Submission from Dr Alex Benchimol

Dear Committee,

I write as an academic at an ancient Scottish University whose research has been directly related to highlighting the intellectual excellence and democratic traditions of Scottish higher education. I am very proud of these traditions. Indeed, it was one of the things that first attracted me to Scotland as a postgraduate student in 1994, and I have since settled here, become a Scottish citizen (UK national) and am raising a family here.

I am very concerned that the provisions of the Charities and Trustee Investment (Scotland) Act 2005 have been invoked against the crucial oversight capacity of the academic senate as final arbiter on all academic matters. My strong belief—bolstered by my own research on the cultural history of Scottish civil society, including its universities—is that the Senate is the primary democratic body of the university, acting as our parliament, and should have final say on all academic matters, including research and teaching, which make up the core business of the university.

Universities are not ordinary private institutions and their charitable status should not conceal the fact that they are publicly funded, and part of the public sector. But much more than this our universities are key Scottish civic institutions that have shaped the modern history of Scotland and provided key institutional support for Scotland's civil society and public sphere and, of course, played a noted role in the major constitutional reforms which led to the founding of the Scottish Parliament.

From the outset of this consultation process it has been clear from statements by Professor von Prondzynski and former Education Secretary Mike Russell that Scotland's universities cannot behave like private companies; that they are also guardians of the precious legacy of Scotland's 'democratic intellect'. I hope that this latest loophole can be closed and that we can have the accountability, clarity and transparency in university governance that the von Prondzynski review promised.

All best,

Dr Alex Benchimol