

Barton, Sunday March 2nd (as from Caius)

Professor A.J.Badger, Clare College.

Dear Tony,

I believe you are the chairman of the Colleges Committee (though I have been unable to confirm this from any published source). I shall assume you are!

I am writing this open letter to you about inaccuracies in an anonymous document Notes Concerning the Nomination Process for External Members of the Council 'Prepared for Colleges Committee Meeting, February 16, 2008'. This has been given wide circulation, apparently on the instruction of the Vice-Chancellor, including to the Fellows of Caius by our Master. The inaccuracies in it display a worrying misunderstanding of some aspects of the University's constitution.

(A separate matter is the doubtful propriety of the Vice-Chancellor encouraging the circulation of a paper ending Advice on Voting when she is the Returning Officer, and I would have hoped that some Head of House might have remarked on this. I have drawn the attention of the Proctors to it. It is the reason for the tradition that Vice-Chancellors, though they sign Reports, do not sign flysheets.)

My first point of detail is that the author of the document thinks that the Council is the governing body (p.2, penultimate paragraph). The governing body of the University is the Regent House by Statute A,III,1.

Secondly, the author is seriously ignorant about the Proctors (p.2), saying they have 'no standing in matters of governance'. They have been continuously involved in 'matters of governance' for the past 780 years. They are part of the constitution, but not of the 'management'. They have influence but not power. It is their duty to uphold the Statutes and Ordinances, to act as ombudsmen, to warn and to advise. It is their right to be consulted. They attend the Council by invitation, but they are not part of it. Congregations of the Regent House are not valid in their absence. Their ceremonial carrying of the historic Statute books is a reminder of their role. Historically, they are the representatives of the Regents, who elect them. The ignorance of the author is transparently revealed by the suggestion that the Proctors' standing in matters of governance derives from their membership of the Board of Scrutiny. The Board is a recent innovation. When it was set up, the suggestion that the Proctors might serve on it was made precisely because of their long involvement in questions of governance and constitutional propriety.

It is thus quite untrue that the duties of the Proctors 'are confined to discipline within the University'. Indeed, their disciplinary powers were removed from them following the Devlin Report and transferred to a newly-established Summary Court, just as their powers of advocacy were transferred to the new office of University Advocate.

Finally, it is offensive to read 'Their knowledge of the best candidates to serve as Chair of the proposed Committee would be limited'.

It is no doubt too late for the Colleges Committee to be able to correct the errors in this document, or indeed to reconsider the wisdom of apparently cooperating in its circulation. For this reason I am writing it to you in the form of an open letter which may be circulated by anyone.

Yours sincerely, Anthony [Professor A.W.F.Edwards]