action or passion out of your modern English religion. You had better get rid of the smoke, and the organ pipes, both: leave them, and the Gothic windows, and the painted glass, to the property man.’

He had already attacked Romanism in Appendix 12 of volume 1 of *The Stones of Venice*:

‘But of all these fatuities, the basest is the being lured into the Romanist Church by the glitter of it, like larks into a trap by broken glass; to be blown into a change of religion by the whine of an organ-pipe; stitched into a new creed by gold threads on priests’ petticoats; jangled into a change of conscience by the chimes of a belfry.’

There is the famous episode of William Sewell at Exeter College burning Froude’s *Nemesis of Faith*. A witness writes:

‘I see him now, with hall poker in hand, in delightful indignation, poking at this, to him, obnoxious book.’

Unthinkable in 2023.

It’s incidental to the story, but the building of new Victorian churches ran alongside the ‘restoration’ of older ones. A similar over-confidence took place, and many buildings were heavily damaged in the process, leading in 1877 to the founding of The Society for the Protection of Ancient Buildings (Anti-Scrape) by William Morris, Philip Webb and others. This photograph says it all: the restoration of All Saints Kingston by Raphael Brandon (1817-177), in which much was swept away. The man holding the sheaf of drawings is possibly Brandon. He was Thomas Hardy’s employer.



The ‘restoration’ of All Saints Kingston.

Curl has strong views, and doesn’t pull punches; he is very hard on a whole sequence of critics who have been unsympathetic to Butterfield’s Keble College and have blindly followed ‘Received Opinion’. He calls it ‘looking with one’s ears.’

The neo-Gothic persisted in church architecture longer than in secular. In the 1870s there was a new kid on the block in the shape of the Queen Anne Revival. When it came time for the Examination Schools in Oxford there were neo-Gothic proposals, but T.G. Jackson’s Jacobethan won the day, which is partly a response to the demands for light urged by the Queen Anne Revival. In *Unbuilt Oxford* (1983) Howard Colvin is a bit dismissive of John Oldrid Scott’s proposed entrance hall for the Examination Schools, which would have been gloomy and unwelcoming for those with exam nerves. He writes that it ‘would have been like a monastic undercroft converted into a railway waiting room.’ You get some idea of what it might have looked like by visiting the cloisters at Glasgow University, designed by ‘Great’ Scott and finished by his son John Oldrid Scott.

There aren’t many Queen Anne Revival churches, but one is Norman Shaw’s St Michael’s (1879), plonked down in Bedford Park, aesthete’s Elysium. ‘Extravagantly Ritualistic in its liturgy’ it did not have much relation with the progressive features of the suburb such as the co-operative stores. It even had a chancel screen. More specifically, it combines ‘Perpendicular Gothic with seventeenth- and eighteenth-century domestic features’. The architect G. E. Street found the result ‘very novel’ but ‘not very ecclesiastical’. As a product of Shaw’s strong Tractarian/Anglo-Catholic sympathies, the church came under fire in its early days for its ‘Popish and pagan mummeries’. It is more Queen Anne on the outside than the inside, especially with its lantern.



St. Michael's, Bedford Park. Norman Shaw (1879)

Another example is the Congregational church in Islington (1888) by A.A. Bonella and H.J. Paull. Norman Shaw's All Saints' Leek (1885-87) is, relatively, a more conventional affair, but as Curl says it is not 'copyist'. There are some Arts and Crafts churches. Lethaby's Brockhampton-by-Ross (1901-2) is very odd; 'owes little to historical precedent' says Curl.

* * *

Readers of this book will find themselves asking a highly problematical question. Curl often castigates church authorities who have vandalised the fabric of the buildings of which they are supposedly custodians. Private Eye's 'Nooks and Corners' has been doing the same for decades. The authorities obviously can't be trusted. The problem, though, is that the buildings are not simply ancient monuments, but, as Corbusier might say, machines for worship. The churches in earlier centuries were constructed at times when liturgical practises were very different from now, and even dogma itself was different. Those churches provide environments unsympathetic for the modern age. Are worshippers to be trapped in the formats of yesteryear, or do they break free, and remove the screens and alter the sitings of the altars? And remove the pews, so that stacking-chairs can be brought in to make yoga-classes possible?

And there's another problem: if one listens to Henry Vaughan's 'My soul there is a country', which was sung at the funeral of Queen Elizabeth II, there are the lines which stand out: 'But One who never changes/Thy God, thy life, thy cure'. If God is universal and unchanging how can he be made to change year by year? A big if there, because God is not unchanging. Since he has been fabricated over the centuries by ingenious and inventive human beings he will always be modified as the years pass by, and ways of worshipping will be modified too, for human convenience. One recalls that not so long back the Bishop of Durham, David Jenkins, claimed that God was something like an allegory. In Victorian times he would have been hauled before an ecclesiastical court.

The rewriting of carols is one indication of cultural instability and the fact that worship is refashioned for the convenience and

modishness of congregations. Dear God, 'God rest you merry gentleman' has just been redone and sung in All Saints Loughborough:

*God rest you also, women, who by men have been erased,
Through history ignored and scorned, defiled and displaced;
Remember that your stories too, are held within God's grace.
God rest you, queer and questioning, your anxious hearts be still,
Believe that you are deeply known and part of God's goodwill
For all to live as one in peace; the global dream fulfilled.*

One feels that the fourteenth-century architecture of the place voices an eloquent and silent stony protest.

The beauty of the churches Curl describes seems to demand that they be preserved in aspic, but to do so would be to preserve religion in aspic – which flies in the face of its nature. There is a haunting picture of a helter-skelter erected in the nave of Norwich Cathedral in 2019, to make the worshippers feel comfortable and entertained. How can the villains who made this possible have any relationship to Pugin, Scott, Street, Butterfield, Pearson, Burges, Bodley, Comper and numerous others? We are on a slippery slope. But we always have been. In 2019 Rochester Cathedral installed a mini-golf course in the nave.

We are going to face a reckoning when the Coronation comes round, and the King is crowned both as head of the Kingdom and head of the Church of England. All the residual grumblings about the break with Rome will surface again, and the danger that having the church controlled by the State compromises its holiness. Quite apart from the fact that King Charles has expressed his support for other faiths. We get a preview of the anguished debates to come in Catherine Pepinster's *Defenders of the Faith: The British monarchy, religion and the next coronation*.

The religious contexts for the Gothic revival were less controversial than the secular ones in the nineteenth century. It's all to do with function. Ruskin was worried that gothic elements were being used for the Bank in the High Street, Oxford (now the Ivy Restaurant), rather as Hardy worried, when he attended the Crawford-Dilke trial in July 1886, that all the organic forms were being co-opted for the operation of justice. The Royal Courts of Justice were designed by George Edmund Street:

'As to the architecture of the courts, there are everywhere religious art-forces, masquerading as law symbols! The leaf, flower, fret, suggested by spiritual emotion, are pressed into the service of social strife.'

Ruskin recognised that in extolling Venetian Gothic he had created a monster, and it came home to him in 1873 when he saw a neo-Gothic pub:

'On last Waterloo day [18 June], I was driving

through Ealing towards Brentford just as the sun set after the thunderous rain which the inhabitants of the district must very clearly recollect, and as I was watching the red light fade through the gaps left between the rows of new houses which spring up everywhere, nowadays, as unexpectedly as the houses in a pantomime, I was startled by suddenly finding, between me and the evening sky, a piece of Italian Gothic in the style of its best time.'

The architect had read his third part of the *Stones of Venice* to purpose; and the modern brickwork would have been in no discord with the tomb of Can Grande, had it been set beside it at Verona. But this good and true piece of brickwork was the porch of a public house, and its total motive was the provocation of thirst, and the encouragement of idleness.

He did not name the pub. Neither do the editors Cook and Wedderburn for his monumental edition. It was *The Grange* in Ealing. In a letter to *The Pall Mall Gazette* of 15 March 1872 Ruskin admitted that he had been responsible for 'accursed Frankenstein monsters of, indirectly [his] own making'



The Grange, Ealing: 'the provocation of thirst, and the encouragement of idleness.'

Curl is often depressed and angry in this book, and many readers will share in his states of mind. So much has been lost and is being lost. The Wesleyan chapel in Tipton I attended (George Bidlake, 1865) was demolished in 1975. It was Gothic, but compatible, to a degree with Wesley, as is the Methodist church in New Inn Hall Street Oxford (Charles Bell, 1878). It had to go; it was impossible to heat, and fewer and fewer worshippers attended, but it was replaced by something spectacularly undistinguished and unappealing. The original chapel was the best building in the town. It was called 'the Top Hat Church'.



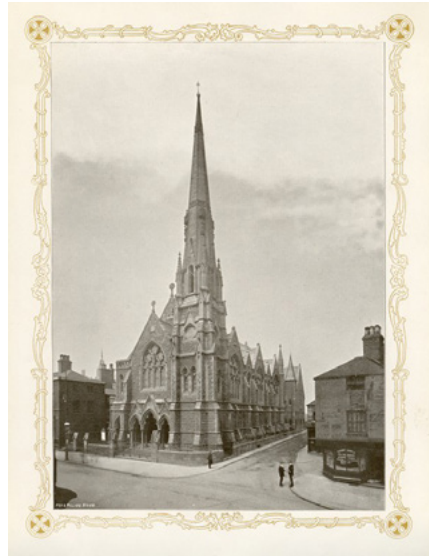
Park Lane Methodist Church, Tipton. George Bidlake (1865, demolished 1975)

Down the street from my Victorian Primary School (demolished) was the splendid St Michael's, Tividale, 'the Cathedral of the Black Country' (Davis and Middleton, 1878), demolished in 1984 and replaced by something horrible. It was very high church, and whereas our Anniversary procession were led by the Boy Scouts band theirs had a proper brass band and there were vestments, banners and 'chain-swung censers' (has Keats has it). We would go to lantern-slide shows there of Christ's Passion in Easter week. On the way to my secondary school I used to pass the magnificent Unitarian Church of the Messiah in Broad Street, Birmingham (John Jones Bateman, 1862). It was built over the canal. Gone. Curl mentions it.



St. Michael's, Tividale (1878, demolished 1984).

On the whole it's better to use a decommissioned church for something else than demolish it. In Oxford Sts. Philip and James (G.E. Street, 1860-6) on the Woodstock Road is now the Oxford Centre for Mission Studies. Curl notes that Street's churches come from 'the so-called muscular phase of the Gothic Revival'.



The Church of the Messiah, Broad St., Birmingham. John Jones Bateman (1862).



The Church of the Messiah, Broad St., Birmingham being demolished in 1978. Looking towards Gas Street Basin.

Closer to home was St. George's Chapel in George Street (P. Harrison, 1850), demolished in 1935 and replaced by a cinema. It is mentioned in Christopher Hibbert's *The Encyclopedia of Oxford* (1988) but not illustrated.



Henry Taunt's photograph of St George's Chapel, George Street, Oxford in 1907. The Old Fire Station (H.W. Moore, 1894) can be seen beyond it.

This story can be repeated up and down the country. And it's the same abroad. Much to the consternation of the citizens, St Jacques, Abbeville (Victor Delefortrie, 1868-1876), was demolished in 2013. It's true, though, that it replaced a charming medieval church – which Ruskin regretted.



St. Jacques, Abbeville



St. Jacques, Abbeville (2013)

I began with Arnold; I shall finish with him. In his plangent poem 'Dover Beach' he speaks with deep regret about the passing of the faith which was once 'like a bright girdle furled'. Now he only hears 'its melancholy, long, withdrawing roar' as it retreats. One has reservations as one reads the poem, because the faith could not have been that diminished, given the rich and energetic building programmes, and all the collective effort maintaining belief. Such regret would be more appropriate to our time, and Curl ends on a despairing note. He says, quoting Arnold, that 'the "naked shingles of the world", unwashed by my generation, are now so covered with detritus they cannot even be seen.' He foresees a new tidal wave, and writes that 'derelict, abandoned, wrecked churches, and equivocating virtue-signalling, unimpressive clergy will be unable to withstand it.'

BERNARD RICHARDS

CONTENTS

No. 448 Noughth Week Hilary Term 2023

| | | | |
|--|----|---|----|
| Right to Truth BEN BOLLIG, TIM HORDER | 1 | Disheartened Dreamchild Skink DUNCAN WU | 13 |
| Reminders | 3 | Plaint for these Distracted Times CARL SCHMIDT | 14 |
| Participative democracy: making it work? G.R.EVANS | 6 | Review: The Wreckers and “The Wreckers” T.J.N. WICKENS | 15 |
| Places Emily Bronte’s Last Walk BRUCE ROSS-SMITH | 9 | Review: The beauty of holiness BERNARD RICHARDS | 16 |
| Notes from Ivory Flats ROBERT FOLEY | 10 | | |

CONTRIBUTORS TO THIS ISSUE

G.R. Evans was Professor of Medieval Theology and Intellectual History at Cambridge • Robert Foley is Leverhulme Professor Emeritus and Fellow of King’s College, Cambridge • Tim Wickens is an Opera enthusiast and friend of the late Peter Schofield, who reviewed opera for Oxford Magazine • Bernard Richards is an Emeritus Fellow of Brasenose College