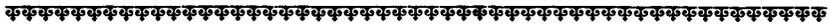


JOHN F. NAYLOR

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AN
INSTITUTION**

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and the custody
of Cabinet secrecy



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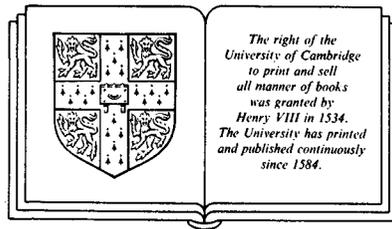


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Dedicated to the memory
of four men
who awakened and nurtured my interest in history

JOHN L. NAYLOR
EDGAR B. ['DIGGER'] GRAVES
WILLIAM DEMARCUS STARNES
DAVID OWEN

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Preface

The initial stages of my research were funded by the Research Foundation of the State University of New York, for which I am grateful, as I am, in greater measure, to the State University of New York at Buffalo for sabbatical leaves which enabled me to pursue the research and writing of this book. Among debts incurred while in the United Kingdom, I am pleased to acknowledge the co-operation of the staff of the Public Record Office, then housed in Chancery Lane under daunting conditions; I trust that the removal of the Cabinet records to Kew has eased their burdens. In Cambridge, the staff of the Churchill College Archives Centre provided a full measure of support, as did the director, A. J. P. Taylor, and his able associates at the Beaverbrook Library in London. The authorities of the Department of Manuscripts of the British Library and of the National Library of Wales, Aberystwyth, bore with my inquiries for a shorter period of time but with the same consideration. I would like also to acknowledge the assistance given me by the University Library, Cambridge; the Bodleian Library, Oxford; the University of Birmingham Library; the National Library of Scotland, Edinburgh; and the Library of the London School of Economics. In a different, but no less important, vein I am indebted to the continuing hospitality shown me on my sojourns in London by Val and Elizabeth Lewthwaite.

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Mr A. J. P. Taylor and the First Beaverbrook Foundation (David Lloyd George)
Baroness White and Tristan Jones (Thomas Jones)

If I have inadvertently infringed copyright in other unpublished materials, I offer my apologies. I would like to acknowledge the permission given to me by Una Maclean Mackintosh and Dr Keith Middlemas to draw upon affidavits submitted by the latter and by the former's late husband, John Mackintosh, in connection with the Crossman legal proceedings in 1975. I am grateful as well to the Baron Bridges for approaching the Cabinet Office to secure permission to quote several extracts from letters written by his father, then Sir Edward Bridges, while Cabinet Secretary.

In the preparation of the manuscript, I have had the benefit of the assistance of skilled typists and good friends: Fran Shayler, Dorothy Ward and Joyce Milligan in the Department of History, and June McMahon and Jackie Ort in the Dean's Office, Faculty of Social Sciences. I owe a major debt of gratitude to those colleagues in the profession who have given me their counsel and criticisms. In Buffalo, Clif Yearley, Paul Guinn and Roberta Dayer have read the manuscript, each at a different stage of its preparation; further afield, Henry Winkler of the University of Cincinnati, Ray Callahan of the University of Delaware and Gaines Post, Jr, of the University of Texas at Austin, have offered useful commentary and encouragement. In England, Donald Cameron Watt, Stevenson Professor of International Relations in the University of London, has shared his knowledge with me so as to inform what I have written in several significant ways. The traditional caveat nonetheless applies: despite these efforts, I alone am responsible for any errors – whether of commission or omission – which remain. A final word of appreciation to those closest to me whose tolerance has extended to my occasional absence, in body or in mind, from the family, in pursuit of 'a man and an institution.' My thanks thus go to my wife, Maiken, and my boys, John and Stephen, both for bearing with me and, on occasion, for diverting me from that preoccupation.

Tonawanda and Eagle Crag Lake, NY
July 1983

J. F. N.

Abbreviations

C	Cabinet Minute/Conclusion
CAB	Cabinet records, followed by a suffix indicating the series
CCR	Committee of Civil Research
Cd, Cmd or Cmnd	Command Paper
CID	Committee of Imperial Defence
CIGS	Chief of Imperial General Staff
COS	Chiefs of Staff [Sub-]Committee of CID
CP	Cabinet memoranda
DP[P]	Defence Plans (Policy) Committee
DPRC	Defence Policy and Requirements Committee
DRC	Defence Requirements [Sub-]Committee of CID
EAC	Economic Advisory Council
FO	Foreign Office; when followed by a suffix, Foreign Office document.
<i>HC Debates</i>	House of Commons Debates, preceded by volume number
<i>HL Debates</i>	House of Lords Debates, preceded by volume number
HMG	His/Her Majesty's Government
HNKY	Hankey Papers, Churchill College, Cambridge University
MI 5	Military Intelligence, Department 5, i.e. the Security Service
MP	Member of Parliament
PC	Privy Counsellor
PM	Prime Minister
PREM	Prime Ministers' Private Office correspondence
PRO	Public Record Office
QC	Queen's Council
RAF	Royal Air Force
WC	War Cabinet (1916–19) Minute/Conclusion



Introduction



In the controversy surrounding the publication in 1975 of the first volume of R. H. S. Crossman's *Cabinet Diaries*, which the British government had sought first to discourage and then to proscribe through legal proceedings, contentious questions were posed. Weighed in the balance were such concerns vital to a democracy as the need for secrecy in the highest reaches of government, on the one hand, and, on the other, the right of the citizenry to be informed witnesses and critics of the actions carried out in its name by the government. In the wide-ranging discussion, opposed principles of what in fact constituted the public interest were advanced: for several months, Great Britain engaged in a debate concerning the merits of 'open' and 'closed government.' At law, the Lord Chief Justice of England strove to balance the rival claims, attempting to secure both the desirable ends of an appropriate measure of 'confidentiality' for the business of government and an earlier public accountability for Cabinet proceedings. Whatever the merits of that accommodation – his decision cleared the way for the publication of Crossman's memoirs – the Labour government responded politically by strengthening 'closed government,' in the form of measures which the Cabinet deemed necessary for the effective functioning of government.

Perhaps the most interesting aspect of the proceedings was the attitude evident in official circles, shared by political leaders and preeminent civil servants, to the effect that the citizenry had little business inquiring precisely *how* Britain was governed. By design, the work of the Cabinet, including its delegation of some major responsibilities to select Cabinet committees, remains veiled, although the fact of that veiling is now openly recognized. Her Majesty's Government remain of the opinion that confidential aspects of Cabinet business should not be revealed by those who have taken part for a period of fifteen years; only with the passage of thirty years will the public be granted access to its actual records. Certainly few voices are so reckless as to call for immediate disclosure of

the business of the Cabinet, its committees, or the counterpart committees which are staffed by senior civil servants, although a case can be made that an excessive stifling of information about the process of government may mislead the public and impair the functioning of government in present-day Britain.¹ Thus the question persists whether in the name of a better informed, more responsive citizenry measures of 'open government' might secure an understanding of what transpires in the 'corridors of power' and round the Cabinet table.

While that question will receive continued attention in years to come, a related question has emerged from this exchange of views: how, and why, has secrecy come to envelop the practice of modern Cabinet government? It is my purpose to address that question in this book, developing an answer from a variety of records which enable us to gain the necessary historical perspective. In the first place, the vast bulk of the records of Cabinet government now enter the public domain after thirty years, affording an appreciation both of the process and proceedings of Cabinet government at this remove. Secondly, the curtains are parted upon Cabinet secrecy closer to the contemporary scene by a range of ministerial memoirs, culminating in the brightly illumed scene which Crossman depicted for the Wilson administration of 1964-70. Precisely because the government failed to ring down the curtain upon Crossman's disclosures, a limited but informative comprehension of contemporary practices is possible. Since some aspects of government are now closed even to ministerial memoirists, the disclosures made by Crossman bring us closer to the workings of Cabinet government in Britain than we are likely again to approach, unless the government's disposition alters. With this added dimension, the record of the development of canons of Cabinet secrecy very nearly to the present time can be written; that topic constitutes a portion of what I have set about to assess.

Yet I did not have such a theme in mind when first I embarked upon a study of the evolution of the Cabinet Secretariat, an institutional product of the crisis of government in the midst of the First World War which proved more adaptable to peace-time than many of the innovations associated with the war leadership of David Lloyd George. Initially, I anticipated that the scope of this book would be delimited by the regime which Sir Maurice Hankey headed at the Cabinet Office from late 1916 until his retirement as Secretary to the Cabinet twenty-two years later. That period possesses a historical coherence which is reflected in the first six chapters of this work, which deal with the antecedents of the Cabinet Secretariat, the initial organization of Hankey's office, the crisis in the fortunes of the Secretariat which followed upon Lloyd George's fall from power in 1922, and the completion of the process whereby the Secretariat emerged as the central agency for the preparation and disposition of

Cabinet business – a process complete well before Hankey left Whitehall Gardens in 1938. These twenty-two years witnessed the institutionalization both of the Secretariat as an office free from partisan taint and of Hankey as confidant and adviser of successive premiers. Concurrently, Hankey and the Cabinet Office – ‘a man and an institution’ – discharged a role, never formally defined, as the custodians of Cabinet secrecy. In this last regard, the precedents set before the Second World War frame the post-war debate over the place of such secrecy within a free society.

In an ironic fashion, this last aspect of the present study came into focus with Hankey’s struggle to publish his First World War memoirs, based upon a detailed, private diary which he kept while Secretary to the Cabinet. For nearly twenty years, two of his successors and three Prime Ministers refused to sanction the publication of disclosures which they thought destructive of the doctrine of the Cabinet’s collective responsibility and of the confidential relationship between ministers and civil servants. Hankey himself fell victim to that concern for the protection of Cabinet secrecy which he had played the major role in formulating. He resisted strongly the proscription of his memoirs, at a time when officially informed memoirs of the Second World War were in full flood, because Winston Churchill, assisted by Attlee’s administration, had secured a suspension of the usual canons of Cabinet secrecy. Not until 1961 did HMG grant Hankey his say about Britain’s ‘Supreme Command’ in the Great War, and even then they looked the other way rather than admit the propriety of his diarist’s pen. For a full generation after his retirement, the official view of Hankey’s memoirs directs our attention to the custody of Cabinet secrecy: restrictions in its name severely limited accounts of the working of British inter-war government written from within by former ministers. Buttressing these conventions was the ubiquitous Official Secrets Act of 1911 and 1920, despite the fact that it had been written for purposes very different from those for which the government threatened its use. In time, however, familiarity with the threat bred contempt, and a discrediting of the Official Secrets Act followed, until it could no longer effectively bear the weight of maintaining Cabinet secrecy.

With the weakening of this prop, accomplished both by governmental abuses and by increasing revelations of ‘official secrets’ in a procession of post-war ministerial memoirs, the Crossman affair served as denouement: although the government sought to proscribe the detailed record of Cabinet deliberations and the depiction of the processes of government, in which the Cabinet Office is intimately involved, they based the Crown’s case not upon the ailing statute but instead upon presumed standards of ministerial conduct. In the legal proceedings, the Cabinet Secretary, Sir John Hunt, necessarily shed light upon the contemporary

practices of Cabinet secrecy; thus the Crossman case afforded me a means of pursuing this dimension well within the thirty year period. Yet Hunt and the Cabinet Office succeeded in establishing a legal doctrine of 'confidentiality' as a new weapon in the defence of Cabinet secrecy. To be sure, other duties of the contemporary Secretariat remain masked from public scrutiny; further, the doctrine of 'confidentiality' may well tell in future against any premature disclosures in ministerial memoirs concerning the work of the Cabinet Office. Its activities will – for the foreseeable future – be kept at a remove of thirty years, save for whatever depictions ministerial memoirs may bring our way, perhaps fifteen years after the fact. Whether that genre, particularly in its 'Cabinet diary' form, is likely to flourish as it has in recent years remains problematical.²

The final chapter of this book is concerned in the main with the custody of Cabinet secrecy from Hankey's retirement until the recent regime of Sir John Hunt. In its course I offer only a cursory commentary upon the actual workings of the War Cabinet Secretariat of 1939–45 – whose records are available in the Public Record Office – in order to establish the ease of transition from Hankey's peace-time operation to the much more extensive scope of the activities over which his successor, Sir Edward Bridges, presided. The Cabinet Office's role and its procedures clearly had been established in Hankey's time; what demands further exploration, as noted, is the role of the Cabinet Office as custodian of Cabinet secrecy in the post-war years.

How then take the measure of the historical role both of the Cabinet Secretariat and of the man who placed his imprint upon it? An obvious albeit incomplete answer centers upon those very records which Hankey maintained for the Cabinet, which prior to December 1916 functioned without benefit of any record-keeping mechanism. Much more is involved than the best known of those records, the Cabinet Minutes; while useful, in some ways the minutes are among the least revealing sources for a reconstruction of the process of Cabinet government: 'The minutes and conclusions were deliberately prepared objectively and impersonally, and designed to record agreement and not promote controversy; behind many of the decisions lay tensions and influences which are not reflected in the official records.'³ Nonetheless, the Cabinet Minutes provide an estimable record of decisions, and at times they reveal surprising details concerning policy or individual ministerial attitudes on leading questions. In addition, there exists a vast range of other government records which contributes to a historical evaluation both of Cabinet proceedings and the Secretariat's role; in the latter case, Hankey's office maintained a collection of files which bears directly on its tasks, as regards not only its organization of Cabinet business but also its acquired role as the custodian of Cabinet secrecy. A tightly defined institutional account of the Secretariat affords a detailed explanation of

such records: S. S. Wilson's *The Cabinet Office to 1945*, published for the Public Record Office in 1975, is indispensable to an understanding of the mechanics of the organization. Yet such an approach is perforce limited, because the institution itself did not evolve in accord with abstract principles of organization; instead, the Cabinet Secretariat's activities were shaped by political considerations and personal forces which must be taken into account if its role, and that of the Cabinet Secretary, are to be understood. While Wilson's study recognizes Hankey's immense contribution, he does not deal with the shaping influence which the first Secretary had upon the Cabinet Office, nor does he hazard an estimate of his important role as adviser, although in reality that personal contribution is inextricably intertwined with his conduct of office.

Thus a full evaluation of the development of the Cabinet Secretariat must be set in a comprehensive political framework: concerns of foreign and imperial policy occasionally intrude, since they too exercised a significant, albeit short-term, influence upon the extent and style of Hankey's operation. Biographical considerations enter, extending considerably beyond the career of Hankey himself, which Stephen Roskill has assessed in a magisterial fashion. Other civil servants, Hankey's deputy Tom Jones first among them, contributed to the development of the office; politicians, with Lloyd George holding primacy of place, played a vital part in establishing a pragmatic role for the Cabinet Office, which existed on parliamentary sufferance and accommodated to political realities. The Cabinet Secretary's relations with other civil service interests, ably represented by the powerful Permanent Secretary to the Treasury, Sir Warren Fisher, require scrutiny, no less than his dealings with five premiers and scores of influential ministers – in their sum Hankey's dealings with the official and political worlds had a far-reaching impact upon the development of the Cabinet Office. In assessing these constraints upon Hankey's operations, this study deals directly with the nature of British government in the course of our century: it examines the preponderant departmentalism of the pre-war period, which gave way to the fitful, erratic but forceful leadership of Lloyd George; the auxiliary role played by the Secretariat in forwarding his style of government, whether or not it be characterized as 'prime ministerial government'; the concurrent development of a powerful government bureaucracy, which persisted even when Lloyd George's successors sought a return to normalcy; the tightening net of Cabinet secrecy; and finally, the conflict between precepts of 'open' and 'closed government' which built for decades before securing some measure of resolution as a result of the Crossman case. That the Cabinet Secretariat was involved in all these matters is a testimony to its centrality in the processes of modern British government.

The ways in which such a role was assumed are informed by a number

of non-official accounts by participants, both on the ministerial side and from within Whitehall Gardens: although these sources are subjective and some are hostage to political or personal interests, they make possible an assessment of the development of the Cabinet Office and the roles played by its principals in the years to 1938. Among these sources, of paramount importance are the diaries maintained – on the whole, consistently – by Hankey and Jones, who retired from government service in 1930; by contrast, Hankey's successors have held it improper to keep any such account of personal commentary on affairs of state. As a result, only for this formative stage in the office's history will we be able to locate the Cabinet Secretary as adviser within the context of the institution. For that reason, and for the information which the diaries contain, I have drawn extensively from those accounts; they possess an immediacy and a force which shed light upon the way in which Cabinet government was carried on, nearly to the outbreak of the Second World War. In utilizing both official and private accounts – published and unpublished, contemporary and reflective – this study seeks to depict the full range of Secretariat activities and to examine the impact of the office upon modern Cabinet government, through the depiction of the institution and the men who in a real sense created it. Such an approach is of course dependent upon the use and interpretation of the written word, more cautiously phrased in government records than in a variety of private forms, but the first generation of those who served in the Cabinet Office is long gone, and their successors are evidently not free to speak in any detail to the issues raised in the last chapter.

There is another important source which should be mentioned in connection with any evaluation of Hankey's own role as adviser, particularly in matters of British and imperial defence policies, where repeatedly he chose to exert his influence. The Cabinet Secretary, ever the man of records, systematically collected important papers, written as part of his official responsibilities, intending subsequently to draw upon these in what he foresaw as his own historical 'Magnum Opus.' Such a volume never materialized – his memoirs, based in the main upon his diary, did not extend beyond the Paris Peace Conference – but the collection eventually passed to the Public Record Office. Readily apparent in these documents are the causes which Hankey served with special fervor and the ways in which he operated as adviser. We have no expectation of seeing the likes of such a collection, maintained by the Secretary to the Cabinet, ever again; his successors in that post have determined upon a far less conspicuous historical role for themselves.

In sum, the career of Sir Maurice Hankey constitutes a remarkable chapter in the development of an institution. While the range of his advice, derived in part from his own military experience, exceeded that

which any of his successors have commanded, his person is recognizable in the description of the Cabinet Secretary recently offered by Sir Harold Wilson, following upon his own retirement as Prime Minister:

The Secretary of the Cabinet is, in a sense, the “prime minister’s permanent secretary,” to use a phrase of the . . . Secretary’s predecessor [Sir Burke Trend] on handing me my first brief in 1964; but his loyalty is, no less, to the Cabinet and the doctrine of Cabinet government . . . He advises also on the practices and conventions about the conduct of ministers in relation to collective Cabinet responsibility, as well as on other matters affecting collective responsibility and loyalty.⁴

Not only did Hankey establish the Secretariat as the agency for the conduct of Cabinet government, but as well he laid out the institutional paths which his successors continue to tread. Ultimately the man and the institution stand as one, together meriting a unified historical treatment, which in turn contributes to an understanding of the ways in which Great Britain is governed.