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## Book Reviews

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## BOOK REVIEWS

ROOTS OF BRITISH AIR POLICY, by Richard Worcester. Hodder & Stoughton Limited St. Paul's House, London, 1966, pp. 224. 30s

Mr. Worcester, a prominent aviation journalist in the United Kingdom, has undertaken the ambitious task of critically reviewing British aviation policy making and making recommendations for improvement both in the policy making institutions and in the substance of the policies. He has cast his net widely. After a description of the highlights of post-war policies, the foresight of which he displayed in various critical papers and an estimate of the influence which he exercised on policy making, he discusses the roles of the Cabinet, the Parliament, and the Civil Service in the aviation process, as well as the influence of religion, the arts, professions, and society. He then deals with particular aspects of the aerospace industry and the bodies directly connected with it—power plants, the armed forces, the airlines, jet fighters and bombers, transport aircraft, vertical risers, missiles and intelligence, nuclear weapons—and finally his predictions as to the future. The main thrust of the book is directed to the relationship between the manufacturing industry and the government.

The major difficulty that stands in the way of producing a critical and authoritative review of United Kingdom air policy is that most of the reasons which underlie its policy are not published. We do not know the premises on which the policies are based. Consequently, the reasonableness of the policies and the competence of the policy makers cannot be tested—surely an essential part of a book critical of policy making.

Overall he has endeavored to deal with the subject in too short a compass and without adequate research. The result is that he is frequently superficial. There are dramatic generalizations where a more careful case by case examination would yield more convincing results. He mentions a total of 196 manned aircraft projects as being undertaken in twenty years in England (pp. 9-10) and points out that only seventeen were produced in substantial quantities. It is impossible to check this statement, for it is not clear to what aircraft projects he is referring. Do projects include types of aircraft which were cancelled before first flight? Valid reasons exist for the cancellation of some types. For instance, a number of aircraft flown in 1945-47 were ordered in prototype form in anticipation of the continuance of the war with Japan.

The author is selective in his choice of illustrations to prove his theme, and indeed his enthusiasm betrays him. To illustrate the United Kingdom's failure to keep abreast of technical development, he mentions the Blackburn (now Hawker Siddeley) Buccaneer—"needless to say it was subsonic." (p. 156) This aircraft was designed as a carrier-borne, low-level, high

subsonic speed interdiction and anti-shipping aircraft. The Grumman A-6 with substantially the same performance, which flew shortly afterwards and is now in service in the United States Navy, was designed for the same mission. The L.T.V. Corsair II, also subsonic, is designed for similar functions. Mr. Worcester cannot be unaware of the fact that for some types of missions supersonic performance may be impracticable or simply unnecessary. When discussing the failure of the designers to incorporate the variable geometry wing in the B.A.C. T.S.R.2 he refers to the Grumman XF10F-1, a project "realistically" started in 1949 and first flown in 1953. The XF10F-1 is, however, an excellent example of a concept that was abandoned after only two prototypes had been built because developments in other areas rendered the concept redundant. It was one of the first naval carrier-borne fighters to be designed with a swept wing. To enable it to land and take off from aircraft carriers a variable geometry wing was fitted. Improvements in naval architecture (the angled deck), and in landing and take off techniques and equipment (the mirror landing sight, the audio airspeed indicator, and the steam catapult) all of which incidentally were developed by the Royal Navy, made it possible to operate swept wing aircraft from carriers. These developments together with the disabilities inherent in the variable geometry wing—the weight penalty, the complexity of the equipment required for it, the control problems associated with it, and the abandonment of development of the engine powering it—resulted in the decision to discontinue development of the XF10F-1. Clearly, the decision to develop the XF10F-1 was correct and the reasons for discontinuing it were correct. This illustrates the danger of sweeping generalizations on the validity of decisions to develop and discontinue aircraft. There were good reasons for not incorporating the variable geometry wing in the T.S.R.2. The designers of that aircraft have pointed out that in 1958 they considered incorporating the swing wing in the T.S.R.2 design but decided that there was not sufficient information to provide guaranteed performance within the specified time scale. The troubles encountered in the development of the F-111 suggest that their judgment was a reasonable one.

A number of facts are incorrect. He writes that the true position about B.O.A.C. was not uncovered until 1964. (p. 30). B.O.A.C.'s Annual Report for the year ending 31 March 1962 (House of Commons Paper 255, ordered to be printed on 19 July 1962) contained a full disclosure subsequently confirmed by the White Paper of 20 December 1963 (House of Commons Paper 5). Some readers will be surprised to see that the Warsaw Convention "was modified in the Rome Conference 1933." (p. 130) "The United Kingdom had signed five other conventions of which the most important was the Rome Convention of 1933. . . ." (p. 64) While I do not know if the United Kingdom signed this Convention, it certainly has never ratified it. I would have thought that the Warsaw Convention would have taken precedence. The Civil Aviation (Licensing) Act, 1960, which *inter alia* abolished the monopoly of scheduled air services that had

been conferred upon the publicly owned airline corporations by the Civil Aviation Act 1946, is surprisingly omitted from the book's list of major statutes.

Mr. Worcester underestimates the problems that faced the British policy makers in the post-war period. The United Kingdom military forces existed to protect the United Kingdom and the Empire. In terms of military equipment, this policy objective required Royal Air Force and Royal Navy equipment in as great a variety and quality as that required by the United States Air Force and the United States Navy. It is clear that the United Kingdom had decided to rely on sources of supply under its own control—a continuation of pre-war policies and a policy whose wisdom was confirmed by the failure of the United States to honor the wartime agreements about the atomic bomb. As a result of that decision, the United Kingdom developed an independent deterrent because, as Viscount Atlee wrote, the United Kingdom could not allow itself to be wholly in the hands of the United States whose position was not always clear. Precisely the same reasoning was applied to other weapons. It is clear now that it was beyond the capacity of the United Kingdom to manufacture on time the variety of weapons required due to the continual alterations in requirements, the speed of technological development in the post-war period, the longer lead time for the new weapons, the contraction of the Empire, and finally the cost of new weapons which competed against the demands of the welfare state. These and other factors placed an insuperable strain on those responsible for aircraft procurement. The decision to buy the Phantom and the Hercules, followed by the F-111 order, represented a major policy change from independence to dependence for the supply of major combat aircraft. The contraction of the Empire resulted in the decision in December, 1967, to withdraw from the Far East in 1971. Its immediate effect on aircraft procurement was the cancellation of the order for the F-111, the majority of which were to have been based in the Indian Ocean. If the F-111 had been a British aircraft, it would have been added to Mr. Worcester's list on pages 9-10 as part of the "melancholy record of ineptitude" and another failure in industry-government cooperation. The fact is that a basic policy decision rendered it redundant. There was no failure on the part of those responsible for aircraft procurement. They could not foresee that the Cabinet would make the change of policy. If there is any failure, it is at the Cabinet level, and then the failure would be one of postponing the inevitable. But it is not clear that the decision was inevitable or that it could or ought to have been made sooner.

I recommended Mr. Worcester's book as an interesting survey of and commentary on British air policy; but it is not a reliable reference book.

*Martin A. Bradley*

THE LAW OF AVIATION, 4th ed., by Rowland W. Fixel. The Michie Company, Charlottesville, Va., 1967, pp. 914.

The initial contact with the latest edition of Fixel on the Law of Aviation reminds one of meeting the child of a long-standing friend for the first time. One cannot help noticing the family resemblances—those traits and characteristics readily identifiable with one or the other of the parents.

The similarities running through all editions of Fixel (First Edition—1927; Second—1945; Third—1948; Fourth—1967) are substantial. Although some changes in overall organization are to be found in the Fourth Edition, primary differences lay in the additional material reflecting the nineteen years of industry growth between editions, now contained in twenty-nine chapters as contrasted with the previous eighteen. The chapters on *Military Aviation Law* and on *Aerial Warfare* which have been retained and updated are unique among current United States aviation texts. New features include a chapter individually summarizing the aviation laws of each state which should prove to be a valuable quick reference. Also all phases of the Federal Aviation Act of 1958 are afforded extensive consideration. Unfortunately, the publication process was apparently well underway before the final enactment of the United States Department of Transportation Act of 1966, since it is not included.

While in many areas it cannot claim the depth and detail of its British cousins, e.g., Shawcross and Beaumont or McNair, it does fill a need for a United States compendium on the subject. Though perhaps not a research tool for the specialist, for the general practitioner or student seeking initial information in some aspect of United States air law it serves as a concise, and yet comprehensive, single volume reference.

Prof. Carl E. B. McKenry\*

INTERNATIONALE LUFTFAHRTABKOMMEN Bd. V, Alex Meyer. Karl Heymans Verlag, KG, Köln-Berlin-Bonn-München, 1964, pp. 411. DM 74.20

The German Institute of Air and Space Law at the University of Cologne, an established center for studies and publications in its field, receives public support for its research and its publications, such as the multiple volume air law treaties by Professor Alex Meyer, Director of the Institutè. Some might wish that similar support, largely governmental, would generate in the United States where most aviation and space activities are concentrated.

The latest publication, Volume V, is devoted to the Tokyo Convention on Crimes Aboard Aircraft which was signed in 1963. As Professor Meyer points out, a convention on this subject was long in the making and was

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widely debated before being shaped into its present form. He recommends that the Tokyo Convention be adopted, a wish echoed by the present administration in the United States.<sup>1</sup> Though many States have ratified the Convention, it has not yet been adopted by the United States.<sup>2</sup>

The book is particularly useful for the German reader, providing German translation of much ICAO documentation (otherwise available only in English, Spanish, and French) as well as the proceedings of many international organizations which have debated the issue of crimes aboard aircraft. For the German-reading non-German it is a useful gathering of varied materials on the Tokyo Convention while for the researcher, working in a limited field such as international regulation of aviation, where little effort is made to make documentation available, it is a pleasantry to find so much material in one place.

*Paul B. Larsen*

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<sup>1</sup> Pulsifer & Boyle, *The Tokyo Convention on Offenses and Certain Other Acts Committed on Board Aircraft*, 30 J. AIR L. & COM. 305 (1964).

<sup>2</sup> Scholars do not appear to be entirely in agreement on whether it should be adopted, e.g., Gutierrez, *Should the Tokyo Convention of 1963 Be Ratified*, 31 J. AIR L. & COM. 1 (1965).