THE SUNDAY TIMES

Too little pay

IF MR GUNTER has a bed of nails, the new Chairman of British Railways Board is at least walking on hot coals. We wish Mr H. C. (Bill) Johnson well. The announcement of his appointment comes at a time of soured relations between management and men and Mr Johnson takes over with the hardly encouraging send-off that he was second choice. On the labour relations of the railways, too much venom has already been expended. All we would say now is that Mr Johnson should be chary of some of the glib generalisations thrown up in the A S L E F dispute. (The craft A S L E F has been at least as co-operative in productivity and considerably less troublesome than the industrial N U R; and management seeking drastic change will always defeat itself if it fails to deal sympathetically with the genuine insecurities its reforms inevitably provoke.)

Mr Johnson may have something to learn from the rail dispute. The Government certainly has from the pay dispute between Mr Peter Parker and the Treasury. Mr Parker wanted £17,500—£5,000 more than Mr Johnson will receive. He was right to ask for this to attract a first-class management team of the kind at present available only to steel among the nationalised industries. Deputy chairmen of the Steel Corporation get up to £24,000, group managing directors £22,500, and a whole host of lesser executives salaries between £12,000 and £15,000. The Gas Council, whose chairman Sir Henry Jones receives only £11,000, has found it quite impossible to attract the kind of commercial management it vitally needs—largely because all the suitable men in private industry are earning a minimum of £15,000. There is only a bogus issue of principle here. Steel was allowed to slip through the net on the argument that it is the only State industry which has to sell in direct competition in export markets. But this is a very shadowy line. Natural gas is in direct competition with oil where the assembled marketing talent is as good and as highly paid as any in the world.

The only justification for fixing Mr Johnson's remuneration so low is that, at a time of restraint, the Government fears the political odium of giving anyone a £5,000 rise, and £17,500 sounds a lot of money. We do not believe it is for nerve-wracking top jobs—and in fact, £17,500 is not £17,500. There is the small matter of the Inland Revenue's share. The Government, indeed, is caught in a trap of its own devising. The U K marginal rate of tax on higher incomes is pre-emptive—at £15,000 the marginal rate approaches 90 per cent. For Mr Parker himself the extra £5,000 would have been worth only £1,200 net. To offer a top man earning £10,000 an additional £2,000 net for some sticky task, which might threaten health and happiness, means raising his gross salary to £23,000.

The cost to the Revenue of restoring incentives, encouraging leadership, and injecting some sense into the pay structure of the State-owned industries, would be trivial. According to Professor Merrett and Mr Monk, a 40 per cent. surtax cut would mean only a loss of £29 million in tax, which would be completely met by 4 per cent. of extra productivity from managers. Only political prejudice keeps surtax where it is. That is the moral of the Parker affair.

Time for take-off

THE MOMENT is fast approaching when a final decision must be made on whether or not to build the British

THE SYSTEM of party government has served the British people well. That needs to be stated clearly at a moment when it is under attack for shortcomings which are undeniable but which have generally been wholly outweighed by its advantages. The enshrined right of a strong dissenting party to place itself in constitutional opposition, criticising the Ministry of the day without frustrating the processes of government, is the strongest defence we have for our civil liberties.

An Opposition does more than stand impotently on the sidelines campaigning for a summons to power at the next General Election. By maintaining a constant political dialectic, it genuinely influences the evolution of Government policy and the public's response to it. Nor should the British party system be condemned for the crudity with which it tries to divide the nation into two political camps, each of which is itself a coalition, and each containing moderates who have more in common with each other than with their own extremists. For this helps to check the rise of extremists to the sort of influence which may endanger democracy.

The essential virtue of the British system is that it gives stability of government and it enables the voter to feel that, if he backs the winner, he is placing in office a particular group of men, under a particular leader and with a fairly predictable approach to policy. None of these conditions can really be fulfilled under a voting system which produces coalitions of which the elector can have no advance knowledge. For a combination of stability and responsibility (with a reserve power to get rid of an errant Prime Minister which the Americans might, in some circumstances, envy) the British system is hard to beat.

Nevertheless, the criticisms it now faces are real and must be met by the politicians —not just laughed off as academic fancies. Britain is the last remaining major power which is attempting to runs its public affairs within the strict confines of party Government, and as success seems to elude us, it is not surprising that the system itself is called into question.

The United States, for instance, do not have a strictly party approach to Government and on many issues the argument runs overtly (and not, as in Britain, covertly) across party lines. The offices of power are not in America concentrated all on one side as they are in Britain. The President, it is true, enjoys a personal power to which a British Prime Minister cannot aspire; he is fixed for his full-term and even in the gravest national crisis cannot be removed by Congress as a Prime Minister can be by Parliament. On the other hand, he is faced by a Congress which may be dominated by the opposite party and which may withhold finance and legislation from him. And this separation of power means that argument and voting in Congressional Committees can cross party lines and the President himself may appoint men from the opposite party (as well as no party) to senior Government office. (Mr McNamara, the retiring Secretary of Defence, is a Republican; so was Kennedy's Secretary of the Treasury, Douglas Dillon).

Not least, the Americans do not keep their party battle going between elections as we do. There are no comparable offices to the party H Qs in Smith Square, churning out Conservative, Labour and Liberal propaganda incessantly and making a party fight of practically every issue. It may seem an attractive vista to many Britons sick of our style of politics. But who would say that American public life is really healthier than ours today?

So the American elected "monarchy" is not party government in our style but at

Ronald Butt asks

WHAT PRICE COALITION?



At No 10 in 1931, the newly formed National Government: Ramsay MacDonald leads (l to r on the stair) J. H. Thomas, the Marquess of Reading, Baldwin, Snowden; (on the balcony) Samuel, Chamberlain, Hoare and Sankey

reason why the party battle has fallen into disrepute is not, I believe, that people object to a big fight on real issues. The trouble is that we seem to be preserving a party clash which is increasingly synthetic.

Until 1951, the political parties in Britain really were deeply divided on major issues and between rival interests. The Conservatives and Liberals in the last century were

coalition unless there is another economic crisis of first magnitude which Labour simply cannot handle. We can also take it for granted that, so far as the Tories are concerned, there could be no coalition which contained Mr Wilson. In my view, it follows that Mr Wilson would fight to the last not to be ejected and might be prepared to lead his party into a really Socialist siege-economy rather than surrender. Whether his party would follow is entirely unpredictable and these hypotheses are worth mentioning only to illustrate the sort of crisis (the kind Mr Aubrey Jones understandably fears) from which a coalition might ultimately arise.

If the country stumbles on to yet another economic crisis, coalition may, indeed, be necessary and in their hearts many party leaders already recognise that it could happen. In such a crisis, coalition would be the sign that the normal working relationship between a Government and its party had broken down. It would mean that the Labour Government's more extreme supporters had ceased to be content with their normal role, which is to influence marginally the conduct of government in their own direction while letting their leaders govern in a wider interest. If the normal party relationship did break down to such an extent, coalition might be justified but this has not happened yet.

Meanwhile, it would be illusory to believe that coalition would serve us better than party government and still more foolish to suppose that the businessman's techniques are the right qualifications for political management (which is one of the prevailing heresies).

Certainly, the 1931 coalition was not a happy precedent. It is true that the Government of MacDonald, Baldwin and Neville Chamberlain presided over an economic recovery and steered Britain out of the slump under democratic rule, while democracy on the Continent was being squeezed to the bone. But the National Government coalition of moderates swept too many social and economic problems under the carpet for the nation's health and we are still suffering from the results today.

One result of National Government in the thirties was that extremism flourished while moderates drawn from all parties shared power between them and were given a "doctor's mandate" by the electors. It was not merely that Fascism thrived, though this manifestation of despair was bad enough. The rump of the Labour Party in Parliament became a prey to extremism and one has only to reflect on some of the views of Parliament held by Stafford Cripps and his like in those years to see how near to the brink of authoritarianism many in the Labour Party moved in the Thirties.

As for the Conservatives, far too much of their energy was spent in fending off attacks from their own Right—including Winston Churchill's fight against the India Bill—and too little in coming to grips with the central foreign and economic problems of the period. Only a temporary coalition of equals on the wartime pattern could hope to avoid these dangers—provided that it was only for a short period. The danger is that expedients of this sort tend to last for too long. And a very short time can be too long. In West Germany today after only a short spell of Grand Coalition, the extremists are already enjoying a new lease of life.

The object in Britain now should not be to prescribe for such a crisis but to try to avoid it. That means trying to make party government work. Only the politicians can do this by the quality, integrity and relevance of their debate—and that places

Time for take-off

THE MOMENT is fast approaching when a final decision must be made on whether or not to build the British Aircraft Corporation's Two-Eleven. This would be a 200-seater, short-haul aircraft, a larger but quite different version from the highly successful One-Eleven, of which 134 have been sold at home and abroad. Its research and development costs would amount to about £100 million, divided equally between the airframe and the Rolls-Royce engines. The latter, which would be of an entirely new type, have good sales prospects, on their own account, in the United States. It may be possible, therefore, to write off the engines' R-and-D costs. The remaining 50 millions due for the airframe could be met as to about 20 millions by the British Aircraft Corporation itself; the remainder would have to come from the Government. Preliminary studies, by B A C and the Board of Trade, show that the Two-Eleven would be a highly suitable plane with good export prospects. British European Airways, its main prospective user, wants it in preference to any other aircraft. There are, therefore, strong economic reasons for going ahead with the Two-Eleven.

Inevitably there are political aspects as well, and at first sight these are contrary. Britain stands pledged to participate in the European airbus, a 300-seater affair. For her to proceed now with the Two-Elevens would, it can be argued, seem to the Europeans, and especially to the French, a contradiction of the pan-European project of aircraft production-in-common. In fact these arguments will not really bear examination. To begin with, the Two-Eleven is not a rival to, or contradiction of, the airbus; a 200-seater plane is as different, in terms of operation and routes, from a 300-seater plane as a minibus is from a charabanc. Secondly, it is believed that, once the decision were taken to build the Two-Eleven, Germany (a participant in the airbus project), and Italy would be interested in buying it. Twenty-one other European and American airlines have shown similar interest. In any case, B A C and the French firm Sud-Aviation have already informally agreed to split the work on the airframe. The principle of production-in-common would not be challenged.

If the French, for political reasons, do not like the prospect of the Two-Eleven, that is no solid reason for abandoning it—especially as Air France has ordered an American 200-seater-type aircraft the Boeing 727-200, which at the moment enjoys a world monopoly in this market. The Government should forthwith give the green light to the Two-Eleven. It could be a winner.

The great divide

THE CONFERENCE of British and Soviet editors, held in London last week under the auspices, and at the expense of the International Publishing Corporation, was a generous contribution towards improved East-West relations and understanding generally. But however valuable the personal contacts made on each side, the course of the discussions showed with depressing clarity just how wide the gap is that continues to separate East from West. The visitors spoke with one, monolithic, voice in defence, or rather promotion, of their Government's policies. The British editors expressed their own personal views and they often differed.

On one point of indignation, however, the British editors, too, were nearly single-minded: the continued imprisonment of the two Soviet writers, Daniel and Sinyavsky. Now comes the news that another politico-literary trial is, apparently, shortly to take place in Moscow. The principal accused is a young poet, the author of a " white book " on the Daniel-Sinyavsky affair. Soviet justice and Soviet law are the internal business of the Soviet Union. But until they, and the values they embody, are liberalised sufficiently to tolerate at least some degree of genuine intellectual ferment, true understanding between East and West remains more illusion than reality.

to a big fight on real issues. The trouble is that we seem to be preserving a party clash which is increasingly synthetic.

Until 1951, the political parties in Britain really were deeply divided on major issues and between rival interests. The Conservatives and Liberals in the last century were genuinely divided over Home Rule—so much so that some preferred to quit their party rather than sacrifice their principles. They differed no less over Free Trade versus Protection and the constitutional crisis caused by the Liberal People's Budget of 1909 showed how deep the cleavage of interests was.

The rise of the Labour Party represented an even deeper social and economic clash in the nation. In the 1920s and 1930s the Labour Party wanted to change the face of Britain and between 1946 and 1951 it did just that. Even up to 1959 there was a deep difference of approach to economic management and ownership. But since the death during the Clause IV controversy of the old

MacDonald leads (l to r on the stair) J. H. Thomas, the Marquess of Reading, Baldwin, Snowden; (on the balcony) Samuel, Chamberlain, Hoare and Sankey

Labour aim of nationalising the nation's industry, the two parties have moved much more closely together—Labour by attempting to run a basically private enterprise economy; the Tories by accepting a degree of economic planning. In fact, when the Labour Party came to power in 1964 it was elected less as a party of a protest than as a party which promised the good government and efficient management which used to be the traditional Tory stock-in-trade.

It has not succeeded and after the shrill cries of recrimination which have so far been the main party-political response to the latest crisis, the revived public interest in the idea of some degree of co-operation above party is hardly surprising. Yet we can take it for granted that there will be no

The object in Britain now should not be to prescribe for such a crisis but to try to avoid it. That means trying to make party government work. Only the politicians can do this by the quality, integrity and relevance of their debate—and that places as much responsibility on Mr Heath and his colleagues as on Mr Wilson and his. The nation will do itself an ill-service if, like so many Continental countries, it falls into the facile habit of despising the politicians, as all too many public communicators are now tempting it to do. The party politicians, for all the seemingly idle chatter of their arguments, preserve our liberties as no junta of businessmen or technocratic administrators could do.

But equally, the politicians must accept that though a coalition is not desirable, the feeling which has inspired talk of one is understandable and worthy of respect. Party government is on trial in the country of it s origin; a verdict in its favour now has to be earned.

JUSTICE FOR THE POOR

Michael Zander

FOR YEARS we have been saying that our legal aid system is the best in the world. Now gradually it is dawning even on those who administer the scheme that this complacency is wholly unjustified—mainly because people don't seem to use it.

Fewer than 2 per cent. of the nearly 1½ million people dealt with summarily by magistrates even apply for legal aid. The 1½ million cases a year in the County Courts produce a mere 4,000 legal aid certificates.

Moreover, court cases are only the tip of the iceberg of lawyers' work. The unmet need for legal help of, for instance, tenants, consumers, employees or the victims of more than half a million factory and road accidents, emerges even more clearly from the fact that according to the figures only 60,000 people per year get legal advice under the scheme—three per solicitor per year. The potentially valuable procedure for getting a solicitor to write a few letters is used by only 2,000 a year.

The whole of London with its population of 8 million and its hundreds of firms of solicitors produces the ludicrously small number of 200 claims not amounting to actual proceedings and 4,000 cases of legal advice. Yet one settlement house alone, Toynbee Hall, with legal advice sessions only on Wednesday evenings helps 2,500 people a year. The failure of the scheme is apparent just from the contrast between these figures. Solicitors are fully stretched and give free advice to many clients but most people seem not to go to them with their legal problems.

Why this is so is as yet unclear. One reason may be that potential clients are put off by the lawyer's middle-class image. Another may be sheer ignorance of the existence or scope of the scheme. Even those who know of it may be fearful of mysterious and rising costs not covered by the aid grant.

A study we are now doing, with Ford Foundation support, at the London School of Economics may suggest some clues. We are interviewing 2,000 people in Islington, Southwark and Tower Hamlets to discover whether those who have been involved in typical legal problems took advice, if so from whom, and if not, why not.

Meanwhile, however, vital decisions about the future of the scheme are being made. The Lord Chancellor's Advisory Committee on legal aid asked the Law Society earlier this year to make suggestions for improving the scheme. First indications are that the Law Society will tackle this task in much too limited a way: in particular, they will pay too little regard to the recent development in America of what is probably the most effective device yet to emerge for providing legal services to the poor.

Under the Poverty Programme neighbourhood law firms have been set up in poverty areas staffed by full-time salaried lawyers who offer a complete range of free legal services on a means test basis. A striking feature is that the local poor are brought into the management structure of these firms. Already there are over 800 of them in 46 States.

English lawyers are apt to reject the very idea of salaried lawyers as State lackeys (second class) in whom the client could have little confidence. The Americans have been finding, however, that men of high ability will take up this work and that salaries need not sap the lawyers' independence.

Indeed, to judge from the number of actions brought against central and local government and other public bodies, the neighbourhood lawyers are *more* independent than our own. The 1,600 or so lawyers involved produce more such actions than all our 25,000 barristers and solicitors put together.

Able lawyers have been attracted to the neighbourhood firms partly by good salaries, but equally by the belief that they are the best places for a lawyer to combine solid professional work with Kennedy-style idealism. One attraction has been the fact that the neighbourhood lawyer has two roles that go beyond the normal everyday functions of lawyers: he engages in law reform and he drums up business.

He does this through every means available—loudspeakers, leaflets in supermarkets, TV spots, lectures and films. The professional rules against advertising don't apply because salaried lawyers stand to make no personal profit.

Law reform (through test cases and new legislation) is seen as a vital way of helping not just the individual client but the whole community; for example, a ruling recently won from the courts in Connecticut that the State's one-year residency test for welfare benefits are unconstitutional.

The neighbourhood firm has several distinct advantages over our system of channelling all legal aid through private practitioners. The most important is that the neighbourhood law firm holds itself out as the activist champion of the poor and so has a better chance of winning the confidence of the local people.

The fact that the office can handle the case from start to finish avoids the danger in our system that clients, reluctant anyway to see a lawyer, will get lost in the process of being referred. (The Citizens' Advice Bureau in Toynbee Hall reckons that it loses about one third of the clients it refers to the legal advice office *in the same building.*)

Also neighbourhood offices can be put where they are needed, whereas private lawyers tend to congregate in middle class areas. Bethnal Green with a population of 46,000 has only two firms of solicitors, one of which does neither county court nor magistrates' court work. The national average is one solicitor per 2,275 persons. Poplar has one firm of solicitors for a population of 68,000.

Contrary to the view currently taken by the Lord Chancellor's Advisory Committee, the neighbourhood law firm system, through economies of scale is more efficient and substantially less expensive than our own. The Advisory Committee appear to think that we would do better to strengthen the existing Citizens' Advice Bureaux and to amend the legal advice system than to introduce the NLF idea. But for all their invaluable work, CAB's basically provide only information; they do not take up the cudgels as lawyers do.

Considering that we are now spending over £7 million a year on legal aid it would seem worth investing a little money at least on an experimental basis to investigate whether this new American model could be useful here.

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