

CAFAS Update No 29

11 January 2001

Council for Academic Freedom & Academic Standards

<http://www.cafas.org.uk>

Next Meeting:

Saturday 20 January 2001, 2.00-4.30pm
Room 2075
Birkbeck College
Malet Street
London WC1

Underground: Goodge Street, Euston Square, Euston

SUKUMAR SENGUPTA

Following an interval of almost a year, the case of CAFAS member Sukumar Sengupta continued at Stratford Employment Tribunal for five days from 31 October 2000. Four applications against the *London Borough of Tower Hamlets*, the Head Teacher and the Governing Body of *Bethnal Green Technology College*, dating from 1997, 1998 and 1999 were consolidated, together with one raised by the applicant in June 2000.

Mr Sengupta claims racial discrimination; he asserts he has been marginalised, victimised and not been supported by line manager, head teacher and the governing body. Although a fully qualified teacher, he has been distanced from mainstream teaching during his 16 years of employment in the College;

increasing emphasis has been placed on his 'home liaison' duties which supplement the 'support teaching' role integral to his 'section 11' post. He claims to be treated by staff and students as of 'inferior status', denied involvement in time-tabling and the preparation of class inputs, together with the lack of funding and support which would enable him to enrol on courses to develop and extend his own skills.

The first three cases have now been heard and the parties have made their submissions. Judgement will not be made until the hearing of the fourth case (originating from his suspension from all teaching responsibilities). The final hearing has been fixed for four days, commencing 1 May 2001.

Has your CAFAS subscription lapsed?

As always, we are dependent upon your financial support. Unfortunately, a number of members have fallen into arrears.

Your address label shows the date we last received any money from you. A red asterisk tells you that your subscription urgently requires renewal; two red asterisks indicate your subscription has seriously lapsed and needs your urgent attention.

If you have any query/ies, please get in touch!

[Subscriptions are £10.00 per annum for waged, £5.00 for unwaged individuals; £25.00 for TU affiliation]

Bob Potter

Padma Bhatt v London Borough of Hounslow

The date for the full Employment Appeal Tribunal hearing is set for 2 March 2001 at the E.A.T., Embankment, London. Members are urged to support Padma. Please contact EAT for the time.

The case has been submitted to the Commission for Racial Equality but to date there is no progress other than an exchange of information.

Padma wishes to thank CAFAS members for their support.

Gill Evans & Cambridge

Gill Evans' appeal has been upheld. Nonetheless, 'this is another instance of the power universities and colleges have to ignore findings against them and of the difficulty of getting them to adhere to their own procedures.' We reproduce below Phil Baty's report of it in the Whistleblowers column of the *Times Higher*, November 24, 2000.

Evans's appeal upheld

**'They'd raise
the *Titanic*
before
promoting
me. It would
cost them
so much in
humble pie'**

THE TIMES HIGHER NOVEMBER 24 2000

Cambridge University breached its own rules and broke principles of natural justice when it decided not to promote history lecturer Gill Evans for the eighth year running this month, a university appeals body has found.

Ruling on a complaint by Dr Evans that the history department faculty promotions committee denied her a fair hearing when it decided to reject her application for a professorship this year, the university's appeal body said that the committee breached the university's promotions procedures and a crucial principle of natural justice.

Dr Evans has been claiming for years that the university's decision-makers are biased against her because of her high-profile campaigns for reform of the promotions system and other improvements to the university's accountability. "They'd raise *The Titanic* before promoting me," she said. "It would cost them so much in humble pie." She has published 154 refereed journal articles and more than 40 books, including 16 with either the Oxford or Cambridge University presses.

The appeal body upheld Dr Evans's complaint that there had been a number of significant procedural breaches when the faculty committee considered her case for promotion earlier this year.

It found that the committee had failed to take all the documentation into account when it considered her case. Dr Evans's references for 1998, which are supposed to be taken into consideration, were missing from the documentation the faculty committee considered.

"The [appeals body] regarded this omission as a *prima facie* evidence of a fault in procedure. The committee agreed that it could not be confident that the outcome of the faculty committee's deliberations would not have been different, if the references had been available."

The appeals body also noted that although Dr Evans was an interdisciplinary candidate, the history faculty committee chose not to consult experts in the other academic field where Dr Evans is active. The committee "could have consulted the faculty of divinity but chose not to do so", the appeals body said.

It also confirmed that the constitution of the promotions committee had breached natural justice. *The THES* reported in May this year that the committee had accepted that it could not fairly consider Dr Evans's case as she had been involved in so many disputes with colleagues and too many members of the committee had potential conflicts of interest. But the committee considered her case regardless. It had to recruit five extra members to make it quorate because so many declared an interest.

"The faculty committee was placed in a position in which there was danger of the appearance of bias... The appeals committee could find no evidence of bias but, in applying the strictest rule of natural justice, that there should be no danger of the appearance of bias and the possibility that 'a third party would have real doubts on the question of whether a member could act in a way that was wholly free from bias', the committee agreed that the reconstitution of the committee did not meet the requirements." The complaint was upheld.

Problems with the body's constitution meant that there was no chairman for the consideration of the case. The appeals body "agreed that the need for a chairman in the enlarged committee should have been anticipated and dealt with before the meeting of the committee took place. The [appeals body]

agreed to uphold the ground of the appeal that related to the absence of a chairman in the consideration of Dr Evans's application."

Three other complaints from Dr Evans were rejected. Despite the appeals body ruling, the university's central promotions committee confirmed early this month that Dr Evans's application for promotion failed.

The university said it did not comment on individual cases, but said that Dr Evans had a right to a further appeal.

Phil Baty

A Deafening Silence

Regular readers of the *Update* will remember my web site <http://freespace.virgin.net/john.hewitt1/> {note that there is no www in this name}.

"A Habit of Lies - How Scientists Cheat!" The site is about cell biology. What it says, as loud as I know how to say it, is that the field has got this subject wrong and it has it wrong because of lying among some very senior scientists.

After a year, the number of hits on the site is approaching 4000, at an accelerating rate, and few people who have contacted me have offered any dispute about the rationality of its arguments.

Now, if I am right when I say this field has got it wrong, and I'm well qualified to know, the implication is that an awful lot of public money has been spent chasing nonsense ideas. In the circumstances you might think workers in the field would be willing to commit just of few hours replying to obvious questions. But they don't, all I hear from them is this deafening silence. There is no reply from the central figures.

It seems Cambridge University and its staff are so busy "pursuing academic excellence," that they have no time to reply to critics. Or perhaps they are just too "excellent" to notice that anyone disagrees with them.

John Hewitt

CAFAS Case-worker guidelines

We set out to befriend and support.

If a colleague, friend, parent or other family member approaches CAFAS we explain that the individual concerned must approach us directly.

We act only at the wish of the individual concerned and with his or her full knowledge.

We protect confidentiality.

We can offer advice about the way forward and general guidance about moves to avoid.

We can be of use in explaining about the procedures institutions ought to follow and helping to make sure they keep to them.

We can often obtain free legal advice informally, but we cannot offer free professional representation.

We can accompany individuals to meetings or hearings and offer CAFAS representation.

We can liaise by writing letters to the institution on behalf of the individual in difficulties.

We can ask CAFAS members to write general letters of support.

We can often arrange for media coverage.

Gill Evans

From the editors:

Happy New Year.
We apologise for the lateness of this *Update*.

NOTICES

Obituary

Professor G.E.M. Anscombe
18 March 1919 - 5 January 2001.

Professor Anscombe was a founding patron of CAFAS. We reproduce on pages 4 & 5 her obituary from *The Times*, Monday 8 January 2001.

Agenda 20 January

1. Minutes
2. Matters arising
3. CAFAS Conference on commercialisation of universities.
4. Case reports
5. AOB

There will be an officers' meeting in Room 2075.

Informal lunch and chat from 12 noon in the nearby cafeteria, first floor, Students Union building, Malet Street. All welcome.

Investors in People

If you wish to voice your concern about an institution you know does not deserve the title, please write to:

Julie Sullivan
Manager
Practitioner Development
Investors In People UK
7 - 10 Chandos Street
London W1M 9DE

CONSTITUTION

CAFAS' aims are outlined on the membership form. The full constitution can be obtained from the Secretary.

CAFAS ON THE WEB

<http://www.cafas.org.uk>

Michael Chanan has developed our website. It is worth a visit.

BAD E.T. EXPERIENCES?

Could members who have suffered bad experiences with Employment Tribunal Chairs and/or with costs awarded against them please send details to Dr Gillian Evans, Faculty of History, University of Cambridge, West Rd, Cambridge CB3 9EF who is collecting information on these as evidence for an inquiry into Employment Tribunals.

CAFAS Publications

We need to send a copy of all CAFAS booklets to five libraries. Unfortunately, we have sold out of Report 1: Michael Cohen & Colwyn Williamson, *Academic Standards Under Pressure: The Case of Swansea*, CAFAS and Report 2: Michael Cohen & Colwyn Williamson, *The Other Plagiarism Case: Mrs Jones and the University of Wales*: CAFAS. We would be very grateful if any members who have spare copies or who are prepared to release their own copy could contact Dr Bob Potter, 98 Addison Road, Hove, BN3 1TR. Tel: 01273 203 545. Members who have monies from selling publications or recruiting members, please send to the Membership Secretary & Treasurer, Bob Potter.

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Students' Complaints:

Please contact the Secretary.

CAFAS Report No. 8

RESOLVING COMPLAINTS AND GRIEVANCES IN UNIVERSITIES; THE WAY FORWARD

G.R.Evans

Public Policy Secretary

1. Complaints in the academic environment
2. Prevention: the 'first stage local ombudsman'
3. Reform of formal procedure and the Model Statute
4. Independent external review: the ombudsman option

Copies may be obtained from
98, Addison Rd., Hove, Sussex,
BN3 1TR
price £3.

(See report order form)

CAFAS was founded in March 1994. It depends on subscriptions and an active membership. It meets in January, April, July and October.

**Update deadline:
15 March 2001**

Please send letters on any issue,
news items and articles to:

CAFAS Update

7 Benn Street

London E9 5SU

e-mail: thorpe@lgu.ac.uk

Tel/Fax: 0181 986 3004

Disks & email are best. Disks will
be returned.

**Items in *CAFAS Update* do not
necessarily reflect the views of
the Council.**

THE TIMES MONDAY JANUARY 8 2001

PROFESSOR G. E. M. ANSCOMBE

Bold and original thinker

whose impact on the international philosophical
community has been a deep and enduring one

Elizabeth Anscombe was a giant in the world of 20th-century Anglo-American philosophy. An internationally known author and speaker, she worked on the history of philosophy, logic, philosophy of mind and human action, philosophy of causation, philosophy of religion, political philosophy, and moral philosophy. She retired as an active teacher some years ago, but her impact on the philosophical community endures to this day. As a contributor to a *Festschrift* in her honour once put it: "Philosophy as she does it is fresh; her arguments take unexpected turns and make unexpected connections, and show always how much there is that had not been seen before."

Gertrude Elizabeth Margaret Anscombe was born in 1919, the youngest child of Alan Wells Anscombe, a schoolmaster at Dulwich College, and his wife, Gertrude Elizabeth. She had two older twin brothers.

Educated at Sydenham School and St Hugh's College, Oxford (of which she later became an honorary Fellow), she was a research student at Newnham College, Cambridge, and a Research Fellow, and then Fellow, at Somerville College, Oxford (in which her portrait now hangs). She became a Fellow of the British Academy in 1967 and was a foreign honorary member of the

American Academy of Arts and Sciences.

In 1970 Anscombe was appointed to the chair of philosophy at Cambridge University. Ludwig Wittgenstein (arguably the greatest philosopher of the 20th century) had held the same position before her, and her name will always be associated with his. Her teacher and friend, he nominated Anscombe as one of his literary executors (together with Rush Rhees and G. H. von Wright).

Following his death in 1951, she spent years working to get his prodigious literary remains into print. Many of them were written in German and Anscombe translated some of them herself. English-speaking readers are particularly indebted to her for her thoughtful translation of the *Philosophical Investigations*, probably Wittgenstein's best-known and most influential work. She always reflected with thanks on the fact that Wittgenstein had been one of her teachers. His readers should reflect with thanks that she was one of his students.

Anscombe travelled widely and lectured in many countries including the US, Canada, Poland, Finland, Austria, Germany, Sweden, Spain and Australia. In 1941 she married Peter Geach, who also achieved considerable philosophical renown. They had seven chil-

dren together, but she did not like to be called "Mrs Geach" and, in academic circles, she continued to be known as "Miss Anscombe". It has been said that someone looking for Mrs Geach at the door of their Cambridge residence was told that there was no such person there. Whatever the truth of that story, there is no doubt that Elizabeth Anscombe and Peter Geach were a devoted couple. And their intellectual interests were more than purely philosophical; they both shared a deep commitment to the teachings of the Roman Catholic Church.

Anscombe became a convert to the Church in 1940 and her Catholic loyalty is evident in much that she wrote. But she had problems making the leap into Catholicism. For instruction on Catholic doctrine she went to Father Richard Kehoe of Blackfriars, Oxford. She was worried about the teaching of the 16th-century Jesuit Luis de Molina, according to whom, in Anscombe's words, "God knew what anybody would have done if, eg, he hadn't died when he did". She found that she could not believe this doctrine. As she subsequently wrote: "It appeared to me that there was not, quite generally, any such thing as what would have happened if what did happen had not happened, and that in particular there was no such thing, generally speaking, as what some-



Anscombe: loyal friend

one would have done if . . . and certainly there was no such thing as how someone would have spent his life if he had not died as a child." Father Kehoe was amused by her reaction and rightly thought it compatible with Catholicism. So Anscombe made the leap.

Apart from her work as Wittgenstein's literary executor, Anscombe will probably be best remembered among philosophers for her 1957 book *Intention* (widely regarded as a classic in its field); for her 1959 work *An Introduction to Wittgenstein's Tractatus* (a magisterial exposition and discussion) and for the contents of her three-volume *Collected Philosophical Papers* (1981), much of which has had a

considerable impact in academic circles.

Particularly worth mentioning is her paper *Modern Moral Philosophy* (1958), which played a significant role in the contemporary revival of interest in the Aristotelian notion of human virtues. In it Anscombe argued that "it is not profitable at present to do moral philosophy", that "the concepts of obligation and duty — moral obligation and moral duty, that is to say — and of what is morally right and wrong, and of the moral sense of 'ought', ought to be jettisoned . . . because they are survivals, or derivatives of survivals, from an earlier conception of ethics which no longer generally survives". The words might seem to represent an attack on ethical thinking. Their effect was to make "virtue ethics", as it is now often called, one of the central areas of current philosophical inquiry.

Anscombe also published a number of more popular texts which were straightforwardly written from the position of a firm doctrinal commitment. An example is her Catholic Truth Society pamphlet *Contraception and Chastity* (1975), in which she strongly condemns contraception and argues that we shall be committing ourselves to more than we might want to if we think of it as a viable moral option. As she put it later:

"You might as well accept any sexual goings-on, if you accept contraceptive intercourse."

Such a verdict is not common among philosophers, but Anscombe was a courageous woman who had no qualms about defying popular opinion when it came to a cause in which she believed. She was an outspoken Catholic, working among people who largely had little time for religion.

She was no pacifist, but in 1939 she publicly argued that it was morally wrong for Britain to go to war since the war was not just. In 1956 she strenuously opposed the conferment of an honorary degree by Oxford University on America's former President Harry S. Truman because of the bombing of Hiroshima and Nagasaki. "Choosing to kill the innocent as a means to your ends is always murder," as she later wrote when reflecting on the episode.

She gave a talk for the BBC (published in *The Listener* in 1957) in which she ingeniously and ironically argued that the moral philosophy then prevalent in Britain was a corrupting influence on the young. And she was unafraid to adopt unconventional positions even with respect to technical debates within philosophy. In a much discussed paper, *The First Person*, she argued that "I" is not a word that refers to anything. In a

number of other papers she challenged a huge amount of what many philosophers think they know about causality and freedom of the will. In 1985 she presented an ingenious defence of St Anselm's so-called "Ontological Argument" for God's existence (commonly regarded as a philosophical dead duck).

She was a bold, inventive, and original thinker. She was also a loyal and helpful friend who, though an unusually busy person, took time to correspond with students. It is hard for any generation to know which of its members will be read and admired in years to come. But Anscombe's work made an important and permanent contribution to philosophy.

Her writings demand patience and effort from their readers since they are often intricate and subtle. But they are always hugely stimulating. For Anscombe had what all great philosophers share: the ability to be struck by simple yet teasing questions, and the capacity to pursue them.

She is survived by her husband Peter and by their three sons and four daughters.

G. E. M. Anscombe, Professor of Philosophy, Cambridge University, 1970-86, was born on March 18, 1919. She died on January 5 aged 81.

CAFAS Council for Academic Freedom and Academic Standards

PATRONS: Professors Geoffrey Alderman (Middlesex), Michelle Barrett (City), David Beetham, Leeds, Jennifer Birkett (Birmingham), Noam Chomsky (MIT, USA), G A Cohen (Oxford), J B Deregowski (Aberdeen), Ray Dils (Reading), Michael Dummett (Oxford), Terry Eagleton (Oxford), Chris Freeman (Sussex), John Griffith (LSE), Reuben Hasson (York, Canada), David Howell (Manchester), Richard Hyman (Warwick), J F Lamb (St Andrews), David McLellan (Kent), T J Reed (Oxford), Hilary Rose (Bradford), Steven Rose (Open), James Sang (Sussex), John Saville (Hull), Phil Scraton (Edge Hill), Stan Smith (Dundee), John Westergaard (Sheffield)

CAFAS welcomes widened access to further and higher education. But expansion without a corresponding increase in funding and the attempt to run education on commercial principles have led to standards being undermined and to staff who protest being victimised. Many are too demoralised, or too pressured by inadequate resources, to challenge the decline; others are fearful of redundancies or intimidated by the threat of victimisation.

CAFAS faces the fact that the British educational system is decaying. The Council will not collaborate with the pretence that this is not happening nor will it compromise on the right to say so. The principle of academic freedom enshrined in the Education Reform Act 1988 - that "academic staff have freedom within the law to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions without placing themselves in jeopardy of losing their jobs" - is increasingly under attack, particularly when staff expose instances of corruption and shoddy standards.

CAFAS * campaigns against the decline in standards

- * **defends individuals against victimisation**
- * **gives moral support and legal advice**
- * **investigates malpractice and publishes findings**
- * **seeks to develop a support network with unions and other organisations**

Everyone who shares these objectives should join and persuade their local union branch or association to affiliate. Affiliations from students are welcome. For further information, contact the Secretary:

Dr David Heathcote; Tel: 01202595283; dhealthco@bournemouth.ac.uk

**Please photocopy this application for membership and distribute it among your colleagues.
Cheques payable to CAFAS.**

Send to Dr Bob Potter, CAFAS Membership Secretary, 98 Addison Road, Hove, Sussex. BN3 1TR

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