

SCOTTISH TORIES AT MID-TERM:
A REVIEW OF SCOTTISH OFFICE MINISTERS
AND POLICIES 1979-81

Robert McCreadie,
Lecturer in Scots Law,
University of Edinburgh

Starting Afresh

In May 1979 the British, but not the Scottish, electorate voted into power an administration which had stated its dislike of the principles of collectivism and welfare more firmly than any of its post-war predecessors. The wheel of government was to be pulled hard down to the right, not only widening the gulf between the Labour and Conservative Parties but also making explicit the divergence within the latter between the stern, penny-pinching apostles of Milton Friedman - economic superstar of the Eighties - and the somewhat shop-soiled pragmatists left over from the Heath era. During the euphoria which can afflict even time-served politicians at the moment of victory, Margaret Thatcher, entering No. 10 Downing Street for the first time as Prime Minister, felt moved to unburden herself of the famous words of St. Francis of Assisi: "Where there is discord may we bring harmony; where there is doubt may we bring faith". But her message of "pax vobiscum", delivered low-key in that recently-created Saatchi and Saatchi voice, could conceal only momentarily her steely determination to take on Socialist and Tory alike in her drive to implement her monetarist doctrines. For her, the control of inflation required that firm brakes be applied to public spending, while the raising of incentives and productivity, demanded substantial cuts in taxation. Translated into action, these policies struck not only at the heart of the socialist creed but also at the middle ground in politics. The major social security benefits were to be de-indexed; the housing

programme was to be drastically pruned; public assets were to be sold, preferably to the highest bidder; and not least, pumping the taxpayers' millions into inefficient enterprises was to be stopped. The Conservative vision of freedom also required that employees be protected against monolithic trade unions, that council tenants be given the right to buy their homes and that some parents be given public funds to enable them to send their children to private schools.

Discord, not concord, was the likely consequence of pursuing these policies, and thus it has proved. Indeed the discord has been all the greater because, however one evaluates what has been done, Mrs Thatcher and her Cabinet have been remarkably successful in carrying out, during their first two years, much of what was promised. The economy remains in disarray, but the Prime Minister continues to show a faith in the correctness of her visions rarely exhibited by the more recent incumbents of her great office. The appellation of the Blessed Margaret, bestowed by her disgraced high priest, Norman St. John Stevas, has never seemed apt. She has chosen, more appropriately, to don the mantle of Boadicea and in that guise has taken to scorning the pussy-footing 'wets' within her camp, led by the rubicund Employment Secretary, James Prior, and to exhorting her troops to keep the screws on until the economy arises, new-born, from the ashes. So far she has given no public indication of being worried by the lack of any signs of life.

No doubt part of Mrs Thatcher's determination not to compromise stems from her belief that the electorate gave her an unequivocal mandate to implement her party's manifesto. She came to power, after all, following a hung Parliament, with a majority of 43 over all other parties in the Commons. Viewed from London, the long-established centre of a unitary state, the Tory writ runs the length and breadth of the Kingdom. But from Glasgow or Edinburgh the picture is different. In the General Election of 1979 the Conservatives notched up just 31% of the Scottish vote and secured only 22 of Scotland's 71 Parliamentary seats. That was an improvement on their performance in the previous election, in October 1974, when the strength of the Nationalist vote resulted in their getting only a quarter of the vote and a lowly 16 seats. But that disastrous election apart, their share of the vote in 1979 was

still lower than at any time since the War. Since then the Government's performance has caused opinion polls to record support from as little as 17% of the electorate. Coming so soon after a major, and at times stormy, debate on the extent of Scottish political autonomy, it would have been reasonable to expect so precarious a hold by a controversial governing party over a country which is predominantly socialist in outlook to lead to a challenge to its mandate to govern. That this has not occurred reflects the depth of the Scots' acquiescence in Whitehall-based government and their justifiable scepticism about the ability of any administration, whether Labour or Tory, whether in London or Edinburgh, to reverse the years of economic decline. Neither independence nor devolution is in the running as the panacea for Scotland's ills, and the Conservatives govern the country unchallenged. The Scottish National Party, which might have been expected to act as the catalyst for a vigorous campaign against Tory control, has failed to reassert itself following its rout at the General Election. After two years of stunned torpor it has chosen to direct its energies inwards, engaging in the kind of factional infighting normally thought of as the special province of the Labour Party - with none other than Jim Sillars, Labour's Scottish heretic, well to the fore.

The Scottish Council of the Labour Party has also been strangely quiescent on the subject of the Tory mandate, given the strong argument which Labour could put forward for ruling Scotland itself through a devolved Assembly. In 1981 the party's Scottish Conference endorsed the Executive's proposals for an Assembly, this time with tax-raising powers. Speakers acknowledged that if the Scotland Act 1978 had been implemented a Labour-dominated administration could have prevented the Conservatives from carrying out a number of controversial reforms - notably the forced sale of council houses and the creation of publicly-funded places at fee-paying schools. They also recognised that an Assembly with the power to raise its own revenue could have offset at least some of the public expenditure cuts which have been imposed in the past two years. Yet these arguments have hardly surfaced in the propaganda battle which the party has waged. This largely reflects the lukewarm support for devolution which exists at all levels, from the Executive downwards. For many, the question whether a Conservative Government should

exercise control over Scotland is as irrelevant as the question whether a Labour Government should be able to rule the Tory heartlands of the south of England. The United Kingdom is for them a single political entity and energies ought to be directed to the establishment of a strong central government which will implement socialist policies. The lack of concerted action has made it easy for Mrs Thatcher and her Ministers to sweep aside the memory of the Scotland Act (which was repealed by an Order in Council two months after the election) and to maintain a hostile attitude even to small reforms, for fear that they might set the devolution train in motion and curb Tory influence in Scottish affairs. When, in the summer of 1981, MPs voted that the Scottish Grand Committee should be enabled to hold experimental sittings in Edinburgh - hardly a daring initiative - the Government declared itself neutral on the subject and reiterated its opposition, ostensibly on practical and organisational grounds, to bringing the Scottish Standing Committees to the capital.

The Secretary of State

The Tories might have been given a much harder time had there been installed as Secretary of State for Scotland some controversial figure firmly identified with Mrs Thatcher and her 'no-nonsense' approach to governing. The person who best fitted that description was, of course, Teddy Taylor, one-time MP for Glasgow Cathcart, who shadowed the post after the resignation of the pro-devolutionist Alick Buchanan-Smith at the end of 1976. The voluble and tenacious Taylor had Mrs Thatcher's ear and would have provided her with powerful public support in return. He would have revelled in throwing the socialists' brickbats back at them. However, his scuppering by the Cathcart electorate on the dawn of his elevation to power opened the way to a different kind of politician and to a much quieter style of government. Secretary of State George Younger is cast in a more traditional mould than the populist Taylor. Heir to a Viscountcy, educated at Winchester and Oxford, Younger is the quintessential Tory aristocrat. A man of considerable charm, he is reputed to have a genuine interest in people and the knack, invaluable for a politician, of being able to remember who they are. His nature, unlike Taylor's, is that of the disarmers. A reputation

for courtesy has followed him ever since 1963, when he stood down as Unionist candidate for Kinross and West Perthshire in favour of the seatless Sir Alec Douglas Home. This, the ultimate political sacrifice, was rewarded the following year, when he took his seat in the Commons as the MP for Ayr.

Unlike the other members of the Scottish administration, Younger had some prior experience of government when he took office. During the Heath administration he was a Parliamentary Under-Secretary of State at the Scottish Office, rising in its dying days to become Minister of State for Defence. In January 1975 he was appointed to the Shadow Cabinet as Chief Opposition spokesman on defence. His star was firmly in the ascendant. But unfortunately for him, when Mrs Thatcher took over as leader she seemed unimpressed by his political talents. When she decided to strengthen the Shadow Cabinet at the beginning of 1976, Younger was dropped from the team. True to character, he expressed his disappointment at this humiliation, but declared that he remained her "loyal lieutenant". Loyalty won the day: at the end of the year she brought him back from the cold, this time merely as a member of the Shadow Scottish team led by Buchanan-Smith. But for the eclipse of Buchanan-Smith and Taylor, he would have found no place in the Conservative Cabinet.

Younger's Achilles heel, doubtless perceived by Mrs Thatcher, is that he finds it difficult to be ruthless. Polish, politeness, unflappability - he has these qualities in abundance. But he has little of the politician's instinct for the jugular, none of the terrier-like persistence of Teddy Taylor. He is a conciliator and a pragmatist, not a stern soldier of principle. How successful has he been, then, in his task of rooting for Scotland at the Cabinet table? It is plain that he has none of the charisma and force of personality of former Labour Secretary of State, Willie Ross, who had no difficulty in making himself heard when he chose. Nor is he blessed with the administrative gifts of his immediate predecessor, Bruce Millan. It is Younger's misfortune to have followed a man whose technical mastery of a civil service brief was unsurpassed and who earned the highest accolade bestowed by any civil servant; that he would have made a first-rate one himself. Younger, who is not in that league, suffers by comparison. The general opinion is that he is not a very effective Cabinet operator, contenting himself

with playing a relatively passive role. This doubtless explains why his name never figures in the jousts between the 'wets' and the 'drys' at Cabinet meetings - although he is plainly a wet. But if he lacks the expertise of Millan, the gravity of Ross and the drive of Taylor, he can still generally be relied upon to put the Scottish Office case in Whitehall. And he is credited with some personal successes. When the Conservatives took office it was decided to scrap the long-delayed plan to disperse 7,000 civil servants from the Ministries of Defence and Overseas Development to offices in Glasgow and East Kilbride. Younger fought hard to save these jobs for Scotland and eventually succeeded in salvaging 2,000 of them. More important, he was also instrumental, with other Ministers, in persuading Industry Secretary, Sir Keith Joseph, to moderate his original plan to change radically the face of regional industrial policy by a more selective approach to assisted areas. In 1979 the whole of Scotland was an assisted area, but Joseph intended to remove from that category much of the Borders and Grampian as well as cities such as Edinburgh, Aberdeen and Perth. Younger's achievement was to convince Joseph that the change should not be immediate and to maintain the structure of regional policy intact with not a single incentive abolished. Under the revised plan made public in July 1979, those regions with development status (most of them) were downgraded to intermediate area status - the lowest category - with effect from August 1980 and will not cease to be assisted areas until August 1982. A small victory, perhaps, but one which should certainly be commended.

When historians come to reflect on Younger's reign, they will probably consider its most important feature his long and painful tussle with Labour-controlled local authorities, notably Lothian Regional Council and Dundee District Council, over the extent of their spending. The reason for this is threefold. Firstly, it was for Younger the most crucial test of his political clout; a Secretary of State who is seen to be out-manoeuvred by local councillors cannot expect to remain long in a Thatcher Cabinet - particularly when he has been chopped once before. Secondly, the clash gave vivid expression to the fundamental divide between Socialist and Tory over the level of public spending; indeed it

represented a more determined assault on Government policy than anything which Labour's lacklustre Scottish Shadow team had been able to muster either inside or outside Parliament. Thirdly, at a broader political level the action which Younger was forced to take to maintain credibility amounted to one of the most forceful attacks yet on the autonomy of local government. By radically adding to his legal powers - in advance, incidentally, of similar action being contemplated by his English counterpart, Michael Heseltine - he achieved a stark contrast with the non-interventionist pose which the Government had been at pains to strike elsewhere. The fight was certainly not of Younger's choosing. No one could have been more disappointed than he by Lothian Region's refusal to settle their differences in a gentlemanly way. But he could not ignore their failure to obey the expenditure guidelines laid down by the Scottish Office nor their decision, in the spring of 1981, to raise their rate substantially to offset the reduction in the Rate Support Grant. He had no power to reduce the rate; his only alternative was to use his powers under the Local Government (Scotland) Act 1966 to withdraw RSG from councils whose actual expenditure was considered excessive and unreasonable. Unfortunately for him, that ruled out immediate action: he had no power to withdraw grant from a council which merely planned to spend excessively. To remove this obstacle, just such a provision was included in the Local Government (Miscellaneous Provisions)(Scotland) Act 1981, which reached the statute book in June after running the gauntlet of furious Labour opposition. In order to block a possible avenue of escape the Act also prohibited a council from borrowing to plug the huge hole created by the withdrawal of grant. Younger stopped short of giving himself power to reduce rates by executive fiat; that would have seemed too blatant an interference with a democratically-elected authority. But in a clever move he gave renegade councils the power to reduce their rate, and thus their expenditure, as an alternative to losing grant. That way they, not he, would lose face. By mid-summer, then, the stage was set for battle, with Younger seeking a £47 million cut in expenditure from an obdurate Lothian Region. The cards were stacked on the side of the Secretary of State but there were many who felt that his expected victory would be achieved at far too great a cost to the principle of local autonomy.

The Junior Ministers

Though Younger had already been blooded by office, the ministerial team which accompanied him to New St. Andrew's House was a remarkably untested one. Lord Mansfield, the Minister of State and his official deputy, was virtually unknown, even in his own party. The three Parliamentary Under-Secretaries - Malcolm Rifkind, Alex Fletcher and Russell Fairgrieve - had all entered Parliament for the first time between 1973 and 1974. No one knew how they would shape up. In order to increase public awareness of their functions, if not their personalities, Younger took the imaginative step of conferring new ministerial titles upon them - a gesture to devolution which apparently puzzled the Hansard writers. Rifkind became Minister for Home Affairs and Environment, Fletcher the Minister for Industry and Education and Fairgrieve the Minister for Health and Social Work. In these guises the names of Rifkind and, to a lesser extent, Fletcher have gradually become part of the common currency of Scottish political debate. Parliamentary Under-Secretaries are not usually given the opportunity to display their talents to the public but at the Scottish Office small fry can play quite successfully at being big fish. Two strenuous years in office now allow some assessment to be made of these talents. This must needs be longer, but not necessarily more accurate, than that offered privately by a former Labour Minister. In his view their abilities were easily assessed by comparing them to their Labour predecessors: Alex Fletcher was clearly the administration's Gregor Mackenzie, Russell Fairgrieve its Hugh Brown and Lord Mansfield, without doubt, the Tory Party's answer to Frank McElhone. Perhaps only aficionados of the Scottish political scene can fully appreciate these parallels.

It is significant that our Labour Minister could find no parallel for Malcolm Rifkind, the acknowledged success of the Scottish Office and the man best placed to succeed Younger should he again suffer the indignity of dismissal. Articulate and ambitious a former advocate, Rifkind is the epitome of the Tory meritocrat. Slight in appearance, with a disconcerting stare, he does not look cut out for stardom; yet his intelligence, energy and debating skill (he made his start in university and Edinburgh politics),

combined with his ability to squeeze more words into a short space of time than any other Scottish MP apart from Donald Dewar, have secured him a place in the sun. Like many a high-flier before him he committed an early act of potential political suicide. Elected as MP for Edinburgh Pentlands in February 1974, his talents were immediately recognised and in 1975 he was appointed a Shadow spokesman on Scottish affairs. However in December 1976 he resigned, along with Shadow Secretary, Alick Buchanan-Smith, in protest against the decision of the Shadow Cabinet to impose a three-line whip on Tory MPs to vote against the Second Reading of the Scotland and Wales Bill. The following week he was one of only five Tories to vote for the Bill. This act of defiance might have set back his career, but luckily for him he was not dispensable. When Mrs Thatcher took office she appointed him to the Scottish Office; at the age of 32 he was the youngest Minister in the Government.

Rifkind has also been fortunate since taking office: to him has fallen the daunting but politically opportune task of piloting through the Commons the key parts of the Scottish legislative programme - the Tenants' Rights, Etc. (Scotland) Act 1980, the Criminal Justice (Scotland) Act 1980 and the Local Government (Miscellaneous Provisions) (Scotland) Act 1981. The legislation with which he has most closely identified himself is the Tenants' Rights Act. He was well aware of the political kudos to be gained from playing this, the Government's trump card. The so-called 'Tenants' Charter' which it incorporated, comprising the right of council tenants to buy their houses, security of tenure for public sector tenants and the regulation of allocation and sub-letting policies, was drafted by Tory headquarters in London, but the greater preponderance of public housing in Scotland rendered it particularly apt as a means of attracting wavering Labour voters in Scottish urban areas. Yet apart from the right to buy, there was nothing uniquely Conservative about the Charter. It had been actively discussed by both the Department of the Environment and the Scottish Development Department during the Labour administration. Extending security of tenure to the public sector had been recommended by the Finer Committee on One-Parent Families as long ago as 1974 and endorsed the following year by the Morris Committee on Housing and Social Work; these recommendations, along with the need to give council

tenants a greater degree of independence, were accepted by Labour in their Green Paper on housing, "Scottish Housing" published in 1977. So too was the selling of council houses as long as it was strictly controlled and forbidden in areas of housing need.

However, Millan and his colleagues dallied too long in putting their Charter into effect. Detailed legislative plans were drawn up at the beginning of 1979, but no Bill had appeared by election time. Thus when the Conservatives took over all the groundwork had already been done. By adding the right to buy Rifkind was able to proudly present Labour's baby as the offspring of the Tory dawn. With a keen eye for publicity he personally insisted that it be given a popular title and not be described, like its English equivalent, as yet another Housing Bill. At the press conference to launch his Bill, Rifkind could not resist rubbing salt into Labour's wound: "Other people have talked about tenants' rights", he said, "but we will be providing them". The importance which the Government attached to the Bill was shown by the fact that it was passed in the same Parliamentary session as its English counterpart, whereas the norm is for Scotland to lag behind by at least a year. Rifkind's faith in the sales policy was soon vindicated, as opinion polls indicated support from the majority of council tenants, many of them undoubtedly Labour voters. Triumphant, he appeared on a party political broadcast, pushing sales with all the conviction of a car salesman desperate for his commission. All this publicity was extremely effective in diverting attention from the most important aspect of Conservative housing policy: the unprecedented cuts which were being made in housing expenditure. These had begun under Labour but were accelerated by the present administration. In 1979/80 housing expenditure amounted to £765 million (at 1980 prices); by 1983/4 it is expected to be around £450 million, with all that that must entail for the creation of new housing and for general maintenance.

In the area of law and order too, Rifkind was fortunate in being able to borrow his predecessors' political underwear. Labour's Criminal Justice (Scotland) Bill, published at the end of 1978, gave effect to many of the recommendations of the Committee on Criminal Procedure chaired by the late Lord Thomson, a Court of Session judge. In particular it contained controversial provisions allowing the police to detain suspects and witnesses in the street for quest-

ioning and to hold the former at police stations for up to six hours without charging them. Although detention without charge was normal police practice, it had always been unlawful and Millan and his colleagues were severely criticised for being prepared to trample on basic civil rights in order to placate the law and order lobby. However, the election put paid to their efforts by killing the Bill. Almost immediately it was revived by the Conservatives as the centrepiece of their law and order campaign. A number of new provisions were added to give effect to party policy. The police were given power to search without warrant anybody suspected of carrying offensive weapons. A new but purely cosmetic offence of 'vandalism' was introduced to deal with those who wilfully damaged property - cosmetic because this was covered perfectly adequately by the offence of malicious mischief. Clauses were added to control drunkenness at football matches and to require offenders to pay compensation to their victims (a recommendation made in 1977 by the Dunpark Committee on Reparation by the Offender). Armed with all this, and confronted by a largely supine Labour Opposition hoist with its own petard, Rifkind and the flamboyant Solicitor General, Nicholas Fairbairn, had no difficulty in holding their ground during the Bill's Commons passage.

Rifkind's talents, combined with the opportunities for self-advertisement afforded to him, have resulted in his overshadowing the man who might have expected to be the Secretary of State's right-hand man at the Scottish Office: Alex Fletcher, the Minister responsible for industry and education. Fletcher's background is very different from that of his colleagues, which perhaps serves to explain why he does not belong to his party's inner circle. Born in Greenock, the son of a shipyard worker, he pulled himself up by qualifying as an accountant. He worked for a number of years as an executive with IBM before becoming managing director of an Edinburgh-based company. His interest in politics was kindled by none other than Hector McNeil, Labour MP for Greenock from 1941 until his early death in 1955, Secretary of State for Scotland from 1950 to 1951 and the man credited with bringing IBM to Scotland. However that interest, maturing during a long business career, was attracted to the right of the political spectrum. After unsuccessfully challenging Norman Buchan in Renfrewshire West in 1970, he

entered Parliament at the end of 1973 via a by-election in Edinburgh North. At the age of 44 he was, unlike Rifkind, no brash political youth. It was the resignation of Rifkind and Buchanan-Smith at the end of 1976 which gave him his first opening; a few weeks later Mrs Thatcher made him a front bench spokesman on Scottish affairs. Although the Scottish team included Younger, it was not unreasonable for him to hope, when the election came, that he would be made Ted Taylor's deputy. However the Prime Minister followed the Tory practice of appointing only one Minister of State, in the Lords - Labour had one in each House - and to many people's surprise the job was offered to the little-known Earl of Mansfield. Fletcher had to settle for the consolation prize of the industry and education portfolios. Industry, nonetheless, was considered a plum post because of its importance to Scotland's regeneration.

Like Rifkind, Fletcher is an ambitious but likeable man. Those who know him describe him as warm, witty, intelligent - though he does have a tougher side which is well-suited to the cut and thrust of political life. Younger disarms, but Fletcher does not hesitate to pick up the cudgels when necessary. Though sometimes truculent with his civil servants and with the Labour opposition, he can be flexible when the need arises - as it has done with his industry brief. Like Sir Keith Joseph at the Department of Industry he has had to trim strongly-held principles. Initially he believed in reducing state involvement in manufacturing industry and was, for example, sceptical about the investment functions of the Scottish Development Agency. Office, and a psychological preference for intervention, have tempered that stance. He has accepted that the Agency plays an essential role in channelling financial assistance to small firms and in leading employment regeneration initiatives in areas hard-hit by major closures. He has striven to gain acceptance for the concept of the Agency as a "mobile development corporation". Furthermore, when it was argued that the Agency should close its overseas office, established to attract foreign investment, because it was duplicating the efforts of other bodies such as the Scottish Economic Planning Department, Fletcher showed that he was prepared to protect it. In an ingenious compromise he agreed that a new body, the Locate in Scotland unit, should be given sole responsibility for attracting foreign investment but that it should be

housed in SDA headquarters in Glasgow - from where it conducts its correspondence on SDA-headed notepaper. However, much of the control over the unit lies, not with the SDA, but with a senior civil servant from the SEPD who reports direct to a steering group chaired by Scottish Office ministers.

Fletcher is a keen supporter of the need to maintain a strong and independent Scottish economy and has been active behind the scenes in support of that end. His greatest success was in 1980, when he persuaded Sir Keith Joseph that Ferranti Ltd, the micro-electronics firm rescued from insolvency by Labour in 1974, should be protected against a possible takeover by GEC, one of its main rivals, after the National Enterprise Board had been ordered to dispose of its 50% stake in the company to the highest bidder. Fletcher voiced what many feared: that GEC might run down part of the Ferranti operation in the interests of rationalisation, thereby creating redundancies in an expanding operation which employed forty per cent of its workforce, and earned half of its profits, in Scotland. His lobbying ensured that the shares were disposed of in such a way as to preserve Ferranti's independence. More recently he has expressed concern at the attempted takeover of the Royal Bank of Scotland by the Standard Chartered Bank and its rival, the Hong Kong and Shanghai Banking Corporation. The matter is now before the Monopolies Commission but it is known that Fletcher was privately appalled by the Standard Chartered bid because he feared that the Royal Bank would simply become a provincial outpost of a London-based concern. With the Hong Kong bid the Royal was at least to spearhead that bank's European operations. He was also extremely unhappy about the attempt by Rupert Murdoch's conglomerate, News International, to win a controlling stake in the long-established Scottish publishing house of William Collins Ltd.

There is, however, a difficulty for Fletcher: unlike Rifkind, he cannot always be his own man. Scottish industry, though distinctive, is inseparable from that elsewhere in the U.K. and the ultimate decisions are taken by the Department of Industry; the Scottish Office has to play a subordinate role as a major, and sometimes effective, pressure group. A further problem for him is that there are limits to what even governments can do. This was well illustrated at the beginning of 1981, when both Fletcher and Younger,

backed by Joseph, failed to persuade PSA-Citroen to keep open the Talbot car plant at Linwood. The company was offered substantial financial assistance to continue production but remained adamant that the plant would continue to lose money even if the Government offered to pay the full cost of the tooling and production of new models. Fletcher and his colleagues suspected that PSA-Citroen, in taking over Linwood from the ailing Chrysler, had been more anxious to obtain the network of dealerships than in making the plant viable, but there was little that they could do. Even the workforce were resigned to accept closure without a fight. It is unlikely that Labour, despite all their protestations, would have been more successful in staving off what seemed, in retrospect, inevitable. The episode, however, did little to enhance Fletcher's image as a saviour of Scottish industry.

If he hoped that his education portfolio might earn him the sort of praise heaped upon Rifkind, he was mistaken. Superficially he was dealt an equally excellent hand in the 'Parents' Charter', which was one of the features of his party's manifesto. The purpose of the Charter was to force local authorities to pay attention to parents' wishes regarding the choice of school for their children and to give more information to them concerning schools' performance. It also required public funds to be made available to enable the children of less well-off parents to obtain the supposed benefits of a private education. But the legislation which emanated from the Scottish Education Department in 1981 turned out to be something of a mouse. It was not blessed with an arresting image: Rifkind was clearly not around when it was christened the Education (Scotland) (No.2) Bill. Nor did the provisions regarding parental preference represent a great advance. They replicated those enacted for England and Wales in the Education Act 1980, which indeed were largely lifted from a Labour Bill which the Education Secretary, Shirley Williams, had been piloting through the Commons at the time of the General Election - yet another example of the Conservatives taking over Labour's handiwork. Younger and Fletcher were far keener to follow the English than their immediate predecessors had been. When Mrs Williams published her Bill in 1978 the Scottish Office announced that there was no need for similar legislation in Scotland. In their view education authorities, in pursuance of their existing

statutory obligation to have regard to parents' wishes as far as possible, generally took account of any expressed preference for a particular school and few problems arose. There was more than the hint of a suggestion that what was good for England and Wales was not necessarily so for Scotland, with its proud educational traditions. However the Conservatives thought differently and in the Education (No.2) Bill parents were given the right to choose their children's school. But contrary to what some people seemed to have expected, the right was by no means absolute. Education authorities were empowered to ignore parents' wishes if, for example, they feared that overcrowding might result, that extra expenditure might be incurred or that children's education might be affected. Since few expected the change to make much difference in practice it is hardly surprising that it met with a lukewarm response. The Times Education Supplement Scotland, expressing a common reaction, described Fletcher as taking a hammer to crack a nut.

The Labour opposition's wrath was largely reserved for that part of the Bill dealing with the assisted places scheme - again an English importation. According to the Government the purpose of the scheme was to widen parental choice by making public funds available to pay all or part of the tuition fees of children whose parents wished to educate them privately, providing they were earning £9,000 or less. Selection would be made by participating schools; the money to pay them was to come from ending the funding of those which were grant-aided. Labour MPs, rising to this choice bait, claimed that the scheme was a device to allow middle class parents, particularly Edinburgh ones, to indulge in educational snobbery. Certainly the forty schools due to participate in the scheme constituted a roll-call of the educational establishment, ranging from grant-aided secondaries such as George Heriot's and Dundee High to independents such as Gordonstoun, Edinburgh Academy and Fettes. Nor could it be denied that of the £800,000 allocated to the scheme in 1981/2, £300,000 was to be disbursed to Edinburgh schools. And it was not only the politicians who condemned this use of public funds. Educational opinion generally, including all the teaching unions, attacked the scheme as an irrelevance at a time when the state sector was in severe financial straits. According to some it

merely served to perpetuate the myth that state schools were inferior to private schools. Head down, Fletcher ploughed on but with an eye to Rifkind's success he must have felt more than once that he had been passed a dud.

The remaining two members of the Scottish team have made far less impact than either Rifkind or Fletcher. Russell Fairgrieve, the Minister responsible for health and social work, is a calm and genial Borders man with an interest in rugby - he once played as a lock forward. Like Fletcher he was a late entrant to Parliament; the earlier part of his career was spent in the family textile business although he did find time to serve for ten years as a member of both Galashiels Town Council and Selkirk County Council. After an unsuccessful attempt to unseat David Steel at Roxburgh, Selkirk and Peebles in 1970, he was elected, aged almost fifty, at the General Election of February 1974 as MP for Aberdeenshire West. He served for a short period as an opposition whip before being appointed to the chairmanship of the Scottish Conservative Party - a position which he held until 1980. A party man rather than an expert administrator, it is unlikely that he would have become a Minister had it not been for Teddy Taylor's dramatic disappearance. He has, though, been given the least demanding brief; not for him the joys and sorrows of piloting controversial Bills onto the statute book. The only scrum in which he has been involved concerned the powers of children's hearings and that passed off without incident. During the Labour administration Bruce Millan was motivated by the law and order lobby, including the Scottish Police Federation, to review the hearings with a view to giving them the power to fine and to require parents to find caution for their children's good behaviour. He eventually rejected these suggested changes just before the 1979 election but the Tories, committed by their manifesto to another review, opted to re-open the subject. A consultation paper published in the spring of 1980 was a masterpiece of contradiction: it accepted the hearings' treatment philosophy, declaring that no fundamental changes were necessary, yet insisted on referring to delinquents whose persistent flouting of the law required them to be punished. Younger was said to favour the introduction of caution on parents, the greater use of voluntary reparation and to be keen to receive views on the introduction of fining. The response received

was almost unanimous: cautioning parents and fining children would do nothing to assist hearings in their task. By the end of 1980 it was being said authoritatively that the Government had accepted the criticism and a public statement to that effect was expected from Younger or Fairgrieve. But none was forthcoming. Fairgrieve proceeded to make soothing noises to panel members, telling them all would be well, whilst Younger delivered a speech at Edinburgh Castle the following April, during a dinner to celebrate the hearings' tenth anniversary - surely the perfect setting for an announcement - in which he merely reiterated that there would be no fundamental changes. It was well into the following month before he made a public statement rejecting both caution and fining. What caused the delay? It is generally believed that the explanation lay with the Home Secretary, William Whitelaw, who towards the end of 1980 had published a White Paper on Young Offenders in which he outlined his plans to introduce legislation for England and Wales to clarify and strengthen the measures which enabled juvenile courts to make parents pay their children's fines and to find security for their good behaviour. These plans ran counter to the conclusions of the Scottish Office, which are said to have spent some time on Whitelaw's desk before they were accepted - hence the delay. One wonders what might have happened to them had they still been there when the spate of juvenile rioting began at the height of the summer.

It is unlikely that the clubbable Fairgrieve will suffer overmuch at the hands of the diehards in his party for being soft on delinquents. He may find, however, that he is offered a peerage before this Parliament is ended, for Mrs Thatcher's Scottish battalion contains a number of able new entrants whose talents she may wish to call upon: Peter Fraser, John Mackay and Michael Ancram are all possible contenders. If Fairgrieve does find himself removed to another place - an elevation which, given his age and lack of political ambition, he would probably welcome - he will find himself in the company of the final member of the Scottish team, the patrician Earl of Mansfield. Perhaps no one was more surprised than he when Mrs Thatcher sought him out to become Minister of State and, ostensibly, Younger's chief lieutenant. An alumnus of Eton - where he claims to have read the Daily Worker - and Christ Church, Oxford, Mansfield practised for many years as an English

barrister and was a prosecutor both to Scotland Yard and to the Director of Public Prosecutions. It is only in the last decade, following his succession to the Earldom, that he has become actively involved in politics. From 1973 to 1975 he served as a member of the British delegation to the European Parliament and was subsequently appointed as an Opposition spokesman on Scottish affairs in the Lords. But even that measure of exposure did not prevent him being unknown to many grass-roots Tories when he became Minister of State.

Politically inexperienced, as well as somewhat remote, it is not surprising that he initially found the going tough. Even the most adept politician finds it difficult to master the Scottish Office, with its bewildering array of functions. For Mansfield, though, with little previous involvement in the minutiae of Scottish government, the burden must have been great. His initial lack of grasp is aptly illustrated by the story that he included no less than the South of Scotland Electricity Board and the Scottish Special Housing Association on his list of quangos which might well benefit from abolition. It therefore came as no surprise when, within a year of taking office, it was said that he wished to throw in the towel and retire to the quieter confines of Scone Palace. But since then he has had a second wind and appears to have taken to the job of governing - although not, some claim, with any great success. Apart from guiding Scottish legislation through the Lords, a task suited to his legal talents, he has been given the rural briefs appropriate to a Tory laird: he holds the agriculture and fisheries portfolio, looks after tourism and is charged with coordinating government action in respect of the Highlands and Islands. These responsibilities have kept him out of the public eye. So far as his main area of responsibility, agriculture and fisheries, is concerned, the real political voice, particularly in Brussels, has been that of the talented Agriculture Minister, Peter Walker, ably assisted by his deputy, Alick Buchanan-Smith - himself a Scottish farmer. It is said that there is little love lost between Mansfield and Walker: the Earl can be brusque, causing Walker (along with other colleagues and civil servants) to complain of a certain feudal element in his dealings with him.

The Verdict

It is for historians, not tongue-in-cheek commentators, to pass definitive verdicts on ministerial performances. But at mid term it seems that Younger and his team exhibit many of the characteristic features of Scottish Office Ministers, be they Labour or Conservative. They tend to be cautious middle-of-the-road politicians, the bulk of whom are not of the first rank. Any high-flying politician with a decent concern for his own advancement will hope to win his spurs in a U.K. Department - preferably the Treasury or Industry. The Scottish Office is a well-known political graveyard and few Scottish politicians want to be drafted there if they have the faintest chance of preferment elsewhere - although exceptions, such as Rifkind, do exist. More so than in wholly London-based departments, therefore, it can be difficult to fill posts with people of the high calibre - as previous Labour administrations have found. For Mrs Thatcher, the task is rendered more difficult through the pool of available talent being the equivalent of two football teams. However, what really matters in government is the quality of the civil service, not the quality of Ministers. Intelligent or stupid, energetic or lazy, Ministers tend to be overwhelmed by the knowledge of those who surround them, the number of specialist standing and ad hoc committees which press detailed advice on them and the expert responses to the consultation papers which their civil servants draft. All these factors serve to ensure that there is a significant degree of continuity between the policies of one government and the next. Controversial policies often tend to be ground down into a pale shadow of their former selves; controversial ministers are often transformed into walking civil service briefs.

That process has been at work over the last two years, with the result that some of the Government's election promises look somewhat suspect in the light of what has been achieved. It would not be correct, however, to suggest that nothing controversial has been done. Younger entered New St. Andrews House committed to making concessions to the law and order lobby, to forcing reluctant councils to sell some of their housing stock, to protecting and buttressing private education and to curbing what he saw as the excessive spending of some local authorities. In the face of opposition not only from the Labour Party but also from professionals in the field he has carried

through much of what he promised.

To their Labour critics, Younger and his team are without doubt a bunch of supine Pontius Pilates, unable to protect the community and the resources under their charge. To their supporters they are the welcome agents of a new realism, protecting the individual and flushing out economic inefficiencies. Both images are bogus, of course, but activists usually find it essential to their morale to discuss politics in terms of good and evil. The electorate, fortunately, is a canny beast, with sufficient insight to weigh the pros and cons before making a judgement. That said, it is at present difficult not to conclude that come 1984, should Mrs Thatcher choose that fateful year to seek her second mandate, they will emphatically reject her. There can be no doubt that that will be the case in Scotland. Unfortunately for Younger and his men, it will matter very little to Scottish electors how successful they have been personally in rooting for Scotland or how well they have done in moderating the extent of public expenditure cuts ordered by Whitehall. They are likely to be weighed in the balance as the agents of one of the most unpopular administrations in recent times. On that day of electoral judgement even the angels and those who have stood idly by are likely to get more than their fingers burnt: they may well lose their seats.