

## Response to PPC Meeting of 26th May 2015

In general, I feel that the discussion of my petition has been somewhat narrow. Instead of engaging with the profound issues raised - fairness, justice, equality and the very meaning and purpose of charity - it has often resorted to discussing the minutiae of terminology, narrow case studies and the provision of bursaries and community services by private schools.

This has resulted in the bigger picture being overlooked. What do we understand by charity and its purpose in society?

The very notion of charity can be dangerous, distracting attention from the injustice which creates the need for charity in the first place and perpetuating the provision of charity as an alternative to tackling the root injustices - that is, to borrow the words of Alistair McIntosh, charity is used as a substitute for justice,

As the internationally acclaimed philosopher and educationalist, Paulo Freire, wrote in his landmark 1972 book, *Pedagogy of the Oppressed*:

In order to have the continued opportunity to express their 'generosity', the oppressors must perpetuate injustice as well. An unjust social order is the permanent fount of this 'generosity', which is nourished by death, despair and poverty... True generosity consists precisely in fighting to destroy the causes which nourish false charity. False charity constrains the fearful and the subdued, the 'rejects of life', to extend their trembling hands.

To apply this to private schools, in order to express their 'generosity' (in the form of bursaries or community services), 'the oppressors (private schools) must perpetuate injustice as well' (unduly restrictive fees and unfair advantages over state schools in terms of money and resources) and 'an unjust social order is the permanent fount of this 'generosity'.

Oscar Wilde makes a similar point in his celebrated critique of charity, *The Soul of Man Under Socialism* (1891), when he writes that:

But this [charity] is not a solution: it is an aggravation of the difficulty. The proper aim is to try and reconstruct society on such a basis that poverty will be impossible. And the altruistic virtues have really prevented the carrying out of this aim. Just as the worst slave-owners were those who were kind to their slaves, and so prevented the horror of the system being realised by those who suffered from it, and understood by those who contemplated it, so, in the present state of things in England, the people who do most harm are the people who try to do most good; and at last we have had the spectacle of men who have really studied the problem and know the life – educated men who live in the East End – coming forward and imploring the community to restrain its altruistic impulses of charity, benevolence, and the like. They do so on the ground that such charity degrades and demoralises. They are perfectly right. Charity creates a multitude of sins.

For any nation, government, party, or politician truly committed to creating a fairer and more equal society, private schools have no place. Whilst they still exist, however, the removal of their charitable status is a moral necessity. Anything else is the perpetuation and condoning of profound social injustice.

There appears to be a problematic underlying assumption amongst certain members of the committee that because private schools pass the test then they must be charities, that OSCR must be right, and that this petition is thus unnecessary and futile. Indeed, Conservative MSP Jackson Carlaw has called for it to be closed.

This, however, fails to engage with the question of whether the charity test is fit for purpose, or whether OSCR's interpretation and application of it requires reassessment based on the serious concerns that I have highlighted.

Just because something conforms to current legislation does not mean that it is right.

For me, as for many others, amongst them the Scottish Council for Voluntary Organisations, a charity test that allows elitist private schools, which serve the rich and privileged, to qualify as charities is clearly unfit for purpose.

Charity cannot be a substitute for, or a distraction from, justice.

I look forward to the next committee meeting.

Yours sincerely,  
Ashley Husband Powton