CABINET 19 (49)

CONCLUSIONS of a Meeting of the Cabinet held at 10 Downing Street, S.W. 1, on Thursday, 19th March, 1949, at 10 a.m.

Present:

The Right Hon. C. R. ATTLEE, M.P., Prime Minister (in the Chair).
The Right Hon. HERBERT MORRISON, M.P., Lord President of the Council.
The Right Hon. HUGH DALTON, M.P., Chancellor of the Duchy of Lancaster.
The Right Hon. J. CHUTER EDE, M.P., Secretary of State for the Home Department (Items 1-3).
The Right Hon. P. J. NOEL-BAKER, M.P., Secretary of State for Commonwealth Relations.
The Right Hon. G. A. ISAACS, M.P., Minister of Labour and National Service.
The Right Hon. T. WILLIAMS, M.P., Minister of Agriculture and Fisheries (Items 1-3).
The Right Hon. J. H. WILSON, M.P., President of the Board of Trade.

The following were also present:
The Right Hon. Viscount HALL, First Lord of the Admiralty (Item 1).
The Right Hon. ARTHUR HENDERSON, K.C., M.P., Secretary of State for Air (Item 1).
The Right Hon. JOHN WHEATLEY, K.C., M.P., Lord Advocate.

Martial of the Royal Air Force
LORD TEDDER, Chief of the Air Staff (Item 1).

Lieut.-General G. W. R. TEMPLER, Vice-Chief of the Imperial General Staff (Item 1).

The Right Hon. E. SHINWELL, M.P., Secretary of State for War (Item 1).
The Right Hon. JOHN STRACHEY, M.P., Minister of Food (Item 3).
The Right Hon. WILLIAM WHITELEY, M.P., Parliamentary Secretary, Treasury (Items 1-3).

Admiral Lord Fraser of North Cape, First Sea Lord and Chief of Naval Staff (Item 1).

Sir GLADWYN JEBB, Foreign Office (Item 1).

Secretariat:

Mr. A. JOHNSTON.
Mr. S. E. V. LURE.
<table>
<thead>
<tr>
<th>Minute No.</th>
<th>Subject</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>North Atlantic Security Pact</td>
<td>106</td>
</tr>
<tr>
<td></td>
<td>Text of Pact</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Parliamentary Procedure and Publicity</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Declaration about Greece, Turkey and Iran</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Parliamentary Business</td>
<td>106</td>
</tr>
<tr>
<td></td>
<td>Business in the House of Commons</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Prohibition of Fox Hunting Bill</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Analgesia in Childbirth Bill</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Parliamentary Procedure</td>
<td>107</td>
</tr>
<tr>
<td></td>
<td>Effect of Local Government Act, 1948</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Western Union</td>
<td>107</td>
</tr>
<tr>
<td>5</td>
<td>Food</td>
<td>108</td>
</tr>
<tr>
<td></td>
<td>Meat Ration</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Germany</td>
<td>109</td>
</tr>
<tr>
<td></td>
<td>Basic Law</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Electoral Law</td>
<td></td>
</tr>
</tbody>
</table>
The Cabinet considered a memorandum by the Foreign Secretary (C.P. (49) 56) submitting for approval the final text of the North Atlantic Security Pact in the form in which it had been agreed at Washington between the United States Secretary of State and representatives of the United Kingdom, Canada, France and the Benelux countries.

The Foreign Secretary recalled the circumstances in which the United States Government had been brought to consider proposals for a close defensive agreement between the countries in the North Atlantic area. The final text (and, in particular, Article 5, dealing with mutual assistance) was in accord with the views expressed by the Cabinet at their meeting on 22nd February, 1949. The Government had every reason to be satisfied with the results of the long negotiations over the text, and the Pact would give great encouragement to Western Europe. A number of drafting amendments had been suggested by the Senate Foreign Relations Committee since the circulation of the text in C.P. (49) 56, but they in no way affected the substance of the agreement and were intended to make its meaning clearer at various points. It was desired that the parties to the Pact should indicate their approval of the text by 11th March, and that the text should be published on 15th March. The Pact would probably be signed on or about 4th April, and would come into force, on ratification, about two months after that. When the text had been approved, it would be sent to the Governments of Norway, Italy, Denmark, Portugal and Iceland with an invitation that they should become associated with the Pact. It was not yet clear whether this association would be by signature or by accession. The present indications were that it would be by accession announced simultaneously with signature by the seven countries which would sign the Pact. France had pressed strongly that Italy should be invited to accede to the Pact, although her accession might raise difficult internal problems for the Italian Government. It seemed likely that Denmark would accede to the Pact and she was important because the defence of Greenland was vital to Canada and the United States. If recent events had taken a more leisurely course, it was conceivable that Sweden might have joined the Pact; she was in fact now taking stock of her position and the outcome was not clear.

The Cabinet expressed warm appreciation of the successful efforts made by the Foreign Secretary to secure the Pact, which in their view, would make a notable contribution to the security of the West and the maintenance of world peace.

The Cabinet then discussed the arrangements for informing Parliament and the country generally of what was proposed. The text should now be sent without delay to other Commonwealth countries for information. The time of publication on 15th March should, if possible, be so arranged as to enable the Foreign Secretary to make a statement after Questions in the House of Commons, a corresponding statement being made in the House of Lords. The statement should be of some length to mark suitably the importance of what had been achieved. The text of the proposed Pact should be published at the same time as a White Paper, and the Government should indicate that it proposed to table a formal motion welcoming the Pact. The Foreign Secretary would broadcast a statement on the significance of the Pact on the evening of 15th March.

The Foreign Secretary reminded the Cabinet that, as he had indicated when the subject was last discussed on 22nd February, it had been proposed that the parties to the North Atlantic Pact should sign a declaration, when the Pact was being signed, to indicate that any armed attack on Greece and Turkey would be a matter of grave concern to them; and the United States Government were anxious that the declaration should also cover Iran. There were arguments for and against the issue of this declaration. It was
important to give assurances to Greece, Turkey and Iran that their security remained a matter of major importance; but at the same time there was a danger that the declaration might appear to weaken existing commitments by the United States and this country. It was, in any event, doubtful whether some of the other signatories to the Pact, notably France, would be prepared to sign the declaration.

The general feeling was that the declaration might be open to the interpretation that the security of Greece, Turkey and Iran was of less importance than the security of the North Atlantic area, and it might also seem to throw doubt on the vital interests of the United States and this country in other threatened States, such as Austria and Iraq. There was general agreement that the Foreign Secretary should discuss the matter further with the United States Government to see whether it would not be preferable that the President of the United States and the Foreign Secretary, on the occasion of the signing of the Pact, should make statements about the vital interests of the United States and this country in other areas. In speeches of this kind it would be easier to get the right balance and to avoid creating false impressions. Thereafter, it might be desirable that the United States and this country should make some form of general declaration relating to the Middle East, but not in a way which would suggest any comparison between the relative importance of the Middle East and the North Atlantic area.

The Cabinet—

(1) Authorised the Foreign Secretary to indicate the approval of the United Kingdom Government to the North Atlantic Security Pact and, in due course, to sign the Pact.

(2) Invited the Foreign Secretary to arrange for statements to be made in both Houses on the day on which the text of the Pact was published, and to issue the text as a White Paper.

(3) Agreed that the Foreign Secretary should discuss with the United States Government the form in which assurances might be given to Greece, Turkey and Iran, otherwise than by a declaration signed at the time of signature of the North Atlantic Pact.

2. The Cabinet were informed of the business to be taken in the House of Commons in the following week.

The Lord President said it had been agreed that, if the Prohibition of Fox Hunting Bill was discussed on Friday, 11th March, the Government should recommend its rejection. The position had to some extent been complicated by the tabling of a motion asking for an inquiry into the law relating to cruelty to wild animals. There was some support for this inquiry among members who had not supported the Protection of Animals (Hunting and Coursing Prohibition) Bill or the Prohibition of Fox Hunting Bill, and he understood that the Prohibition of Fox Hunting Bill would be withdrawn if an inquiry were promised.

There was general agreement that some aspects of field sports and of the treatment of wild animals generally merited investigation by a committee. Its membership would have to be carefully selected.

The Cabinet—

(1) Agreed that the Home Secretary and the Secretary of State for Scotland should set up a departmental committee to examine the law relating to cruelty to wild animals, and that the Government’s intentions should be made known to the promoters of the Prohibition of Fox Hunting Bill and, if necessary, announced in the course of the Second Reading debate on that Bill.
The Lord President drew attention to a motion put down by many members asking the Government to facilitate the passage of the Analgesia in Childbirth Bill. The Bill was primarily a piece of propaganda, since the objects would be secured by the Government in the ordinary administration of the National Health Service, and there was objection on general grounds to Private Members’ legislation which endeavoured to create priorities in the working-out of Government schemes. Moreover, the Bill would require a money resolution, and it had been agreed that Private Members should not be encouraged to promote Bills which involved expenditure by the State or local authorities.

The Minister of Health said that he was satisfied that he could secure, under his existing powers, all the objects which the promoters of the Bill had in mind and could possibly do so by an earlier date than they had suggested. If further powers were required, they should be sought by Government legislation amending the National Health Act and not by Private Member’s Bill. If his colleagues agreed, he proposed to make a statement to this effect at an early date.

The Cabinet—

(2) Agreed that facilities should not be afforded for the passage of the Analgesia in Childbirth Bill and that the Minister of Health should make a statement on the subject at an early date.

3. The Minister of Health said that he had examined, with the Lord President and the Treasury, the question whether Private Members were, under the existing rules of procedure, unduly restricted in putting down amendments to Bills which imposed a charge on local authorities. The difficulty had come to notice in connection with the Landlord and Tenant (Rent Control) Bill, but that Bill was very exceptional, since it had not required a money resolution. In the ordinary way, legislation relating to local authorities requiring a money resolution was worded in a way which would not prevent a Private Member from putting down an amendment which imposed a charge on local authorities. He proposed to make a statement to this effect at the earliest convenient occasion, which would probably be at the opening of the Committee Stage of the Housing Bill.

The Cabinet—

Took note of the statement by the Minister of Health.

4. The Cabinet were informed that the Leader of the Opposition had put down a Private Notice Question, for reply that afternoon, asking for information on the Government’s intentions in regard to the United Kingdom representation in the Consultative Assembly of the Council of Europe.

It was pointed out that it would not be possible to determine the composition of the United Kingdom Delegation to the Assembly until the Governments concerned had reached final agreement on the constitution of the Council itself; and a Conference for this purpose would be held in London at the end of March. In these circumstances, it should be made clear to Mr. Churchill that the Government would not be in a position to make any statement on the question of United Kingdom representation until the constitution of the Council had been finally settled.

The Cabinet—

Took note that the Prime Minister would reply to the Private Notice Question on the lines agreed in discussion.
5. The Cabinet considered a memorandum by the Minister of Food (C.P. (49) 49) recommending that the ration of carcase meat should be reduced immediately from 10d. to 8d. a week.

The Minister of Food said that the meat supply position had further deteriorated since the decision to reduce the ration to 10d. had been taken on 17th January. The monthly rate of imports of meat from Argentina in 1949 had so far barely exceeded 20,000 tons. At the present rate of consumption stocks would fall, by the end of March, well below the minimum working requirement of 45,000 tons. In the circumstances he considered that a further reduction in the ration of carcase meat was now unavoidable. He proposed to maintain the supplementary allowance of 2d. worth of canned meat for the present, but the whole position would have to be reviewed before Easter in the light of the progress of the Argentine negotiations. For the present, the effects of the proposed reduction would be partially offset by the increased supply of eggs and milk, but there was a seasonal decline of such supplies in July, and he suggested that, for that month, the weekly cheese ration should be increased by 1 oz. at a cost of £4.8 million.

Ministers were agreed that the shortfall in the shipments of Argentine meat rendered unavoidable a further temporary reduction in the carcase meat ration.

In discussion, the following points were made:

(a) The Chancellor of the Exchequer said that he could not accept the proposal in C.P. (49) 49 for the expenditure of £4.8 million on cheese. An additional £28 million had already been allocated for the purchase of United States cheese. If necessary, the July ration could be increased by some postponement of the higher ration scale next winter.

(b) Ministers thought that any seasonal surplus of milk should, as far as possible, be used for the manufacture of cheese; and the Minister of Food undertook to consider how best to give effect to the Cabinet's wishes in this matter.

(c) The fall in Argentine meat supplies had been largely due to the policy pursued by Señor Miranda, and a steady improvement might now be reasonably expected. But recent events had emphasised the dangers of our excessive dependence on Argentine supplies, and the need for the vigorous development of alternative sources of supply. It was important that the Ministry of Food should explore exhaustively the possibilities of securing additional supplies from Commonwealth and other soft-currency countries; and constant pressure should be maintained on the Governments concerned to develop production for the United Kingdom market.

(d) As a result of recent discoveries in the immunisation of cattle against trypanosomiasis, there were hopeful prospects in the long term of developing tropical Africa as a source of meat supplies. But difficulties regarding the import of meat from Africa on account of the risk of disease would still have to be overcome, and the Ministry of Agriculture had not so far been able to agree that such importations might be permitted.

(e) It was suggested that increased supplies of food and other commodities might be obtained from countries with which we had negotiated bilateral trade agreements, if they would accept help in developing effective procurement machinery. Departments were already collaborating with a number of foreign Governments in procurement arrangement; but there should be closer attention than in the past to the arrangements for implementing trade agreements.

(f) Attention was drawn in C.P. (49) 49 to the lack of progress in the trade negotiations with the Mexican Government; some additional meat supplies might be expected from this source. The Foreign Secretary undertook to take this up with the Mexican Ambassador in London.
Public opinion would be very critical if the United Kingdom meat ration should fall below the level of the meat ration in the Anglo-American Zone of Germany. It was also pointed out that dollar purchases of Argentine meat had recently been made for Germany; and the Foreign Secretary undertook to investigate this point.

The Cabinet next discussed the form and timing of the announcement of the proposed reduction in the carcass meat ration. It was suggested in C.P. (49) 49 that, in order to maintain meat stocks at an adequate level, this reduction should take effect from 20th March. It was, however, agreed that, for political reasons, it would be desirable to defer an announcement on this subject until Friday, 18th March; and the reduction should therefore take effect from 27th March. The terms of the announcement would need careful consideration: it was important that the public should be fully informed of the reasons for the reduction, and in particular of the extent to which Señor Miranda’s personal policy had been responsible for the present situation. It would be advantageous if, at the same time, some information could be given regarding the Government’s long-term policy for the development of alternative sources of supply.

The Cabinet—

(1) Agreed that the weekly ration of carcass meat should be reduced from 10d. to 8d., as from 27th March, and that the supplementary allowance of 2d. worth of canned meat should be maintained for the present.

(2) Agreed that the decision recorded under Conclusion (1) above should be announced on 18th March, and invited the Minister of Food to consult with the Lord President on the terms of the announcement.

(3) Invited the Minister of Food to circulate a paper on the prospects of reducing the United Kingdom’s dependence on Argentine meat supplies by the development of alternative sources of supply.

(4) Invited the Foreign Secretary to take up with the Mexican Ambassador in London the lack of progress in the current trade and financial negotiations with the Mexican Government and the prospects of securing meat supplies from Mexico.

(5) Invited the President of the Board of Trade to consider, in consultation with the other Ministers concerned, the possibility of improving the procurement arrangements in countries with which bilateral trade agreements had been concluded.

(6) Invited the Secretary of State for the Colonies and the Minister of Agriculture to submit a report to the Prime Minister on the restrictions imposed on the import of carcass meat from Africa.

6. The Cabinet considered a memorandum by the Foreign Secretary (C.P. (49) 50) covering an abridged version of the Basic Law (Provisional Constitution) drawn up by the German Parliamentary Council at Bonn. They also had before them a further memorandum by the Foreign Secretary (C.P. (49) 53) on the German electoral law.

The Foreign Secretary recalled that the report of the Six-Power Conference on Germany (C.P. (48) 143) had made provision for the convening of a Constituent Assembly to draft a constitution for Western Germany; and Annex H of that report had contained the text of a Letter of Advice to the Military Governors setting out certain requirements which that constitution would be expected
to satisfy. The German Parliamentary Council, who had been engaged since September in the preparation of the Basic Law, had now produced a provisional draft, and he suggested that it should be approved provided that the amendments already proposed by the three Military Governors, which were set out in Annex B to C.P. (49) 50, were accepted by the Council. He was satisfied that, subject to these amendments, the draft Basic Law gave adequate effect to the principles laid down by the Six-Power Conference; and it had been possible to secure this result without imposing undue restrictions on the Council’s freedom to devise a constitution suited to the national tradition and habits of thought.

In discussion of the draft Basic Law, the following points were made:

(a) Some doubt was expressed whether the Military Governors’ Statement did not tend to lay too great emphasis on the need for some reallocation of powers between the Federal Government and the Länder Governments. There was a risk that any attempt to impose an excessive measure of decentralisation on Western Germany might provoke an irredentist reaction which might ultimately endanger the whole constitution. The general view of Ministers was, however, that the powers of the Federal Government under the draft Basic Law were not unduly restricted; and that it would be necessary to insist on the amendments proposed in the Military Governors’ Statement if the Länder Governments were to be able to function adequately.

(b) Attention was drawn to the stipulation made in the Military Governors’ Statement that the powers contained in Article 118c of the draft Basic Law should not be exercised until specifically approved by the Occupation Authorities. Was there not a risk that, by imposing this restriction on the exercise of the powers given to each Land to call in the aid of the police force of another Land, the Occupying Powers might jeopardise the position of the democratic Länder Governments and complicate their own task of preserving internal security? Some delay would inevitably result from an appeal to the Occupation Authorities, and the advantages of speedy action would have been forfeited. Against this, it was pointed out that it was essential to maintain adequate safeguards against the risk of an attempt by the German Federal Government to centralise the control of the police force throughout Western Germany. Experience in Eastern Europe had shown that a centralised police force could constitute a dangerous threat to a democratic Government; and neither the United States nor the French Government would, for this reason, be prepared to withdraw the stipulation put forward in the Military Governors’ Statement.

(c) The Cabinet were informed that some difficulty had been encountered in persuading the German Parliamentary Council to make provision in the draft Basic Law for the independence of the Judiciary. In this connection it was pointed out that experience elsewhere had shown that the Executive was sometimes disposed to attempt to exercise some control over the Judiciary in countries where the latter had the responsibility of interpreting the constitution.

(d) Attention was drawn to the provisions of Article 129–1 of the draft Basic Law under which a Federal judge might be removed for infringing the principles of the Basic Law. This provision needed some elucidation, and it was noted that the Military Governors had themselves drawn attention to the point in their statement.

The Cabinet—

(1) Approved the recommendations made in C.P. (49) 50.

The Cabinet next discussed the recommendations made in C.P. (49) 53 on the question of the electoral laws for Western Germany.
The Foreign Secretary said that the German Parliamentary Council had also prepared a draft electoral law for the three Western Zones of Germany. The enactment of electoral legislation was, however, a matter for the Landtage, and the Parliamentary Council's action in drafting a law on this subject was therefore ultra vires. The Military Governors had informed the Council to this effect; but they had indicated that it would be open to the various Ministers-President and Landtage to base their legislation on the Council's draft. This draft made provision for a system of proportional representation and, if it was strictly adhered to, there was a risk that the new German constitution would reproduce the central weakness of the Weimar constitution. He was hopeful, however, that some of the individual Landtage would adopt a system closer to direct election; and he thought that, for this reason, it would not be advisable to attempt to secure complete uniformity between the electoral arrangements adopted in the individual Länder.

There was general support for the recommendations in C.P. (49) 53. The hope was expressed that in some Länder proportional representation would not be adopted and reliance placed on single-member territorial constituencies. Even if there were proportional representation and lists of candidates, it might be possible to discourage the creation of splinter parties by requiring each party to make some deposit, which would be forfeited if it failed to obtain a minimum number of votes.

The Cabinet—

(2) Approved the recommendations made in C.P. (49) 53.

Cabinet Office, S.W. 1,
10th March, 1949.