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CDBU

When *Morrisons*, *KFC* and *Starbucks* offered their employees their own in-house courses leading to foundation degrees they did not have to seek to call themselves "universities". Nor did they need to obtain the right to grant degrees and only gradually are they becoming subject to inspection by the QAA: the degrees were granted and examinations moderated by an existing university (such as the University of Wales, which until recently generated significant revenue from such franchising activities). FE colleges have often provided degree courses under this sort of arrangement. But more recently UK universities have begun to create overseas branch campuses and even their own UK subsidiaries; "university colleges" providing degree courses – with degrees granted by the parent institution – especially in such vocational subjects as law, IT, accountancy and media studies. Why? It seems that, in some cases, this can boost funding for the parent university on the basis that such courses attract new cohorts of students. These courses can be popular because they are cheaper than the fees at traditional universities, and more relevant to consumers because they are presented as direct steps to employment, designed specifically by and for local employers.

Some powerful and financially major players are pursuing a similar path. Take Pearsons. Perhaps best known up to now as a publisher, Pearsons is increasingly involved in education: it owns Edexcel and runs BTEC; it marks Sats tests for 3.8 million 11-year-olds; it publishes its own ranking tables of UK universities; it collaborates with "BBC Action" and with Oxford University Consulting on "school improvement programmes". It gave funds to start Oxford's "Centre for Educational Assessment". It is said to be the world's largest educational provider, with a market capitalization of $10 billion. Increasingly active in China, in the US, as a result of multiple acquisitions, Pearsons has become a leading assessment and testing provider in a number of states; it has a 5-year $32m contract with NY State Department of Education to deliver tests for 4-8 graders. It also designs curricula and sells the course books. In the UK its declared objective is to become a large-scale HE provider: by generating such a comprehensive range of educational tools (course design, textbooks, web-resources, examinations and promotion) that they become interdependent its services eventually would have to be bought as a complete package.

What do all these developments have in common? In all these cases, the franchising or "provider" institution does not necessarily supply the teaching; there may be

THE LIBRARIES AND THEIR FUTURE

Members of Congregation are reminded that Congregation meets at 2.00 p.m. on 13th November, Tuesday of Sixth week (gowns not required). The Discussion on a topic of concern to the University replaces, by agreement with the signatories, the Debate on a Resolution about the libraries. There will be no vote; but the speeches will be published in the *Gazette* for the historical record, as in a Debate. The issues have raised strong and widespread feeling, particularly in the Humanities Division. If you value the University libraries, you might wish to be there.

INSIDE

no on-site academic staff as such–and therefore no research or scholarship–since teaching may be bought-in or outsourced and, as is increasingly evident, achieved through distance learning (now suddenly becoming directly available and free to anybody through "massive open online courses" (MOOCs)). Examinations may be similarly outsourced (and increasingly electronic). There may be no university buildings or other facilities (such as libraries, laboratories or dorms).

It gets worse. As things stand the big players such as Pearsons are dependent on the validating university which issues the degree in its name. In this position they are (at least potentially) open to scrutiny and dependent for course design and standards on the approval and supervision of that university. "Pearson College"was founded this year to supply business and enterprise courses, validated by Royal Holloway and Bedford New College. For-profit private providers' natural goal is to have their own degree-awarding powers and ultimately to own the "university" title, the use of which is protected by statute. (The word 'university" in the title "university college" is protected but the right to use it in this way is more easily obtained–see Evans' article later in this issue–and given its ambiguity, the phrase is bound to be a source of confusion for young people thinking about how to enter HE). Already the single largest HE provider in the US is the University of Phoenix, owned by the investment company Apollo Group, which has recently bought the UK "BPP University College", a for-profit college already possessing degree-awarding powers. Over the summer Regents College in London gained its own degree-awarding powers. The London School of Business and Finance (LSBF), owned by brothers Aaron and Arye Etingen, "hopes to become the latest private provider to gain degree-awarding powers" (*THE*, 1st Nov 2012). Waiting in the wings with similar ambitions are the private equity investment company Sovereign Capital which owns Greenwich School of Management and Brighton Institute of Modern Music. Carlyle Group, like Pearsons, is thought to have an interest in buying the College of Law, which has degree-awarding powers.

It seems likely that Pearsons (and LSBF) would be contenders to buy (or set up a joint venture with) a university, perhaps London Met., that is failing. They would then not only acquire degree-awarding powers and "university" title, but a lot more besides; e.g. VAT exemption, ownership of land and buildings originally paid for out of the public purse. And then Pearsons would not only be able to supply its package of educational tools at a fee level that could undercut existing universities on price: it could also offer greater flexibility in timetabling; greater flexibility as regards residence requirements; and provide built-in links to business and employment. The attractions for students are obvious. The impact of Pearsons is already much in evidence; it claims to have eight million students worldwide on its online "study paths" ("MyLab, "Mastering").

What we see then is an ever widening range of mechanisms for the generation of new money streams, and in some cases shareholder profit. Student accommodation is increasingly financed and managed under PFI schemes. London Met. recently proposed to seek bids from the market for an outsourced £74m management scheme to supply all its "non-academic services", a scheme that it eventually hoped to offer to other universities with a potential £500m budget. Recruitment firms are employed to boost overseas student applications. Universities are raising capital by issuing bonds to investors. At every turn money is being made. Throughout the HE system percentages are extracted, all at the ultimate expense of students ....but they are most unlikely to realise the fact, because they only have to pay the costs much later.

* * *

Why should these trends matter to those who believe in the historic idea of a university, as fondly, proudly and vividly remembered in the only quite recent past? What are the long-term implications? Is one not compelled to ask whether the students on privatised courses are necessarily getting a "university education"? They are hardly going to get all the social and recreational benefits conventionally included in the concept. Nor are they likely to have sight of, let alone personal contact with, a "real" academic. More fundamentally though, one has to have concerns about the possible effects of outsourcing and IT dependency for academic standards. The recent trends only intensify a question that many have been asking since 1992 when the polytechnics became universities; what does a "university degree" actually amount to when there is such a wide range of differing institutions providing them? It is thought (*THE*, 1st Nov 2012) that on average only around 50% of teaching staff in UK universities have a PhD; 12% have only an undergraduate degree. These estimates probably do not take into account the piece-rate teaching carried out by casual auxiliaries.

The encouragement of "for–profit" providers was a key aspect of the 2011 White Paper "Students at the Heart of the System". The policy is actively promoted and facilitated by the coalition government. Students on "privatised" courses are often able to get tuition fees and maintenance paid by the Student Loan Company, itself a non-profit Government-owned public body. The government is easing the criteria for university title. Could creeping privatisation affect the core activities of UK universites as they now exist? Even Russell group universities (always strapped for cash and with their built-in and necessary infrastructure overheads) could feel the consequences of competition on the basis of price; they may, for example, be less able to increase fees to the level they require to maintain their world-class status. In a situation of a "race to the bottom" we know that even the top can be pulled downwards. It might be thought that, given the managerial will, and as "autonomous" rather than public bodies protected by their charters (as civil or statutory corporations) universities are free within the law to defend their own standards and future policies: to govern themselves independently, determine their academic priorities, decide on their own student admissions and the employment or remuneration of staff. But in reality all aspects of university life are circumscribed by government policies and by public body law; e.g. funding (via the REF and HEFCE), prioritising of STEM subjects, indirect control of student admissions (via the various quotas, and pressure on access from OFFA), to name but a few. Increasingly these controls are the result

of ministerial fiat, without Commons scrutiny, rather than of parliamentary legislation.

The promotion of privatisation wherever possible applies to all recent governments. It has become a mantra; competition, choice, the free market and private enterprise can, it is fervently believed, drive up standards and reduce government costs. Never mind whether freedom to choose a hospital for treatment or a school for one's children makes any sense when the hospital or the preferred school is many miles away. Never mind the fact that universities are prevented from operating in a genuine free market by innumerable government-imposed controls. The coalition government's removal of public funding for teaching and tripling of student fees – as loans repayable over thirty years – was of course, the most blatant manifestation of this ideology. Nobody questions the notion that school education is a public good and therefore free: suddenly higher education is treated in an entirely different way, as a matter of consumerism and private monetary benefit. Whether the coalition's fee reform reduces or actually increases government spending on HE is far from certain; it was never going to be predictable because circumstances will change and the total bill will only be calculable many years hence.

Meanwhile the government can, in accountancy terms, remove the debt from its books and could well privatise the debt burden as bonds; the situation reminds one all over again of the subprime mortgaging of debts that led us into the current recession. As good citizens and as taxpayers should we not be mightily concerned that our government is operating in this financial make-believe land, in a way that will blight the futures of a whole generation of young people?

* * *

Where and how does one draw a red line in a situation in which academic standards and the purposes of universities are, in the view of many academics, being steadily eroded? Typically, and at their best, academics are almost the polar opposites of politicians; they demand hard evidence, they plan for the longer-term and remember how things were, they are by nature circumspect and averse to PR or campaigning, they test their hypotheses and admit their errors accordingly, they engage with individuals (e.g. students) on a personal rather than mass basis. No surprise then that over many years academics have appeared to offer no resistance to a continual stream of damaging government reforms. In striking contrast to other professions (e.g. the medical and legal professions) their job descriptions and ways of life have been changed out of all recognition. The pool of the brightest, most committed (and poorly paid) talent that exists in university faculties has been taken for granted: when it comes to expert knowledge and advice government depends on that talent, but it is deaf to what academics, as the professionals, say about the requirements for the maintenance of a good HE system. Indeed, it begins to look as though Pearsons is taking charge of education policy-making.

The "Council for the Defence of British Universities" is being launched next week. Its purpose is to give voice to the whole range of concerns of the academic profession. Up to now these have not been represented; V-Cs, HEFCE, UUK, UCU all have conflicting obligations and, it can be argued, have failed to stem the tide of government policies that so threaten the essence of universities. CDBU is a non-political grouping of worried people within and outside universities who, for the first time, aim to defend and promote the academic value system in the public arena.

For further information and application for membership visit ***www://cdbu.org.uk***

T.J.H

Reminders

30 October [1912]. What may a modern community expect from its Universities? It may expect three things. First, that it should uphold exact and arduous standards of knowledge. Second, that it should make those standards operative in the world at large by teaching. Third, that it should so organize itself as to make intellect and character the sole passport to its advantages. To put the matter another way, the business of the University is two-fold; to uphold an *intellectual* standard, and uphold a *moral* standard. The intellectual standard it upholds by maintaining a severe intellectual discipline. The moral standard it upholds by making that discipline accessible to all who will submit to it, by relaxing it for none merely because they are well to do or socially influential, by depriving none of it because they are poor or uncouth or socially incompetent. In this way a University might become a centre of moral authority. And it is precisely such a moral authority which Englishmen need more than anything else at the present time. We require to (a) be taught the infinite difference between what is false and what is true; (b) think of knowledge, like religion, as transcending all differences of class and wealth; and that in the eye of learning, as in the eye of God, all men are equal because they are infinitely small. To sell education for money is the next thing to selling the gifts of God for money.

R.H. Tawney, *Commonplace Book* (Cambridge, 1972) ed. J. Winter & D. Joslin

Council and Senate

THOMAS DOCHERTY

The University institution – unlike the NHS, the English countryside or the badger – is not a popular cause. As a rule, we do not enjoy or benefit from the almost visceral support that sustains many other great institutions or endangered species. This is so even despite the fact that the University, in these days of mass Higher Education, is no longer such an exclusivist or minority institution as it may once have been. That it is still castigated as exclusive (sometimes mediated as elitist) is a problem; and, in some ways, it is a problem made by the Universities themselves.

We should not all now leap to the proposition that the problem is the one usually encompassed by the idea of 'widening participation' and 'open access'. Instead, we should see what is really and fundamentally at stake here: the problem is one given to us by a sector leadership that has preferred exclusivity as a prime marker of brand-value, usually described in league-table positions. While preaching the Bible of WP, that leadership has nonetheless identified itself with particular 'missions', as in the so-called mission groups of the Russell, the 1994 and so on. Such intrinsic self-contradiction is at the base of what we might see as the real grounds for our relative unpopularity. It is not, actually, that we are unpopular at all; rather, we have no-one speaking up for us, no-one giving us any social or cultural authority and legitimacy.

The crisis of legitimacy is our fundamental problem.

The crisis of legitimacy that afflicts us has several causes. Many of these are external: we are castigated essentially for alleged failings in our service to the commercial world where value is identified only financially or by price; we fail to guarantee employability for our graduates in a world where there are no jobs; and so on. Yet the crisis of legitimacy is deeper and more important than such falsified and ideologised images of us would suggest. All of this can be – and should already have been – consistently countered by an assured and confident sector leadership. Why has that not happened?

The crisis of legitimacy derives from internal structures of governance in the sector.

Perhaps the leadership is not as assured as it might be? Yet, as many colleagues know – and probably especially in the institutions beyond Oxford and Cambridge – Vice-Chancellors often appear to be brimming with confidence (many of them now re-styling themselves as CEOs, Presidents and the like, in an increasingly crazed 'title-inflation' whose consequences in the struggle for significance may actually exceed those of alleged 'grade-inflation'). In some cases that have been detailed in recent times in national or specialist press, they have assumed a quite massive control of their institutions: they really are 'the boss', disciplining (or suspending, preliminary to firing) colleagues who dare to question their views or, sometimes, diktats. How can these leaders be lacking in legitimate self-assurance?

Oxford famously saw off the proposals of a former V-C for a new governance system; but the same cannot be said for institutions beyond Oxbridge. Most institutions effectively have a dual-system of governance: a Senate, and a Council. Senate is supposed to have responsibility for all academic matters; Council (rather like the Governing Body of a school in primary and secondary sectors) is the final arbiter of all matters in what is increasingly called 'corporate governance'. Senate attends to basic academic matters; Council engages that with extrinsic and other pressures.

In principle, this system can work by isolating properly academic considerations from matter that might prejudice the properly intellectual demands of academic debate; and, in principle at least, it grants a certain democratic legitimacy to the institutions – and their leadership – in academic matters. Crucially, it proposes Senate as a debating chamber, a place of deliberation, and a place where academic matters and principles determine and describe the possibilities of that deliberation.

In 2003, however, at the height of a period in which the University was being encouraged to think of itself as a business whose primary function was to serve the world of commerce and an economy that demands instant return for financial investment (i.e, to do whatever it was that the CBI, the financial sector, multi-nationals wanted; and then to change what it was doing dependent upon the mutable desires of those commercial worlds), the then government called for a Review of University Governance. The resulting Lambert Report – which was officially a report on university-business links – made a number of proposals regarding university governance. Key among these was the proposal that Councils should be shrunk in size; and that Councils should have a majority of lay members. The hypothesis was that such arrangements would lead to the institutions being more athletic (allegedly like the corporate business world) and that, with the majority of lay members, it would have a predilection favourable to external or 'outward-facing' or 'customer-facing' priorities.

The effect has been pernicious in institutions that have been required – by HEFCE – to live with this arrangement. The prioritisation of lay members as a matter of managerial principle has contaminated the entire legislative processes governing the university as a whole, Senates included. Senates are now, effectively, structurally less central to what we do. The prioritisation of the 'outward-facing' or non-academic has led to a deterioration in the debates and dialogues that should form the core of any institution whose central activity is, indeed, academic.

In effect, Senates are now almost entirely subservient to Councils and to increasingly ideological and sclerotic extrinsic pressures. Worse, however, Senates are now almost evacuated of any substantial academic deliberation; and, worst of all, they are emptied of democratic participation. The business of Senate is, like everything else, typically, to be 'managed'. Senators become just one more group of 'human resources'; but a group whose authority is to be corralled in support of decisions

that are now essentially made elsewhere, outside the debating chambers.

In short, the sector leadership is now not based upon sound and rational academic principles that can be defended in the public sphere – a position that would grant our leaders the authority and legitimacy to speak on behalf of us as academic institutions. Instead, thanks to the demise of Senatorial debate and dialogue, our V-Cs have to find what authority they have elsewhere, and by other means. The result is that our governance structures have damaged not just our popularity but also our historical academic and institutional legitimacy. Who will speak for the academic community?

This has had massive consequences for the sector as a whole. Senates, sadly, have started to resemble 'meetings' of sub-committees in corporate organisations. Colleagues at those meetings are faced with massive amounts of information (so they cannot ever complain that they were 'not informed'); but the masses of information are so great, often minutely detailed, and dealing with matters from committees that are extremely far removed from everyday academic practice. Much is presented as 'for information' and explicitly not for discussion in any case. Matter presented as 'for consideration', when presented from the Chair of Senate or other Senior Managers, is soon discovered to have already been pretty fully considered somewhere else; the ordinary Senator's input is thus diminished, since she or he was not party to those considerations.

In the end, nothing of substance is subjected to real and engaged debate. If there is debate at all, it is usually restricted to discussions of the processes and procedures by which decisions taken elsewhere have been reached. The bureaucratisation of these processes eviscerates the discussion of any reference to what, materially and on the ground, is actually happening. In short, Senates end up agreeing things that they have not had the opportunity to debate. A challenge to what is essentially a pre-taken decision thus becomes unwise: it becomes, at least tacitly, a challenge to the authority of our leadership internally.

In the end, Senates now appear to bolster the authority of V-Cs – but only internally to our institutions. Given that they now lack the backing of the academic community, through the evacuation of any serious democratic and reasoned debates on matters of first principle determining academic activity, they lack the legitimacy that would allow them to speak up properly, loudly, effectively, for the sector as a whole.

It is surely time to re-establish democratic participation in our institutions. We might not quite save the badger; we might lose some fundamental aspects of the NHS; but we can surely re-engage our leadership to fight for the University through the rehabilitation of debate in Senates.

Government Interference in University Admissions?

DAVID PALREYMAN and DENNIS FARRINGTON

In our 2012 second edition of *'The Law of Higher Education'* (OUP) we noted in para 18.14 that, conceivably, the Government could seek to use the Equality Act 2010 (hereafter EA10) to interfere in university admissions in the name of 'the desirability of reducing socio-economic inequalities' (Preamble to the EA10). We have also placed two items at the OxCHEPS website (and published them elsewhere – including within these columns) on the fact that OFFA has no power under the Higher Education Act 2004 that created it to interfere in university admissions (and indeed it is positively obliged by law to uphold the lawful autonomy of universities in making admissions), even if it has a legitimate involvement in getting universities to increase applications from (but not actual admissions from) disadvantaged groups (paras 4.50-4.60). The concept of the autonomy of universities – including freedom to select their students – and the idea of academic freedom for institutions or individual faculty are discussed in Chapter 13.

More recently we have had the Report of the access/widening-participation tsar (former MP, Alan Milburn) with its range of proposals as to how universities – and perhaps especially 'elite' or 'UK Ivy League' ones such as Oxford – might improve upon supposedly reduced/reducing social mobility (albeit that the actual evidence for any such reduction over the past few decades has, seemingly, not been found by such academic researchers as Emeritus Professor Goldthorpe of this very parish). And there has also been much media speculation as to how tough the new OFFA Director (Les Ebdon) may get with elite universities such as Oxford, Cambridge, UCL, Bristol. With reference to Goldthope's work, politicians, of course, do not normally over-concern themselves with evidence-based policy-making when such evidence might get in the way of a policy that plays well with the party members and even better the public – and bashing Oxbridge usually goes down well with all-too-many!

So, if the Government (HMG) were minded to interfere with university admissions and was not inclined to go to the trouble of passing specific new legislation (say, at last the much mooted Higher Education Bill linked to the 2011 White Paper on tuition fees) to beef up the powers of OFFA to promote what is taken to be fairness in HE – and, in fact, explicitly to tell OFFA it need no longer act to maintain university autonomy in relation to admissions – is there an easier route available to the reformers within the Coalition feeling guilty about imposing £9000 fees (or in fact for the new bods, were there to be a change of Government at the 2015 General Election)? Back to the EA10 as mentioned above.

In s1(1) 'an authority' when making decisions 'of a strategic nature about how to exercise its functions' is required 'to have due regard to the desirability of exercising them in such a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage'. And s1(2) adds that this public body/authority in deciding how to fulfil the duty under s1(1) 'must take into account any guidance issued by' the Government. Now at present universities are not listed as the authorities caught by s1 re the 'Public sector duty regarding socio-economic inequalities' (although they are, of course, caught in the wide applicability of the rest of the EA10 to all organisations, public or private – the Act would have to go out of its way to include them for the purposes of s1 by listing them (and their constituent colleges for Oxford & Cambridge), as does (say) the Freedom of Information Act 2000 as legislation aimed at the public sector, since, for the moment at least, UK universities are private corporations and not automatically public sector entities, and hence are not immediately trapped within legislation aimed broadly at the public sector such as the FOIA or by particular bits directed specifically at the public sector within legislation as in the case of s1 EA10).

The 'Minister of the Crown' is, however, in s2(1)(a) given the power 'by regulations' to 'add a public authority to the authorities' that are subject already to s1(1), while s2(2) says that for the purposes of s1 'public authority' is 'an authority that has functions of a public nature'. This is an example of the so-called Henry VIII legislation that is popular with Governments since it leaves open-ended the eventual scope of the new law and gives much flexibility to HMG to tinker down the line via quietly tabling a shiny new set of regulations (secondary legislation) empowering the Minister to do this or that (within the Act as the over-arching enabling primary legislation). Now, as we discuss in our 2012 volume (and indeed in the 2006 edition) defining 'functions of a public nature' and hence whether UK universities might ever simply slip over to being public sector entities for the purposes of such legislation as s2(2) EA10 (while, ironically, receiving ever less public funding) is complicated and, arguably, universities remain safely private – but funny things happen in the courts as the decades go by and the tide of public/administrative law flows.

The huge chunk of Government explanatory and guidance notes accompanying EA10 adds that for these public authorities decisions of a 'strategic' kind – as cited in s1(1) – are such as 'deciding priorities and setting objectives' while 'inequalities' includes those relating to education; and 'outcomes' relate to 'factors that affect wider life chances' such as educational attainment. Admittedly, even if the Government applied s1 to universities (and assuming that they are too servile to challenge HMG by way of judicial review), they would be required merely to have 'due regard to' the 'desirability' of reducing unequal outcomes arising from such socio-economic inequalities (as opposed to the heavier burden of the rest of EA10 which expects due regard to the 'advancement' of the various equality aims concerning groups with the protected characteristic such as race, sex, age, disability…). That said, universities usually rush energetically to (over-)comply with any hints or nudges, let alone formal requirements from Government and its various agencies in HE (HEFCE, QAA, etc), so one might expect HMG to be able to interfere fairly easily and extensively – and especially if s1(2) 'guidance' were issued by the Minister (whose annual 'letter' to the Director of OFFA, for instance, has in the past year or two sailed close to the wind of illegality in expressing hope that the Director will scrutinise actual admissions against the theoretical socially-equitable benchmarks conjured up by HEFCE – compared to earlier letters from a New Labour Government which did not stray from applications to admissions).

Of course, our ever-vigilant and well-funded trade body – Universities UK (UUK) or probably that is now really the Russell Group as the interests of the 'gangs' within UUK diverge – will have taken legal advice on the potential for Government to make intrusive use of s1 EA10. And perhaps it has had a comforting opinion, which it has shared with Messrs Clegg & Cable lest they got interventionist ideas in the run-up to 2015? More likely, the Independent Schools Council has done the homework on our behalf and duly briefed Tory backbenchers as the natural defenders of the vested interest of the higher socio-economic groups in colonising elite HE as they do in pretty well all other nations? (In fact, UK HE – £9000 fees and all – is already almost certainly fairer than in the USA and than in, say, France or Germany). Those who see EA10 as a dangerous piece of lefty legislation will be fearful of its Preamble and s1 being (mis-)applied to HE; those who view EA10 as not going far enough with respect to socio-economic disadvantage will welcome any attempt to use the worthy s1 tool to achieve speedy apparent social mobility by obliging elite universities to drop entry standards (which is a much quicker, cheaper and easier public policy route to seeming success than trying to get improvements in educational attainment at school level for certain socio-economic groups).

The next issue of *Oxford Magazine* will appear in Eighth Week

The *Oxford Magazine* is edited by

Tim Horder

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Lucy Newlyn at St Edmund Hall.

When does a 'university' deserve the 'title'?

G.R. EVANS

A month ago, I wrote to the person listed as responsible for 'student support services' at a recently-launched 'university college' venture, formed as a company by an existing University and offering that University's degrees. I received a reply a few days ago. It seems they cannot publish the list of the lecturers online for 'data protection' reasons. I had also asked where to find the student complaints procedure and the 'College's Non-Completion and "At Risk Student" retention policy' mentioned in the job description for the Administrative Assistant post at the College, but the Assistant Company Secretary who wrote back (not the 'student supporter' at all), tells me only that 'students are provided with all relevant polices'.

If I was an applicant with 'KIS' expectations of having adequate information to compare 'providers' before I made my application, I might notice quite a contrast between this institution and Oxford, where the academic staff are there online, with full details of their work and academic interests, and also exhaustive details about every aspect of the procedures affecting students. Oxford is a 'university'. The other institution is allowed to call itself a 'university college' although it does not have degree-awarding powers. Does it matter that a prospective student should be presented with so much less clarity about what is on offer by one than by the other? Should the student infer that one offer is therefore inferior to the other? How are 'widening participation' candidates unfamiliar with this world to judge?

The situation about 'University title' was not easy to understand even before recent changes began. Some 'providers' offering higher education courses leading to degrees are called 'universities'. Some are called 'university colleges'. Of 'university colleges', the majority in fact have their own taught degree-awarding powers. 'College' is not a 'sensitive word' protected by law, but its conjunction with 'university' where the applicant wishing to call itself a 'university college' is an unknown quantity as a teaching institution, ought perhaps to give pause. How many students understand the difference between their 'university college' and the university whose degrees it awards?

In a world where the 'brand' of your degree may help you onto the job ladder, matters were already likely to be confusing for prospective students and their future employers a few years ago, before the Government launched changes in the direction of still greater diversity. In an expanded and diversified higher education sector confusion can only grow worse unless the requirements designed to protect the use of the word 'university' in the title of a provider of higher education are both clear, and consistently applied.

The White Paper, *Students at the Heart of the System,* proposed changes to make it 'easier' (6.29) for 'new types of provider, who may not fit with the assumed model' to enter 'the sector' (4.24) and promised consultation on 'changes to the criteria and process for determining which organisations are allowed to call themselves a university or university college' (4.34). The White Paper's proposal to allow non-teaching companies such as EDEXCEL to apply for degree-awarding powers also potentially compounded the confusion further, for they too may want to apply to use the 'sensitive word' 'university'.[1]

Since the publication of the White Paper with its stated Government intention of increasing 'diversity', there have been attempts by the sector bodies to ensure that growing complexity does not mean growing confusion. The QAA has held a consultation on 'collaborative provision' last year, and revised Chapter B10 of its Quality Code:[2]

> *'Contemporary higher education now involves a wide range of collaborative activities. As well as more traditional links with further education colleges, there are arrangements with non-academic providers and employers.Higher education providers collaborate with others not only on the delivery of whole programmes, but also on individual modules and training, and on the use of specialist resources or locations for learning.'*[3]

It has published an *Embedded College Review*.[4] But it has also had to report on concerns about the operation of some existing collaborative arrangements.[5] There have also been warnings. BIS had to withdraw designation for student loan purposes from Guildhall College (a private college). The University of Wales has had to withdraw from its franchising of degrees in the wake of various failures to protect standards.

When the Government's current reforms began, a provider seeking to become an actual university first had to obtain degree-awarding powers. The process to be followed was intended to be rigorous. For aspirants to 'university title' seeking these requisite preliminary powers in England and Wales, where it is possible to seek solely taught degree-awarding powers, the requirements were set out in guidance of 2004.[6] The guidance for Scotland and Northern Ireland where the powers sought must be for both taught and research degrees, was still as set out in 1999.[7] There was a scrutiny requirement involving several stages and often taking some years. The ability of the body to assume the powers it was seeking and discharge them appropriately in the long term was tested by many QAA visits and on documentary evidence. The powers were not awarded lightly and the grant had to be approved by the Secretary of State. The for-profit private provider BPP was able to obtain its title of 'University College' by the 'Companies House' route, with the approval of David Willetts,[8] even though it held degree-awarding powers for only six years and they would soon become due for renewal. How much of this can safely be modified?

The *BIS Technical Consultation* on 'A new, fit-for-purpose regulatory framework for the higher education sector', published in August 2011, includes at 3.1.1 and following, some reflections on 'applications for University Title'.[9] The document describes the process by which an organisation having at least taught degree

awarding powers may apply to the Privy Council for 'university title or university college title'. (3.3.5) There is a requirement that the body demonstrate that it 'meets the criteria of student numbers[10] and good governance', set out at 4.3 and in an annex. This summer ministerial fiat was all it took to lower the qualifying number of students taking HE courses from 4,000 to 1,000.[11]

It is subsumed in the requirements that it will already have shown in obtaining degree-awarding powers that it 'has a well found, cohesive and self-critical academic community that demonstrates firm guardianship of its standards'. There is an express requirement that an applicant for university title shall show that its 'staff' 'will be competent to teach, facilitate learning and undertake assessment to the level of the qualifications being awarded' (Criterion C). A 'university college' which could not (or would not) list its academic staff might find itself in difficulties here.

Governments have short memories in higher education matters. The overarching intention of the legislation and guidance designed to protect the use of 'university title' was to avoid confusion and to ensure that titles do not mislead. This had become a pressing need in the aftermath of the passing of the Further and Higher Education Act 1992, when some colleges of higher education were tempted to rename themselves 'university colleges'.

The Dearing Report of 1997 drew attention to this practice in its Chapter 16 and Recommendations 62[12] and 65.[13] The Government speedily chose to embody in legislation in the Teaching and Higher Education Act 1998 the principle that 'university title' must not be used without proper authorisation,[14] 'authorisation' being 'by virtue of any Act or Royal Charter, or approved by the Privy Council for the purposes of this section'. The use of the title was not 'authorised' by 'the affiliation or association of other institutions to the university', or 'the accreditation by the university of educational services provided by other institutions'. [15] Under the 1998 legislation, the Privy Council was to have regard to 'the need to avoid names which are or may be confusing'.

The only test case involved what was then Liverpool Hope University College. This concerned only the question whether the speed with which this legislation had been enacted had placed institutions already using 'university college' title, but without the permission the law now required, in an unfair or unreasonable position because they had not had time to ensure they fulfilled the new requirements.[16] The case as reported did, however, refer to the 'Dearing' principles:

> *'In the interests of public understanding there needs to be clarity'...'While a number of institutions have adopted names which they feel properly reflect their status, some of these might be described as owing more to aspiration than to present facts'*,[17]

It was stressed that the 'mischief of confusion' is the 'key thing to avoid'.[18]

'University colleges' at present in existence after this 'clean-up' period tend to be institutions of long standing, often deriving from colleges with Victorian foundations, and to have degree-awarding powers. University College Plymouth St Mark and St John, 170 years in existence as an institution, has taught degree awarding powers.[19] Newman University College, which looks back to 1968, has had degree awarding powers since 2007.

Some have been prevented from calling themselves 'universities' by their small size, but that barrier is now removed. University College, Falmouth, is an established specialist Arts College (too small to be a University but seeking to become one by 2012).[20] It had degree awarding powers in 2004, and permission to call itself University College, Falmouth, 2005. Some existing university colleges have specialisations. Harper Adams University College (from 1901), has had degree awarding powers since 1996, university College title since 1998, research degree awarding powers since 2006. It is 'the UK's only Agriculture, land-based economy and food supply University'. This too may be able to gain 'university title' speedily now. Norwich University College, origin 1845, is another small specialist college of the arts. The rules at that time had permitted Norwich Institute of Art and Design to move from the FE to the HE sector in 1994 when its proportion of HE students reached 55%, renaming itself Norwich School of Art and Design. After the tightening of requirements about the use of university title in 1998, it was not able to apply to call itself Norwich University College of the Arts until 2008 when it had acquired degree awarding powers. St. Mary's University College, Twickenham, 1850, has had taught degree awarding powers since 2006. [21] Both can reasonably hope to become 'universities' now.

These small but tried and tested 'university colleges' with respectable track records are one thing. Novel experiments are another. The intention now to ease requirements in order to create greater diversity is dangerous and could easily bring back the 'franchising scandals' of the 1990s. In response to a FOI request for 'details of any formal criteria applied by BIS in granting permission for the use of the sensitive word 'university' in a company title', BIS states that 'there are no formal criteria for dealing with such applications.

The response adds that:

> *'In considering such requests, we routinely ask for the following:-*
>
> - *the full name being proposed;*
> - *written confirmation of the nature and object of the body proposing the name; and*
> - *one of the following:*
>
> *(i) written evidence that the body proposing the name has the support of one or more universities at* ***http://www.bis.gov.uk/policies/higher-education/recognised-uk-degrees/recognised-bodies*** *recognised by the UK authorities in terms of UK degree provision;*
>
> *(ii) in the case of a body in the UK not owned or endorsed by a recognised UK university justification for use of the word "university" needs to be supplied; or*
>
> *(iii) in the case of an overseas company or body applying to register the name of a UK establishment, written evidence that the body proposing the name has the support or consent of a university that is accredited or recognised by the authorities in its country of origin. If the body proposing the name is not owned by or endorsed by a State accredited or recognised overseas university, justification for use of the word "university" needs to be supplied.'*

This places great weight on existing universities as supporters or backers of such applications. It could create a potential conflict of interest where the company applying for the use of the sensitive word 'university' is a subsidiary or partner of the university relied on to endorse or recognise it which stands to benefit financially from income heightened by the newcomer's being allowed to use the sensitive word 'university' in its title. The degree of separation of the educational activities of the company from those of its parent university and degree-awarding partner appears to be an area where boundaries have not been thought through.

In the case of the college-company which cannot name its lecturers the letter making the request to BIS (disclosed through FOI) was vestigial and BIS it seems simply said yes, without enquiring beyond the assertions that the requirements above were covered and the company would be 'used to deliver university degree level courses'. It asked nothing to reassure itself about the student facilities or academic staffing or course design to be provided by this company and its competence to deliver them. [22]

One is bound to wonder whether if that new 'university college' admitting its first students this year without being able to tell them who will teach them is a sign of things to come, the protection of 'university title' may grow dangerously weak under current Government plans. And it is playing its cards close to its chest. It says in response to an FOI appeal against refusal to disclose governing body and other relevant minutes approving the setting up of the 'University College' (13 April, 2012) that:

> *'government policy is expressly seeking to create a more competitive "market" for undergraduate places. The University has to function and thrive within that policy environment. ... Put simply, there would be no motivation to be a market leader if the University were immediately obliged to share commercially advantageous information with its competitors.'*

Secrecy, cutting corners, faceless academic 'communities': none of this bodes well.

[1] EDEXCEL was formed in 1996 from a merger in which one partner was the University of London Examinations and Assessment Council.

[2] ***http://www.qaa.ac.uk/Newsroom/PressReleases/Pages/QAAconsults-on-reference-point-for-the-management-of-collaborative-arrangements.aspx*** and ***http://www.qaa.ac.uk/Publications/InformationAndGuidance/Documents/QAA372CPAApproval.pdf.***

[3] ***http://www.qaa.ac.uk/Newsroom/PressReleases/Pages/QAAconsults-on-reference-point-for-the-management-of-collaborative-arrangements.aspx***

[4] ***http://www.qaa.ac.uk/Publications/InformationAndGuidance/Documents/ECREO_handbook_for_2013.pdf***

[5] For a list, see ***http://www.qaa.ac.uk/Pages/Results.aspx?k=concerns.***

[6] ***http://www.qaa.ac.uk/AboutUs/DAP/guidance/Documents/DAP-UT-England-Wales.pdf***

[7] ***http://www.qaa.ac.uk/AboutUs/DAP/guidance/Documents/DAP-UT-Scotland-NI.pdf.*** For Foundation Degree Awarding powers granted to further education colleges, the requirements are as set out in 2010, ***http://www.bis.gov.uk/assets/biscore/higher-education/docs/c/11-783-companion-guide-foundation-degree-awarding-powers.pdf.***

[8] ***http://www.timeshighereducation.co.uk/story.asp?storycode=420048***

[9] ***http://c561635.r35.cf2.rackcdn.com/11-1114-new-regulatory-framework-higher-education-consultation.pdf***

[10] '4,000 full-time equivalent higher education students, of which at least 3,000 are studying for a degree.' 'An organisation which does not meet the numbers criterion for 'university' title may be eligible for 'university college' title via the same process (4.3.2). .... We will review the use of the title 'university' so there are no artificial barriers against smaller institutions.
http://c561635.r35.cf2.rackcdn.com/11-944-WP-students-at-heart.pdf.

[11] ***http://www.timeshighereducation.co.uk/story.asp?storycode=420245.***

[12] *We recommend to the Government that it takes action as soon as possible to end the scope for a confusion between the title and the name used by institutions, either through clarifying the legal position or by ensuring that conditions can be placed on the flow of public funds so that these go only to those institutions which agree to restrict their use of a name and title to that to which they are legally entitled (62),* ***http://www.leeds.ac.uk/educol/ncihe/sr_042.htm***

[13] *We recommend to the Government that it takes action, either by clarifying the legal position or by ensuring that conditions can be placed on the flow of public funds, to restrict the use of the title 'University College' to those institutions which are in every sense a college which is part of a university under the control of the university's governing body; and to those higher education institutions which have been granted taught degree awarding powers* (65).
http://www.leeds.ac.uk/educol/ncihe/sr_042.htm

[14] *A person carrying on such an institution shall not, when making available (or offering to make available) educational services through the institution, use with reference either to himself or the institution a name which includes the word "university" unless the inclusion of that word in that name is authorised or approved (c.39).*

[15] S. 40 added the provision at the end of section 77(4) of the Further and Higher Education Act 1992 (use of "university" in title of institution), of "unless in that name that word is immediately followed by the word "college" or "collegiate". This modified the requirement that: Any educational institution whose name includes the word "university" by virtue of the exercise of any power [to change the name] is to be treated as a university for all purposes.

[16] *R v. Liverpool Hope University College) v. the Secretary of State for Education and Employment* [2001] ELR 552 CA, ***http://lexisweb.co.uk/cases/1999/december/r-v-secretary-of-state-for-education-and-employment-ex-parte-liverpool-hope-university-college***

[17] *R v. Liverpool Hope University College) v. the Secretary of State for Education and Employment* [2001] ELR 552 CA at 553, ***http://lexisweb.co.uk/cases/1999/december/r-v-secretary-of-state-for-education-and-employment-ex-parte-liverpool-hope-university-college***

[18] *R v. Liverpool Hope University College) v. the Secretary of State for Education and Employment* [2001] ELR 552 CA at 557-8, ***http://lexisweb.co.uk/cases/1999/december/r-v-secretary-of-state-for-education-and-employment-ex-parte-liverpool-hope-university-***college

[19] ***http://www.ucpmarjon.ac.uk/aboutmarjon/history/.***

[20] ***http://www.falmouth.ac.uk/138/the-university-college-8.html***

[21] ***http://www.smuc.ac.uk/about/history-and-heritage.htm***

[22] BIS FOI disclosures 11-1489, 1 and 2, comprising the letter written to BIS by Coventry University dated 22 August 2011 and BIS's reply dated 23 September 2011.

Printing the Unprintable

HENRY HARDY

Maurice Bowra (1898–1971) was one of the most celebrated Oxford figures of his day, perhaps of any day: prolific Greek scholar, Warden of Wadham for over thirty years, Professor of Poetry, Vice-Chancellor; wit, poetaster, leader of the 'immoral front' against the 'prig front'; enemy of primness, prudery, pursed lips, self-righteous disapproval of illicit pleasure; liberator of the repressed, widener of horizons to the young. Between 1920 and 1965 he wrote a series of skilful but extremely coarse and scurrilous parodies of well-known poems, poking fun at his contemporaries, heaping up explicit sexual references couched in crude barrack-room terminology. He wrote these works neatly into a bound volume, recited them to his friends, circulated copies to a chosen few, but insisted that they should not be made public: in the climate of his times they would at the least have damaged his reputation, and would possibly have destroyed his career.

But he must have known that they would one day see the light, and surely he wanted them to. They released his creative juices as nothing else, and displayed all the life that his self-controlled academic prose notoriously lacks. John Sparrow (1906–92), Warden of All Souls from 1952 to 1977, and Bowra's literary executor, said that it was a pity Bowra had cut himself off from posterity because 'his prose was unreadable and his verse was unprintable'.[1] Not indefinitely unprintable: Wadham College agreed to let me publish the poems under my own imprint to aid their development fund, and Jennifer Holmes joined me as co-editor, researching and drafting the very necessary annotation; Julian Mitchell wrote a splendid introduction, and Bowra's verses finally appeared as a book in 2005, over thirty years after his death, under his own title, *New Bats in Old Belfries*.[2]

But the text was not quite complete. Some of the subjects of the poems were still alive, and it was decided to give them the option to decline the inclusion of 'their' poems. By the time the book went to press, only two of the persons referred to were still with us, and both exercised their veto. One was the journalist, author and television presenter Ludovic Kennedy (1919–2009), to whom there was a passing reference that required only the word 'Ludo' to be blanked out. Kennedy had been treated by Bowra with dramatic ingratitude and rudeness when he was an undergraduate, and saw no reason to countenance Bowra's disobliging mention.

The other living target was the protagonist of two whole poems, which accordingly had to be represented in the published book by blank pages, ready to be filled in in later editions. This target, it can now be revealed, was Patrick ('Paddy') Leigh Fermor (hereafter 'PLF'), writer, traveller –and Cretan war hero as a result of his activities while serving in the Special Operations Executive during the Second World War. PLF, born in 1915, died aged 96 on 10 June 2011. His authorised biography, *Patrick Leigh Fermor: An Adventure* by Artemis Cooper, was published in October by John Murray.

In an extended correspondence with myself, PLF showed that he was much put out by 'his' poems, especially 'The Wounded Gigolo', which he felt was 'a bit cracked'.[3] Possibly he took it too seriously: the poems were fantasies, not reportage. He vacillated about the other poem, 'On the Coast of Terra Fermoor' (is the misspelling of 'Fermor' a reference to Farmoor, near Oxford?), but in the end voted against, no doubt partly influenced by the opinion of his late wife, who 'thought that all the people mentioned in the collection would have been cut to the quick, however much they put on non-spoilsport faces'.[4] When James Morwood of Wadham visited PLF later in his Greek home to ask about his friendship with Bowra (on behalf of Leslie Mitchell, Bowra's biographer), he found that the hurt of reading the poems was still smarting. To me PLF wrote: 'Could Maurice's shade ponder all this now, I think I might emerge as more of a saviour than a spoilsport.'[5]

The missing poems were printed for the first time in the *Wadham College Gazette* in December 2011, and the second, less indecorous, specimen appeared in the Christmas number of the *Spectator*. Not everyone approved, just as not everyone had approved of the publication of the main body of the poems in 2005. Some, especially PLF's friends, said it was too soon after his death to dishonour his memory in this way. Others took the stronger view that all material of this kind should be consigned to oblivion.

Why might one believe such things? And was I wrong not to yield to these views?

* * *

There are those who set a high value on privacy and believe that its dominion is properly wide, and those who are instinctively open and find it hard to identify with the secretive temperament. Relatedly, there are withered, joyless prudes who find all explicit reference to sexuality disturbing and offensive, and at the other extreme those who lose no opportunity to deploy crude sexual terminology. Most of us, perhaps, like myself, occupy a middle position, not objecting to such language on principle but seeing no need to make liberal use of it ourselves. Enjoying a naturally open temperament, formed in part by reaction against the needless, life-denying reticence of others, I became an enthusiast for the publication of Bowra's poems as soon as I discovered a typed transcript of them among the papers of Isaiah Berlin, and I have to make an effort to empathise with their detractors. Writing the poems was an important part of Bowra's personality, and their concealment, especially in the case of such a prominent Oxford character, would be a form of lying. Truth-telling is not everything, but it is a very great deal: if it does not trump all other values, it begins the argument with a head start. There was of course an era when 'salacious' information about the private lives of the great was routinely suppressed, and certain words and topics, especially in the sexual arena, proscribed or Latinised in 'civilised' literary contexts; but we have outgrown that culture now, returning to the frankness of the Greeks, and literate writing is no longer automatically self-censored on this basis. *Ulysses*, *Lolita* and *Lady Chatterley's Lover*, to name but three, have freed us, and the law, from puritanical squeamishness. Sometimes, no doubt, this new-found freedom is overdone, descending into licentiousness and gratuitous linguistic exhibitionism,

but that is a price worth paying for the opening of doors. 'Decency' of that narrow kind was a form of minor tyranny.

One can disagree about the literary merit of Bowra's poems, about the taste of those who enjoy them, and about what they tell us of their author. My own feeling is that the poems often reveal more about Bowra than about his subjects. They show an arrestingly unconventional facet of a famous scholar – an Achilles' heel, perhaps, and not necessarily an altogether attractive side to his personality, but a central part of what he was. We may speculate that his use of coarse language and his complete sexual explicitness stem from shortage of sexual experience, or even virginity, rather than from the varied and athletic sexual activity that he so lubriciously describes in others. There is something in common with Monty Python's celibate nudge-nudge, wink-wink man in a bar, who longs to be a player; a tone of hostile envy. But none of this amounts to a case for censorship or disapproval of publication. In any case, the impulse to censor is, in the longer term, self-defeating. Attempts to suppress information about, or 'improper' writing by, well-known figures with a foot (or more) in the Establishment tend to rebound in the end, giving more prominence to the offending matter than it would have enjoyed had it been allowed expression in the normal course of events. The poems about PLF are a case in point: had they been included at the outset, there would have been no pretext to exhibit them separately here or elsewhere.

I must not give the impression that *New Bats in Old Belfries* is solid, undifferentiated filth. It offers exhilarating versificatory brilliance and masterly parody, and supplies a great deal of social and literary entertainment, information and insight over and above its immediately noticeable unfurtive display of sexuality. Not that there is anything unsocial or unliterary about sexuality.

But it is time for the bats to squeak for themselves. So here, unashamedly, are the missing poems. The first one is an update of the folk-song 'Oh, No John'.

The Wounded Gigolo

O Balasha Cantacuzène,[6]
Hear the war-cry of the Gael![7]
In his last fierce fight he's losin';
He will fight, but he will fail.
Cruelly his lady spurned him,
Struck him when he asked for more,
Flung him down the stairs and turned him
Bag and baggage from the door.
  Oh unhappy gigolo
  Told to pack his traps and go;
  He may mope and he may mow,
  Echo only answers 'No.'

Hasten, every loyal Cretan,
To your wounded master's aid;
He will not admit he's beaten
While there's money to be made.
Stalwart heroes stand beside him,
Captain Moss[8] and Major Xan,[9]
Knowing that, whate'er betide him,
He is still their perfect man.
  Oh the hero gigolo,
  Bleeding from a mortal blow,
  He's been cut off from the dough,
  And he murmurs 'Woe, woe, woe!'

What avail him now the dances
Which he led on Ida's[10] peak?
No more like a ram he prances;
Gone the bums he used to tweak.
Let him pick and scratch his scrotum,
Wave his cock and shake his balls –
She will never turn to note 'em,
Never listen to his calls.
  Oh the jigging gigolo,
  Plying his fantastic toe –
  Like a wounded buffalo,
  He can only belch and blow.

What avails the apt quotation,
What the knowledge of the arts,
What the lore of every nation
Learned from many unpaid tarts?
Ah, his mistress will not listen,
Floating vaguely to the moon;
Vainly do his molars glisten
When he tries to break her swoon.
  Oh the learned gigolo,
  What was there he didn't know?
  Now there's nothing left to show
  To the girl he dazzled so.

Yet remains his greatest glory,
His proud prowess in the bed.
Never tool renowned in story
Had so fine a lustihead.
Can he not be up and at her?
Strike the target? Ring the bell?
Ah, to her it doesn't matter;
Nothing can restore the spell.
  Oh the potent gigolo,
  He could make the semen flow!
  Though the cock may crow and crow,
  He must pack his traps and go.

17 April 1950

The second poem is a romance about Leigh Fermor's wife, probably Bowra's greatest love.[11]

The literary models here are Kipling's 'Mandalay' (1892) and Edward Lear's 'The Courtship of the Yonghy-Bonghy-Bo' (1877).

On the Coast of Terra Fermoor

On the coast of Terra Fermoor, when the wind is on the lea,
And the paddy-fields are sprouting round a morning cup of tea,
Sits a lovely girl[12] a-dreaming, and she never thinks of me.
No, she never thinks of me
At her morning cup of tea,
Lovely girl with moon-struck eyes,
Juno fallen from the skies,
At the paddy-fields she looks
Musing on Tibetan books,
On the Coast of Terra Fermoor high above the Cretan Sea.

Melting rainbows dance around her – what a tale she has to tell,
How Carmichael,[13] the Archangel, caught her in the asphodel,
And coquetting choirs of Cherubs loudly sang the first Joel,[14]
Loudly sang the first Joel
To their Blessed Damozel.[15]
Ah, she's doomed to wane and wilt
Underneath her load of guilt;
She will never, never say
What the Cherubs sang that day,
When the Wise Men came to greet her and a star from heaven fell.

Ah, her memory is troubled by a stirring of dead bones,
Bodies that a poisoned poppy[16] froze into a heap of stones;
When the midnight voices call her, how she mews and mopes and moans.
Oh the stirring of the bones
And their rumble-tumble tones,
How they rattle in her ears
Over the exhausted years;
Lovely bones she used to know
Where the tall pink pansies blow
And her heart is sad because she never saw the risen Jones.

Cruel gods will tease and taunt her: she must always ask for more,
Have her battlecock and beat it, slam the open shuttledore,
Till the Rayners[17] cease from reigning in the stews of Singapore.
She will always ask for more,
Waiting for her Minotaur;
Peering through the murky maze
For the sudden stroke that slays,
Till some spirit made of fire
Burns her up in his desire
And her sighs and smiles go floating skyward to the starry shore.

10 June 1950

[1] In Hugh Lloyd-Jones (ed.), *Maurice Bowra: A Celebration*, 1974, 76.

[2] Maurice Bowra, *New Bats in Old Belfries, or Some Loose Tiles*, ed. Henry Hardy and Jennifer Holmes (Oxford, 2005: Robert Dugdale). Available at £20 all found from Robert Dugdale (to whom cheques should be payable), c/o Henry Hardy, Wolfson College, OXFORD, OX2 6UD, or from the Development Office, Wadham College, OXFORD, OX1 3PN (cheques payable to Wadham College, Oxford). See also ***http://www.wolfson.ox.ac.uk/~hardy/dugpubs/bats.html***.

[3] Letters to Henry Hardy of 25 October 2004 and 4 March 2005.

[4] Letter of 3 November 2004.

[5] Letter of 4 March 2005.

[6] Balasha Cantacuzène (1899–1976), a Romanian painter from an aristocratic family. PLF lived with her for some years in the late 1930s, first in the Peloponnese, then at her family's estate, Baleni, in northern Romania. They parted on the outbreak of war when PLF returned to England to enlist, and did not meet again until 1965.

[7] PLF was of part-Irish descent.

[8] W. ('Billy') Stanley Moss (1921–65), PLF's second-in-command during their audacious kidnap of the German general commanding Crete in 1944.

[9] Alexander ('Xan') Fielding (1918–91), writer and translator; SOE agent in Crete and France during the Second World War, working with PLF alongside the Cretan resistance movement.

[10] Mount Ida, the highest mountain in Crete; according to legend, the birth-place of Zeus. The kidnappers and their prize followed a route across the mountain's summit.

[11] Noel Annan, in 'A Man I Loved', in Hugh Lloyd-Jones (ed.), *Maurice Bowra: A Celebration*, 1974, 74.

[12] Joan Eyres Monsell (1912–2003), daughter of the 1st Viscount Monsell, photographer. Bowra described her as his 'beautiful friend' (*Memories: 1898–1939*, 1966, 286) and Alan Pryce-Jones, her former fiancé, recalled her as 'very fair, with huge myopic blue eyes' (*The Bonus of Laughter*, 1987, 82). Cyril Connolly, another admirer, attributed to the fictional Jane Sotheran (in his unpublished story 'Happy Deathbeds') Joan's alluring physical qualities, including 'enormous eyes of clouded violet-blue': Jeremy Lewis, *Cyril Connolly: A Life*, 1997, 418. An edited version of 'Happy Deathbeds' has since been published in *The Selected Works of Cyril Connolly*, ed. Matthew Connolly, 2002, vol. 2, *The Two Natures*; but this passage is omitted.

[13] Members of the Cretan Resistance used 'Kyr Michali' ('Mr Michael') as a code-name for PLF, who later became Joan Eyres Monsell's second husband in 1968.

[14] Perhaps a fusion of Joan and Nowell.

[15] As in Dante Gabriel Rossetti's eponymous poem.

[16] Thérèse ('Poppy') Fould-Springer (1908–53), who suffered from sporadic mental and physical illness, married Alan Pryce-Jones after his engagement to Joan Eyres Monsell had been ended by her parents' opposition (he had no clear prospects).

[17] John Rayner (1908–90), Features Editor of the *Daily Express* during the 1930s, had been Joan Eyres Monsell's first husband.

St Edward's School to the rescue?

PETER SCHOFIELD

Last month there came out of the blue the announcement that St Edward's School was unveiling a plan to build a world-class, thousand-seat Concert Hall for the City of Oxford. The St Edward's Foundation was launched on 9 October to oversee fundraising for the project, as part of their 150th Anniversary celebrations. The proposal is to build an auditorium on the Lemon Tree site on the Woodstock Road as part of a major development of an Arts Centre incorporating the North Wall Theatre and a new Music School.

This ambitious initiative puts to shame the City, the County, The University of Oxford and Oxford Brookes University who have failed, for years, either separately or together, to fill such a gap in the cultural provision which has long been universally recognised. The situation was summarised by me in 2007 in *Oxford Magazine,* Noughth Week, Hilary Term, *An Oxford Concert Hall?* p12. Despite several public consultations, in the form of working parties, study groups, focus groups, etc for future developments putting at the top of their priorities the provision of an auditorium seating at least a thousand, the response of the planners has been pathetic, typified by the City's *West End Action Plan*: 'Conference Facility: Preferred Option.....a conference centre that is part of a multi-purpose complex that *would also be used for concerts etc.* (my italics) with a proposed capacity of 400-600'. Even these plans are now abandoned as are those of Oxford Brookes to build a large auditorium on their Headington site. Likewise, the University missed an opportunity in not developing the Radcliffe Infirmary site to provide a Conference Centre, capable of hosting major international conferences in the vacations, instead of the haphazard collection of facilities now under construction.

Having said all this, the problems ahead for the project are formidable. Primary is the question of ultimate financial responsibility. It is implied that St Edward's School will bear this, justifying the expenditure on providing an educational service to schools and the community. But almost as important is the question of access by public transport and private car, not only for audiences but for performers (choirs and orchestras over a hundred strong who will also require adequate backstage facilities). Such infrastructure will require the cooperation of the Local Authorities (no easy task). To attract audiences, access will need to be at least as convenient as in the city centre. Adequate space (conspicuously lacking at most Oxford venues) must be provided for stretching legs, etc during the intervals.

A further problem is attracting concert promoters to fill the new Hall as an improvement on what is on offer elsewhere. Rates should be low enough to attract amateur and semi-professional organisations. Among current users of the Sheldonian Theatre (capacity 800), some, including Oxford Philomusica, Oxford's Professional Symphony Orchestra, have indicated they are strongly in favour of the proposal, subject to further detail, and hope to be consulted as plans develop. They agree about future use of the Sheldonian for its unique atmosphere of intimacy between audience and musicians which many will regard as a euphemism for being squashed shoulder to shoulder on hard wooden benches in close proximity to the players. Most symphonic and choral music of the nineteenth century on (later than Haydn and Mozart) does not benefit from an intimate atmosphere and demands spaciousness: think of Mahler or even Brahms, concert performance of Wagner and mind-blowing works such as *Missa Solemnis,* Verdi's Requiem, Messiaen's *Turangalila* Symphony or Busoni's Piano Concerto. An alternative proposal, put to me by three independent correspondents, is probably a non-starter: to tear out the present seating in the Sheldonian and to replace it with something more comfortable. But this would inevitable reduce the capacity.

It will be a miracle if the St Edward's School project can be delivered in time for opening a Concert Hall in 2018 within a budget of £9 million. It is a miracle worth praying for.

REVIEWS

English Universities: Market-driven or State-controlled by 2025?

Huisman et al, 'Where Do We Go From Here? The Future of English Higher Education', *Higher Education Quarterly* 2012 66/4 341-362 (also at the Leadership Foundation website: *www.lfhe.ac.uk*)

Predicting the future is pretty well a waste of time, but it is fun – which is why in Oxford the boring historians have been turfed out of their dedicated subject library to make way for the modish astrologers (the James Martin 21st Century School). Huisman et al. provide us with a lively read by way of a Delphi study on the future of English (stress *English*) HE by 2025. Some 250 pundits/experts were invited to respond to a survey; only 44 did (not – sorry! – including me…). The result is two scenarios, one assuming that the market forces unleashed by the 2011 White Paper and the 2012 higher tuition fees lash English universities into submission to the student consumer; while the other assumes a back-lash against marketization and privatisation with its attendant chaos and the creation of an English HE system more subject to State-direction than ever before.

The first postulates a smaller HE system of some research-intensive universities and around 70 teaching-only institutions, down by 5 or 10 HEIs from today as closures and (forced) mergers take their toll within a harsh and unforgiving market environment as universities descend from the lofty Acropolis to the sordid Agora. The second assumes 6 super research universities and some 40 regional comprehensives, plus 5 for-profit private institutions, all operating within a very State-directed context (HEFCE gets bigger and more quango-fodder is needed!). The role of Government in the one is a little light steering via market incentives; in the other it is to be the architect of the new regional 'grand universities' that are made to emerge from the rubble of the Agora, while leaving 6 to colonise once again with a crop of well-funded Ivory Towers the sunny heights of the Acropolis.

In the main scenario (number one above) the system gets smaller because there are fewer young within an ageing population, and many such seek cheaper vocational training rather than HE or go for inexpensive HE delivered within FE (and larger companies have rediscovered in-house employee training and development). And the number of international students has declined in the face of increased global competition (while in neither scenario has the expansion of English universities abroad been other than 'too expensive and risky'). In the 25 or so research HEIs the Humanities are 'certainly more marginalised' and also more concentrated within fewer of the 25 subject-by-subject. The 25, however, remain well-placed in the global rankings. The 70+ others can just sustain a few small pockets-of-research-excellence; the private-providers have grown to about 15, with a well-deserved/earned reputation for student satisfaction. Fees range up to £15k by 2025, the fee-cap having been removed; and fees are differentiated not only by institution but also by subject/course. The invisible hand of the market rules.

In the counter-scenario the visible hand of government busies itself with correcting catastrophic market failures and invents the grand design of the 40 regional universities; and the hand that feeds is the hand that controls as never before. The 'Super Six' are treated benignly as the world-class elites, as the English Ivy League; the 'Grand Universities' are made to fit the Grand Design of forced mergers; and there are five for-profits. The Super Six set their own fees and get a shed-load of research dosh from the EU via the Lisbon Strategy that after a mere quarter of a century 'is finally becoming a success': they milk the European Research Council and 'have learned to understand (and manipulate) the European bureaucracy'. Fees at the 40 range widely within a complex of capped levels (£1000 to £13500 as the bands). This latter scenario rather assumes, of course, that: firstly, the EU survives the Euro-shambles and indeed flourishes; and, secondly, that the UK (or England at least) stays in the EU so as to board the Lisbon Strategy gravy-train – rather than, say, UKIP having gained the balance of power after the 2015 General Election and extracted Little England from the deadly and costly grip of Brussels.

Perhaps because Huisman and his two co-authors are non-English proper Europeans they are unable to imagine the UKIP scenario and are temperamentally inclined to assume that it is possible for something good to emerge from the EU (and via or with the Euro) – perhaps even for the Lisbon Strategy actually to work instead of its dead-line date for Europe-wide transformation having to be endlessly shifted forward. And, given their non-Anglo Saxon pedigree, they are probably a shade wary of Adam Smith's invisible hand. Thus, when contemplating predictions of the future it is as well to know who is making them and whither they might be coming. At least in this case of futurology we have only a decade and a bit to wait to see what actually happens – and, in fact, since scenario two predicts catastrophe by 2015 arising from market failure and then the Government stepping in by 2018 or so in rescuing and reshaping the system, we should know the trajectory within just a couple of years (or at least know that scenario one of a market-driven English HE system has been abandoned by the time a new Government settles into Whitehall in 2015/16). Or at least those of us who survive the impending market Armageddon will know and be glimpsing the BIS cavalry riding over the horizon as our saviour.

DAVID PALFREYMAN

Lied, mélodie and song

The eleventh Oxford-Lieder Festival: Holywell Music Room, 12 to 27 October 2012.

This year's Lieder Festival offered such a rich and varied programme that the problem was to decide what not to go to. I decided, therefore, to forgo the annual journey through the winter landscape with the Miller's beautiful daughter and other well-known cycles and many of the great established singers, regulars at these Festivals. Non-missable were the recording of Wolf's *Spanischers Liederbuch*, Young Artist duo Sónia Grané and Edwige Herschenroder, Lucy Crowe with Anna Tilbrook and the final concert with Susanna Andersson and Stephan Loges but the intention was to attend as much of the rest as stamina would allow. I report the highlights. As usual, the opening event was the Schools' Project

Concert. This year it was given in the Ashmolean Museum by students from North and West Kidlington Primary Schools.

Two concerts were devoted to latest stage of Oxford Lieder complete recording, in the Holywell Music Room, of the songs of Hugo Wolf with Sholto Kynoch as unifying pianist. The first concert and the second half of the second were devoted to the *Spanisches Liederbuch* and the remainder to early settings of Nikolas Lenau. Indispensable pre-concert talks given respectively by Amanda Glauert and Richard Wigmore who gave us the background of the German fascination with their idea of Spanishness – a mixture of Torquemada and Carmen – and told us what to listen to – the importance of the words with their close integration with the melody and the complex commentary of the piano. The result was we all had our heads buried in the texts, a little discourteous to the body language of the singers! The singers were all equally inspired: German-born soprano Birgid Steinberger and the British Anna Huntley (mezzo, specially deserving of praise for standing in at the last moment), Benjamin Hulett (tenor) and Marcus Farnsworth (baritone). The words were all clear and the German good but (as with Stephan Loges in the *Mörike Lieder* recorded in 2010) the native German speaker had the edge, although the soprano was a little disappointing in the second concert.

How refreshing it was, after the intensity of Wolf, to attend the following evening a light hearted concert representing the different attitudes to love in the music of the German *Lied* in Mendelssohn and Mahler, of French *mélodies* in Debussy and Fauré and of English cabaret represented by Noel Coward and Michael Flanders, the last now sufficiently mature to find a legitimate place on the song-concert platform. The singers were ever youthful and ebullient Sophie Daneman much loved by Oxford-Lieder audiences (she revealed her true age in relation to the death of Flanders in 1975) and baritone Christopher Purves, with an enormous dynamic range and a divine *pianissimo,* who burst into our senses as Wozzeck for WNO in 2005. The pianist was one of the best accompanists around, Simon Lepper, whose rippling touch adapted perfectly to the different styles of the music. The entertaining programme of solos and duets culminated in the tragic story of the honeysuckle and the bindweed and *Have some Madiera, m'dear* which brought the house down.

A lunchtime concert marking the anniversary of the death of Dietrich Fischer-Dieskau was given by two outstanding young singers Sofia Larsson and Andri Björn Róbertsson, with two equally talented pianists, Manon Ablett and Finnegan Downie Dear. Their performance of fourteen spring-related songs from Fischer-Dieskau's repertoire was more than worthy of the occasion. The same evening a shamefully small audience was entranced by two other young duos, winners of Oxford Lieder's Young Artist Platform 2011. They are Portuguese soprano Sónia Grané with French pianist Edwige Herchenroder, who so impressed at the auditions and at a lunch-time concert last year, with Fauré sung with a delicacy never heard before, and French baritone Victor Sicatrd with Spanish pianist Anna Cardona who I had not heard previously. The first half of the programme was devoted to Debussy, Fauré and a duet by Duparc, an uncharacteristic work completely unknown to me, describing a lover attempting to persuade a reluctant mistress to elope. No disrespect is intended when I say that it is a pity the Fauré had to be divided between the two singers. Grané' and partner's Fauré is special and one could listen to it forever. Grané's voice has grown in power since last year and has developed a pure upper register but at no cost to the intimacy of her delivery. The second half of the concert was devoted to Brahms in which both duos were equally at home, albeit with a Latin flavour. Sicard excelled in four *Zigeunerlieder*. The concert ended with four of the *Liebeslieder-walzer* with the two duos performing together in perfect harmony.

The three duo winners of the 2012 Young Artist Platform awards each gave a short daytime recital but one, mezzo Rozanna Madylus, also joined tenor Robert Murray and pianist Andrew West in Brahms and Janáček in a programme which included Schumann's *Dichterliebe*. Madylus has an arrestingly mature voice and stage personality and more than held her own against the men. Apart from her, the first half was very disappointing. The opening duet *Guten Abend mein tausiger Schatz* was enacted as if it were a businessman propositioning his secretary and being rebuffed. This total absence of German romanticism permeated the interpretation of both singer and pianist in *Dichterliebe*. Murray has a good voice with clearly contrasted *piano* and *forte* with a brave *fortissimo* but unfortunately not much in between. All was forgiven in the second half of the concert, devoted to a rare live performance of Janáček's mysterious song cycle – cantata *The Diary of One Who Disappeared* (which was, after all, the reason most of us were there). Madylus gave a convincingly seductive performance as the dark eyed gypsy girl bringing about the downfall of the young farmer with a vocal backing group of a trio of sirens at the back of the Room. Sung in English, the words were so clear that there was no need to refer to the provided text. The mastery of both tenor and pianist totally redeemed the failings of the first half.

On phoning to check my transport for Saturday evening I leaned not only that I had missed a fantastic recital by James Gilchrist and Anna Tilbrook the previous evening but that the concert with Tilbrook and Lucy Crowe had had to be cancelled. This was the first cancellation of many which blighted the second week of the Festival. For me, equally irreplaceable was Katerina Karnéus, even though the substitutes were Geraldine McGreevy and Lisa Milne. As a result, the next concert I attended was Sarah Connolly with Eugene Asti and viola player Philip Dukes in a short but deeply intense and unusual programme of Schumann and Brahms. Connolly divides her time between the concert platform and the operatic stage. In the opera house she is just one of many outstanding performers but in *Lieder* she stands out as someone special. Who, who was there, can forget her 2008 Festival performance of *Frauenliebe und -leben*? The only regret was that she did not sing the advertised Brahms' *Vier ernste Gesänge*. Nevertheless it was a fascinating programme. She sang Schumann's sombre settings of *Gedichte der K*öningin Maria Stuart and Brahms. The latter included familiar songs transcribed for viola and piano and two unfamiliar works with viola, voice and piano. The contralto of the viola did not blend naturally with the mezzo-soprano. The concert ended in response to the deserved ovation with three deeply felt encores concluding, fittingly, with the fourth of Mahler's five *Rückert Lieder*

A regular feature of the Lieder Festival is the Master Course for young student duos, this year under the leadership of Wolfgang Holzmair. I managed to attend one session given by Roger Vignoles with four duos. Vignoles is brilliant in this role inspiring both performers and eavesdroppers with his insights into the songs in their cultural contexts. On this occasion three of the duos were still in the formative stage in their training and their choices of song over-ambitious – Wolf, Ravel and Duparc. The fourth, tenor William Morgan with John Paul Ekins, impressed and interacted well with the tutor.

The last lunchtime concert was given by the second prize winners of the 2012 Young Artist Platform, soprano Alison Rose with Matthew Fletcher. In an interesting programme of Venetian songs, Rose played the role to perfection with great charm and maturity. After songs in Italian by Rossini and Respighi, there followed *Lieder* by Marx and Schumann and seven from Wolf's *Italienisches Liederbuch* sung in German. The pianist entered the spirit of things but was slightly heavy-handed. We regretted that time did not permit the demanded encore!

Who better to give the final concert but the Artistic Director and pianist Sholto Kynoch with two singers whose careers since their student days and now thanks to Oxford Lieder are familiar to Oxford audiences? Swedish soprano Susanna Anderson was in fact spotted by us when, supported at the Guildhall School by the Anglo-Swedish Society, she gave a recital

at the Ambassador's Residence. She first appeared in Oxford at the 2005 Lieder Festival. Baritone Stephan Loges first appeared as a replacement in a rush hour concert in 2006. Now both stand comparison with the best of *Lieder* singers. The programme of Schubert songs was introduced in a pre-concert talk by Natasha Loges in her usual lucid and instructive style. The first half of the programme was devoted to settings of extended mythological texts by Goethe, Mayerhofer and Schiller. Outstanding memories, which best epitomised the full extent of the singers abilities were the Goethe settings *An schwager Kronos* and *Ganymed*, sung by baritone and soprano respectively. The second half, in contrast, consisted of settings of pastoral and love poems by the brothers Schlegel, charmingly enacted by Andersson and more reservedly by Loges. As encores Andersson sang a song by her compatriot Wilhelm Peterson- Berger followed by a further Schlegel setting from Loges. As usual Kynoch provided firm support to the singers at the same time allowing the piano to contribute its full part.

Once again our thanks are due to the Oxford Lieder Team led by Sholto Kynoch for producing and for the smooth running of a Festival now deserving of full international recognition.

PETER SCHOFIELD

Stunners

Pre-Raphaelites: Victorian Avant-Garde. Tate Britain until 13 January 2013. Curated by Tim Barringer, Jason Rosenfeld and Alison Smith.

When Tim Hilton was holed up in a small caravan on the Isle of Wight working on his Ruskin biography and learning all about condensation his only company was old farts who began every sentence with, 'When I…' I have been warned, but shall take no notice.

When I used to lecture on the Pre-Raphaelites I began with juxtaposing two images: D.G. Rossetti's *Girlhood of Mary Virgin* and John Brett's *Glacier of Rosenlaui* (1856). I explained that they were both Pre-Raphaelite, and all would gradually be revealed. The exhibition at the Tate will greatly puzzle viewers who know almost nothing about the Pre-Raphaelites, other than that they preside over fashion fads that come along every five years or so, interspersing themselves between grunge and chilly Parisian chic. Unlike the Ashmolean's themeless Edward Lear exhibition, this ambitious Tate show, the first big Pre-Raphaelite exhibition since 1984, thrusts a thesis at us: that the Pre-Raphaelites were *avant garde* in the history of nineteenth-century European art. They were, up to a point, but the organizers have overplayed their theme approach, and the overall impression conveyed, in so far as one can follow the argument, is extremely unsatisfactory.

That said, the exhibition is an extremely impressive gathering, and it will be a long time before we see its like again. It's very nice to see a lot of old friends gathered together, all these iconic pictures, some of them almost actually iconic. It provides a picture of a brilliant and varied period of artistic achievement, not necessarily cohesive, over five decades.

The initial question though is how the poster image, a meretricious concoction by Rossetti from 1877, satisfying commodity culture, can be regarded as *avant garde?* By this time the movement was widely pervasive and accepted, and it had largely lost its surprise and challenge. Looking at a Henry Holiday's *The Burgesses of Calais* in 1859 Ruskin observed that its derivativeness made the innovative productions look somehow stale and familiar:

'It is a fair representation of the class of pictures now produced in numbers by the advancing school, which, with considerable merit, have the general demerit of making us feel in an instant that they would never have been painted had not others shown how; and the greater demerit of slightly blunting the enjoyment of the work of original men.'

Pre-Raphaelitism became one of the styles one could take up as a painter, and eventually started, which happens in all art movements, to lose the vigour and intensity of its opening phase. In 1848, when the Brotherhood was founded, it was *avant garde*, paradoxically going back for influence to the time before Raphael *pour mieux sauter*. And yet the exhibition has a tendency to dilute the impression of startling innovation. Degrees of archaistic revivalism were visible in the Nazarenes and Dyce decades earlier. The famous white ground used to give brilliance to the paintings had precedents and the conscientious attention to accuracy could be seen in a host of painters, principally Constable and Turner. William Henry ('Bird's Nest') Hunt is not on view, but his works from 1820s onwards satisfy a large swathe of Pre-Raphaelite criteria. As do those of John Frederick Lewis (he went native in Egypt), who Ruskin regarded as a Pre-Raphaelite. It is traditional to emphasise the influence of Ruskin, but although he is present his importance as a guiding light is down-played rather.

Many of the pictures are impressive by any standards, but there is no shortage of duds. Holman Hunt's portraits of Thomas Fairbairn (the Rhodes Boyson look-alike) and his family are rampantly atrocious, as is *The Triumph of the Innocents*. The left arm in Charles Allston Collins's *Convent Thoughts* is way too long. Collins would have been advised to paint the figure in the nude first, and then add the clothes. Many of the paintings seem to lack oxygen, so that the breeze blowing through Millais' *Chill October* (admittedly a bit sloshy) is a welcome breath of fresh air. Burne-Jones's furniture painting is an example of aesthetic wardrobe malfunctioning. Colin Harrison (one of the keepers at the Ashmolean) says he'd be happy if he never ever saw that wardrobe again. The narrative of the movement is not always easy to follow. How could it be, with so many cross-currents? Watts's *Portrait of Edith Villiers* owes more to Titian than Lorenzo Monaco, and the caption to Burne-Jones's *Tristram and Iseult* informs us that the influence of Mantegna and Giorgione is visible.

I found myself looking at details a lot. Some of the details have that over-determined pointedness, such as the cat and bird in *The Awakened Conscience*. Plenty of paintings have passion flowers in them. Other details don't have to work so hard, and I felt many instances of shame at noticing fresh things in paintings I thought I knew. There are the pattens or chopines in Hunt's *Isabella and The Pot of Basil* with red velvet straps and mother-of-pearl appliqués. I'd never noticed before the little red house to the right of Ford Madox Brown's *The Pretty Baa-Lambs*. I wonder where it is? I hadn't noticed the preying lions on the bas-reliefs of Burne-Jones's *King Cophetua and the Beggar Maid*, nor the little hammers for a dulcimer in his *Laus Veneris* and the curious conical music stand. And disgracefully, I had never noticed the angel behind the head of Rossetti's *A Vision of Fiammetta*. It was his poem on the frame that alerted me to this.

There are duds. But there are triumphs. Hunt's *Our English Coasts* and Millais' *The Blind Girl* take the breath away. The Pre-Raphaelites are a long way from the sentimental farce tradition of treating sheep. One is stunned by the detailism of the tiny figure with his scythe in Brett's *Val d'Aosta*, but wonders whether Turner's rapid sketches in the same valley don't carry more punch. The tiny camels in Seddon's *Jerusalem and the Valley of Jehoshaphat* need a magnifying glass. Mind you, these are a welcome relief if one has been too much engaged recently with the aridities and paucity of skills of conceptual art. Sometimes the obsessive details in the sun-searched growths remind one of Richard Dadd – and it should not be forgotten that he was in Broadmoor. A particularly powerful work is Hunt's *The Scapegoat*, which made such an impact on the thirteen year-old Henry James in 1856: 'which I remember finding so charged with the awful that I was glad I saw it in company.' It makes an appearance in *The Golden Bowl* as a haunting and memorable work, 'charged with the sins of the people,' which Maggie Verver had once seen (chapter 36).

The picture I'd steal is Millais' little portrait of Ruskin's sister-in-law Sophie. She also appears in *Autumn Leaves*. One *believes* in it in a way one doesn't believe

in Rossetti's *Lady Lilith* or Burne Jones's kitschy *Maria Zambaco*. One has the impression of many of the products as administering to the 'swinish luxury of the rich' (as William Morris put it), but the Walter Crane print *Triumph of Labour* reminds us that there was a time when the Pre-Raphaelite movement could be associated with a type of socialism.

Usually in art-critical circles the superiority of the French Impressionist tradition is asserted. That's as may be, but its legacy leads nowhere. Imitations of Monet, Pissarro, Renoir and Seurat are inevitably kitschy, whereas the sheer zaniness of the Pre-Raphaelite achievement is inspirational in a productive way. One thinks of the disturbing Stanley Spencer, and the intriguing Peter Blake and the Ruralists. Let other and more pretentious pens dwell on the happy possibility that the figures crowded into one plane on the famous *Sergeant Pepper* album cover owe something to Pre-Raphaelite composition.

Let's float an interesting thought past. There is a species of architectural and literary Pre-Raphaelitism, but there is no musical equivalent. It would have been unthinkable for Schumann, Mendelssohn, Chopin and other composers in the 1840s and '50s to go back to the musical contemporaries of Benozzo Gozzoli for inspiration: Francesco Landini, Bartolommeo da Bologna, Antonio da Cividale, Grazioso da Padova, Piero Mazzuoli etc. Zacara da Teramo wrote a prayer to Pluto, King of the Demons, which survives in the *Mancini Codex*. You can't imagine Browning's Prior approving of that.

There are odd moments of antiquarian pastiche in music of the past two hundred years, such as 'L'adieu des bergers' in Berlioz's *L'Enfance du Christ* (1854) when he lifts from the imaginary seventeenth-century composer Pierr Ducré of Saint Chapelle. He explains it all with wry humour in *Les Grotesques de la Musique*. And there's Verdi's lovely mandolin accompanied chorus in *Otello*: 'Dove guardi splendono raggi !' I don't think Liszt's *A La Chapelle Sixtine*, *hommage* to Gregorio Allegri's *Miserere*, quite counts, with all those strident and frenetic nineteenth-century octaves banging away. In these examples there is nothing as full-blown as Rossetti's deep commitment to the past. Debussy's 'La demoiselle élue' (1887-88) is a setting of Gabriel Sarrazin's translation of Rossetti's 'The Blessed Damozel' (who was embodied as both poem and painting – a gap in this exhibition), but its *musical* inspiration is a softened Wagner. One would love to know what Rossetti (d. 1882) would have made it, although he seems not to have been very musical, and neither were Millais and Hunt. In the last century we have Stravinsky pastiching Pergolese in *Pulcinella* (1920), Grieg's *hommage* to Ludwig Holberg (1884) and Britten's Courtly Dances from *Gloriana* (1953), but they are not much more than curious experiments. You'd never mistake Prokoviev's *Classical Symphony* (1918) for the real thing. In our own time we have Sting with what Ricky Gervais in *Life's Too Short* calls his '[expletive deleted] lute.'

The Rossettis, according to William Michael, 'were not a musical family; they had no craving to be constantly hearing music.' Rossetti likes to imagine the *idea* of music, but that's a very different thing from performing it, *actually* listening to it and going to concerts. I don't suppose Rossetti gave a moment's thought to what the archaic instruments in his paintings sounded like, and what kind of music was emanating from St. Cecilia's 'gilded organ pipes' in his illustration to Tennyson's 'The Palace of Art' in the Moxon edition, or from similar pipes in his *The Honeymoon of King René*. Francesco Landini is playing a miniature organ in the *Squarcialupi Codex*, and there is also one on his tomb in San Lorenzo in Florence. There's a portable organ in Burne-Jones's *Le Chant d'Amour*, in which, as Henry James says, 'a young angel, of uncertain sex, plies the instrument with wind from a pair of bellows.' It was the same with Hunt and Millais too. They weren't musical, and Hunt didn't bother himself with what the pipes in *Amaryllis* or the lute in *Bianca* might have been producing. We come within sight of a premonition of the Early Music movement though in Burne-Jones's decoration of the soundboard on Arnold Dolmetsch's clavichord of 1897, which his (Jones's) daughter Margaret could play in a stately manner.

BERNARD RICHARDS

Artists detained

Art from Campsfield House; Oxfordshire Museum

At the end of October, the annual 'Art in Woodstock' festival included an unusual small-scale exhibition at the Oxfordshire Museum. It comprised artwork by residents of Campsfield House Immigration Removal Centre (IRC), where some 200 detainees are held pending case resolution and subsequent removal from the UK. On show were a score or so of works in acrylic, watercolour and less familiar media such as a painting on feather, a form apparently indigenous to North America.

Several of those whose work was on show had been professional artists before arriving at Campsfield. Notable among them was Fang, whose portfolio included slickly executed portraits in acrylic and oils of the Queen, Prince of Wales and Prime Minister and a rather more interesting still-life (completed, we were told, in one day). Few exhibits offered any clue to the artists' feelings about their life within Campsfield's perimeter, save one watercolour and pencil sketch by Said, entitled 'Inside'; it depicted a seated figure, head bowed and face concealed, against a harsh background of bare brick and window bars. More happily, Said was also cited in the excellent short notes accompanying the exhibition as a key contributor to a mural decorating the external wall of Campsfield's art room, a photograph of which was on display at the exhibition: rich in colour and flowing in line. One hopes the original continues to lift the spirits of other detainees.

Apart from the evidently successful art classes – currently under the tutelage of Sally Ashton-Bridges – detainees have access to training in ICT, music and dance, sport and fitness, gardening and English language. Basic information about Campsfield House is available through the UK Border Agency website, ***www.ukba.homeoffice.gov.uk/aboutus***.

CHRIS SLADEN

The editors welcome letters and responses to material published in the *Magazine*. Please address all correspondence to Tim Horder at *tim.horder@dpag.ox.ac.uk*.

Some sort of proof

Sir — "*A well-founded estimate of UAS overstaffing ... is around 40% or 450 persons...*". If true, Peter Oppenheimer's assertion (*Oxford Magazine*, No. 328) is indeed shocking; but I don't see how he can expect anyone to believe it without adducing some sort of independent evidence. (I can't imagine the Registrar's Report he footnotes actually says "*We're 40% overstaffed*".)

Like many people, I suspect, I'm open to persuasion on this one, but not without some sort of proof.

Yours sincerely

LESLEY SMITH

Harris Manchester College

Interpreting Statutes

Sir — It may be that little part will be played in the Discussion on Libraries on 13 November by a query which, I suggest, will need to be sorted out elsewhere. It concerns the lawfulness of the allocation of part of the Old Indian Institute to the Martin School in connection with the move of the History Faculty Library into the Radcliffe Camera, which brought the present wide range of concerns about the Libraries into the open.

Statute XVI,A,4 states that:

> *No allocation for University purposes of a site the area of which exceeds 1,000 square metres, or of a building the overall floor area of which exceeds 600 square metres, shall be made unless approved by resolution of Congregation under section 1 of Statute IV.*

TO THE EDITOR

In the summer of 2012 a part of the Old Indian Institute whose overall floor area was greater than 600 square metres was allocated to the Martin School without Congregation approval. The record shows that Council accepted that this was allowable. The measurement used as justification for not putting the allocation to Congregation for its approval was based on a 'net usable area' calculation not on 'overall floor area'.

The phrase 'net usable area' derives from 'regulations' made by the Buildings and Estates Sub-Committee (BESC). Although the Regulations of the University cover the operations of BESC, they do not appear to give it powers to create Regulations governing allocation of space. The Regulation governing BESC's regulation-making powers (subject to Congregation's approval) is at: ***http://www.admin.ox.ac.uk/statutes/regulations/520-122d.shtml.***

> *10.4 (2) The subcommittee shall issue regulations for the maintenance of, and all works in, buildings on the functional estate and for parking in university-controlled car parks.*

Paper BESC(09)117: Revision of the Grey Book contains at Annex A: 'Draft BESC/estates regulations'. These were approved and a Minute records that 'the Sub-committee agreed' to issue these 'regulations' to departments. They were to be referred to as 'the Estates Regulations'. They introduce 'net usable area' for the purposes listed above.

Congregation is the University's legislative body. It must 'approve' (by not challenging it or by vote) any Statute or Regulation laid before it before that Statute or Regulation can become a Statute or Regulation of the University. The process which should have been followed (but was not followed) to create the BESC Regulations involved Council agreeing to put them to Congregation as required by Statute VI. These regulations were never published for Congregation.

But all that is presumably irrelevant, because even if the Regulations had been properly created, they conflicted with the Statute, and could not override it. 'Overall floor area' was what counted. Congregation should have had its chance to challenge the allocation under Statute XVI,A,4. If it should, the allocation has never happened.

There seems to be arguable uncertainty here as to whether the University has complied with the requirements of its Statutes. Statute XVII provides for 'Resolution of Disputes over the Interpretation or Application of Statutes and Regulations'. Should not the lawfulness of the allocation of part of the Indian Institute to the Martin School be the subject of an inquiry by the Appeal Court under that Statute, the Vice-Chancellor being excluded as Chair of the Council which approved the decision not to put the allocation to Congregation?

Yours sincerely

G.R. EVANS

Oxford

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.

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The Ashridge Sequence

1. Threesomes

A cold mist between layers of beech-leaves
And somewhere ahead, indistinct in the half-light,
An antlered head. Can you see what I see?
Comes the whisper on half-breath. We can...
Then a doe and a fawn, and man, wife and child
Watching, and we all breathe very slowly,
Small mists rising, and we look, and they look,
And then all of us, they their way, we ours,
Depart: our daughter walks between us, close...

2. Beech-Leaves

Lacemakers' despair:
Tracery of green light
On green shadows stitching.

3. Cuckoo

Nature imitates Art – and I,
Poor old colonial, who knew
Cuckoo from books and music,
Thought I heard in the woods
Someone's clock from a cottage
Chiming cuckoo, cuckoo, cuckoo -
And looked at my watch.

4. Blue-Bell Wood

Detach a piece of sky and plant it there
In the beeches, before the bracken grows -
But not a washed-out water-colour blue:
Iridescent oils, magenta nearly
Though softened by the beechy early greens -
Smears of blue, not pointillist preciseness,
Brushstrokes broad, loaded thick, bass-note booming...
Until you bend down close, and see the bells,
Soundless blue, fine as cotton prints, and same,
Repeated endlessly in tiny sequence there,
Stacked and falling, bells for infant Mayday,
Not quite nearly just a single little note -
Even when you bend down very close indeed.

5. Hullo Mr Fox

Came down a path, running quietly
Into the hot summer breeze,
With my big feet quiet on the grass,
Round a corner and there, in the sun,
In the middle of the path, seated,
Someone's little dog, left behind,
But (extraordinary) that red and (good heavens)
That long tail like a ... And it was him,
Mister Fox himself, the original sly one,
Caught out half-asleep in the sun, scratching
Most contentedly, until he heard footfalls -
When he was off, noiseless in the bracken.

One could hardly apologise.

6. Muntjac

Escaped from the Whitsnade Gaol
Set up shop in these high woods
Did very well thank you please:
One piecee buck white tail high -
Another Chinese exile.

C.J. DRIVER

C.J. Driver (known as Jonty) is a poet, novelist and educator. Born in South Africa, he was until 2000 Master of Wellington College. His novels include Elegy for a Revolutionary, Send War in Our Time, O Lord *and* A Messiah of the Last Days.

NOTICE

Lucy Newlyn, literary editor of the *Oxford Magazine*, will be pleased to read literary submissions of any description – e.g. verse, critical prose, very short stories, segments of dialogue, reviews of new dramatic productions and books, etc. Submissions should be no longer than 750 words, and where possible should be sent by email attachment to ***lucy.newlyn@seh.ox.ac.uk*** together with a two-sentence biog.

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