Submission from Mr Robert MacSwain
Higher Education Governance (Scotland) Bill

Dear Committee Clerk,

Greetings from the School of Theology of the University of the South in Sewanee, Tennessee, USA. My name is Robert MacSwain, and I am an American citizen of Scottish ancestry who is a graduate of both the University of Edinburgh (MTh, 1996) and the University of St Andrews (PhD, 2010). I moved to my current position in 2009 from St Andrews, and I have just been awarded tenure and promotion to the rank of Associate Professor (=Senior Lecturer).

As a graduate of these two Scottish universities, I am writing to express my concern about the Higher Education Governance (Scotland) Bill. It is difficult to over-estimate the significance of Scottish higher education to the entire world: the influence of the research done, the studies undertaken, and the subsequent careers of those who have received degrees at Scottish universities over the past several centuries is literally incalculable. In field after field—the arts, sciences, medicine, law, and divinity--Scottish scholars and students at Scottish universities have contributed to the personal, intellectual, spiritual, and financial well-being of global human culture.

Because of this remarkable heritage, Scottish universities continue to attract the best academics and students from around the world. Scotland owes much of its considerable prominence as a nation to its array of higher education institutions, both ancient and more recent. The Scottish Parliament thus bears an enormous responsibility to protect and maintain this precious resource for generations to come. However, in the considered expert opinion of the Royal Society of Edinburgh and the General Council of the University of St Andrews, the current Higher Education Governance (Scotland) Bill poses a serious threat to the integrity, autonomy, reputation, and competitiveness of Scottish universities.

Similar arguments about administrative oversight are playing out across the world, not least in the United States. However, when academic self-governance and freedom are undermined, the quality of both research and teaching often suffers--and morale certainly does. Individual universities must also be able to make specific decisions that are right for them, decisions that can only be made by those who live and work in those particular contexts. As the RSE argues, "The vitality of Scotland's HE sector, the contribution which it makes to the nation's economy, culture, and society, and its success in a highly competitive international context, rest on the ability of its institutions to respond to opportunity and need, true to their mission but without undue government oversight....It is not clear why Government is now
proposing additional legislation that directly intervenes in the governance arrangements of HEIs.'

Please listen to the concerns of the Royal Society of Edinburgh and the General Council of St Andrews, and do not stifle your amazing universities with an unnecessary act of centralizing governance that will inhibit them from fulfilling their mission. I do not exaggerate when I say that this decision will have global implications.

Thank you for your time and attention.

Sincerely,

Robert MacSwain