

STATE RESEARCH

**BULLETIN
No. 3**

**SECRECY AND SECURITY — SPY CAMERAS — CHANGES IN
THE THIRTY-YEAR RULE? — DUTCH MOVE TO DEPORT AGEE
POLICE NATIONAL COMPUTER — BRANCH ATTEMPT TO BRIBE**

**NEWS &
DEVELOPMENTS**

MILITARY DEALS WITH THE THIRD WORLD

Through a number of military contracts with three Third World countries, El Salvador, the Philippines and Malaysia, Britain is to supply them with armoured vehicles for internal security operations. The British government is selling surplus armoured personnel carriers to El Salvador in Latin America, GKN Sankey are expecting to sell up to 200 AT105 internal security vehicles to the Philippines, and GKN have already secured a contract to supply the Malaysian government with approximately 50-55 AT105s, worth \$4.5 million. The AT105 is, according to

the publicity material put out by GKN, the first British vehicle designed specifically for internal security operations, and it was developed using 'the experience gained in Northern Ireland security operations'.

'A significant weapon in counter-insurgency'

The GKN Sankey's AT105 supersedes the AT104, a roughly similar four-wheeled armoured personnel carrier. The AT104, however, was designed for a 'standard' military role, and later adapted for its internal security use. Whereas the AT105 has been specifically designed to deal with civil unrest. The AT105 itself has been in production for 2-3 years. It is 17 feet long, nearly nine feet high, and made from 16mm armoured steel which gives protection from armour-piercing rifle bullets fired at point-blank range. A Commander, Driver and eight fully equipped soldiers or police can be carried at speeds up to 60mph; if the four

run-flat tyres are shot through, the vehicle can still travel up to 60 miles. The company offers as optional extras: a machine gun mounted on the turret, riot gas dischargers, searchlight, crowd control loudspeaker system, barricade remover and special mountings in the sides of the vehicle to enable troops to fire out without anyone being able to fire in.

Details of the sales of the AT104s and 105s are hard to discover, as with all such equipment; the company will only say that none have been sold internally in Britain. However, it is known that the AT104 has been sold to the Dutch State Police, and to the armed forces of Brunei (where a battalion of the British Brigade of Gurkhas is on hire to the Sultan to help keep Brunei's oilfields under his control).

GKN Sankey, the manufacturer, is a major sub-group of Britain's largest engineering combine, Guest, Keen and Nettlefolds, a group employing 120,000 people world-wide. 10,000 of these work for GKN Sankey, itself the largest independent truck and tractor cab manufacturer in Europe. The AT105s are made on an assembly line at their Hadley Castle Works in Telford, Shropshire. Other GKN Sankey military products include ammunition boxes, military trailers and tank transporters. Their largest contract in recent years was for manufacturing FV432 tracked armoured personnel carriers and FV434 armoured maintenance vehicles for the Army. The company has a complete Fighting Vehicle Design and Development Dept., of which the Ministry of Defence makes considerable use. In fact, GKN Sankey is so busy with British military orders that permanent residential facilities are provided at the factory for use by MoD inspectors.

It is a historical irony that GKN derives from Chamberlain and Nettlefolds, owned by Joseph Chamberlain (Colonial Secretary 1895-1902), the arch-priest of late 19th century British imperialism.

Malaysia

The supplying of the AT105s to Malaysia is part of Britain's ongoing military assistance to a former colony in order to ensure the continuance of a type and style of government in the area sympathetic to Britain's economic interests — especially in rubber and tin, which have formed (with the Gulf and South Africa), the basis of the Sterling Area. Malaya was granted independence by Britain in 1957 after nine years of fighting a major counter-revolutionary operation. This operation was based on the Briggs Plan for joint civil-military-police coordination drawn up by Sir Robert Thompson (who later was head of the British 'Advisory' Mission in Saigon during the Nixon era). And Field-Marshal Sir Gerald Templer successfully put the Briggs Plan into operation (he later became chairperson of the British Metal Corporation, a major tin firm in Malaya). Malaysia was formed in 1963 and consists of the Malaya mainland and Sabah and Sarawak on the islands hundreds of miles away, variously called Borneo (by the British) and Kalimantan (by the Indonesians who control the Southern part of the island).

Britain continues to train Malaysian military and police personnel in this country, and to supply arms and military equipment. In 1978 the British Foreign Office is proposing to give a £12,000 grant to the Police Training Committee in Kuala Lumpur, the capital of Malaysia.

El Salvador and the Philippines

The two other military equipment deals, to El Salvador and to the Philippines, have raised widespread opposition because of the repressive nature of those countries. The decision to sell three Ferret armoured cars and twelve Saladin armoured personnel carriers to El Salvador was raised in the House of Lords on December 8th. Lord Chitnis asked the government whether the denial of human

rights in that country had been considered before the go-ahead for the sale was given. Replying for the government, Lord Goronwy-Roberts said 'all relevant considerations were taken into account'. And he went on to comment that the government thought 'it would be wrong to condemn out of hand the new government under President Romero', who had a 'really difficult internal situation' to deal with. (*Lords Hansard, 8/12/77*)

Substantial evidence, from church, radical and trade union groups, tells of the wide-spread denial of basic human rights. Moreover, the Latin American Bureau based in London says that vehicles of the kind it is proposed to sell to El Salvador are already being used by the Army against peasant groups, trade unions, the church and students . . . American military aid to El Salvador has been suspended since May 1977 because of human rights violations.

GKN Sankey are also proposing to sell 40 AT105s to the Philippines government with the possibility that the eventual order may rise to 200. The repressive record of President Marcos's dictatorship over the past five years is one of the worst in Asia. Martial law has been in force for the whole of this period and President Marcos rules by personal decree. Arbitrary arrests, detention without trial and torture are widespread. Defence Secretary, Juan Ponce Enrile, publicly admitted earlier this year that some 60,000 people have been arrested by the military since the imposition of martial law in September 1972. A spokesperson for GKN Sankey was reluctant to discuss the deal, but did say that: 'We were recently in the Philippines as a group discussing a series of deals covering GKN products'.

'CLOSED CIRCUIT SPY CAMERAS

Police use of closed circuit television and video equipment for 'crowd control' has become more noticeable over the past year. A police crew openly filmed football supporters before the Manchester United v. St. Etienne football match in October. In the same month the anti-fascist counter-demonstration in Hyde in Manchester was covered by two police helicopters equipped with closed circuit colour television, as well as by ground level cameras. The use of closed circuit television by the police is not new, but it is only recently that they have publicly acknowledged the extent of the facilities available for crowd control, (often a euphemism for controlling political demonstrations).

There are two separate closed circuit television systems operating in London available to the police. First, there is the Central Integrated Traffic Control scheme (CITRAC) jointly run by the Metropolitan and City Police Forces and the Greater London Council. CITRAC, which includes both closed circuit television cameras and computerised traffic signal installations, was started in 1968. When completed it will consist of 145 cameras in the Greater London area, 45 in Central London and 1,000 traffic signal installations under computer control. The cameras will have the capacity to survey more than 200 square miles, at least 14 hours a day, six days a week. The CITRAC scheme is controlled from Scotland Yard's 'Area Traffic Control Room', which was opened in April 1974.

Second, there is a network of cameras, specifically for crowd control, run by the Metropolitan Police alone. Less is known about this system. Some cameras have been in place since 1968, and there are now cameras overlooking Whitehall, Parliament Square, Trafalgar Square,

Grosvenor Square and Marble Arch. These are controlled from an operations centre at Scotland Yard, opened five years ago, now under Commander Edgar Maybanks, head of A8, the public order section of the Metropolitan Police.

During a demonstration the CITRAC cameras can be switched through to the operations centre, ensuring that no part of the demonstration is ever out of sight. From the operations centre the police are able to zoom in on a crowd so that individuals can be identified. Some of the cameras can 'see' in the dark. The centre has ten television screens for immediate monitoring (coordination with police on the ground is maintained by radio), and video equipment for storing pictures.

CHANGES IN THE THIRTY-YEAR RULE?

At the end of November, the Prime Minister indicated that the government may soon announce changes in the Thirty-Year Rule. The Rule, established by the 1958 Public Records Act, originally stipulated that in general, public records should be openly available after fifty years. The limit was reduced by the 1968 Public Records Act to thirty years, after which time all public records not of a sensitive nature are placed in the Public Records Office.

Criticism of this practice is focused on the question of releasing sensitive material, which can be withheld for longer periods. Variations in the thirty-year period are the responsibility of the Lord Chancellor, to whom requests are made by the relevant minister; each case is also considered by the Advisory Committee on Public Records, under the chairpersonship of the Master of the Rolls, currently Lord Denning. If a particular file is classified for a longer period, all records released under the Thirty Years Rule are carefully reviewed by civil servant 'weeders', in order to

erase references to its existence. Any document containing material drawn from secret sources, or even simply circulated among the security and intelligence agencies, automatically remains classified for 75 years.

Excessive secrecy

Historians, in particular, have protested frequently about the excessive secrecy which denies them access to historical records, forcing them to rely on 'leaks' and diaries of ex-Cabinet ministers. At present, the government is under pressure to release information, due for declassification under the Rule on 1 January 1978, about the last days of the British mandate in Palestine in 1947. Two-thirds of the files on this question have been classified under the 75-year embargo, which means that they will not be publicly available until 2022.

According to *The Times*, the reason is that the government is unwilling to acknowledge the peace-time existence of the Secret Intelligence Service (MI6), and the Palestine files reveal information on the activities of this agency after the end of World War II. Requests have also been made for the release of embargoed war-time records which would challenge the theory advanced by David Irving in *Hitler's War* about a German peace initiative in 1939; they have been refused for similar reasons.

The question of releasing public records reflecting clandestine espionage is at present under review by a Cabinet committee. Also under consideration is a two-volume official history of intelligence during World War II, compiled by a Cabinet Office team. The Prime Minister has said that once the decision is made whether to publish this history, which is known to contain information about peacetime espionage activities, he will disclose what changes, if any, are to be made in the classification procedure.

There may be other reasons, apart from having to acknowledge the

peacetime existence of MI5 and MI6, why certain documents are held back. A historian at Warwick University, suggested in a letter to *The Times* that the SIS has sometimes been involved in policy-making behind the backs of the Cabinet and parliament. Releasing these records could also lead to demands for more open discussion about the present role of the security and intelligence services. The British government is far more secretive about these matters than its overseas counterparts: the recent *Sunday Times* article about the Philby case, for example, was based on FBI documents obtained under the US Freedom of Information Act. This has underlined the obsessive secrecy of the British state, which is refusing to make public its side of the Philby story, despite revelations which make this secrecy difficult to maintain.

TRADE UNIONISM FOR THE MILITARY ELITE?

What did he really mean by it? In the midst of Parliamentary question time on 8 November, answering a question about servicemen's pay, Defence Secretary Fred Mulley said: 'I have no objection in principle to the Armed Forces, if they were so minded, seeking that kind of [trade union] representation'. The press was bewildered: 'Riddle of Mulley reply on Service unions' was the following day's *Times* headline. Tory MPs exploded: within hours they were eagerly signing a condemnatory Commons motion. A few days later, Mr Mulley repeated his view.

By early December, unions were beginning to plan recruiting campaigns. The AUEW (Engineering Section) announced that its shop stewards are to be asked to 'make approaches' to service personnel with whom they come into contact: 'they will be expected to chat to them about the benefits of union

membership in general and the advantages of belonging to the AUEW in particular' (*Guardian*, 7/12/77). Initiatives from the TGWU, the Civil and Public Services Association (CPSA), and the Institute of Professional Civil Servants (IPCS), were also reported to be imminent. ASTMS was also quick to make its bid. For some years, Clive Jenkins has been trying to recruit officers; and in 1974 his interest was enhanced by his appointment as the TUC's representative on the board of governors of Welbeck College, the Army's sixth-form level college for future officers.

Higher ranks worse off

Mr Mulley's apparent endorsement of Service trade unionism is important but limited. It is a recognition of the inadequacy of the current Armed Forces Pay Review structure sufficiently to improve the conditions of Service personnel under sustained inflation and public sector cuts. As General Sir Jack Harman, the Adjutant General put it in the December issue of *Soldier* (the Army's house journal): 'In terms of pay comparability with civilian earnings, we are now somewhere between 15 per cent and 20 per cent behind'. It is noteworthy that it is in the *higher* ranks of the forces that this is most pronounced — and it is in this sector that the unions have been most interested. A lieutenant-colonel is now 18.54% worse off in real terms than in 1974, whereas a captain is 11.35% and a private, class 1, scale B, band 2 is 8.71% worse off.

In other words, the demand for a more representative and effective bargaining structure may more strongly reflect the aspirations of the officers — the career soldiers — than any rank-and-file discontent among privates, for which there is little or no evidence at present.

If the MOD is now receptive to such pressure, we can be sure that any Forces' trade union will be rigidly stratified along lines similar to the structure of the police

'unions'. Mr Mulley's remarks are indeed significant, but it would be a mistake to misinterpret them as an invitation to the creation of anything approaching the rank-and-file movements in European conscript armies. It would be more realistic to see the Mulley statement as further evidence of the control which Service chiefs exercise over their nominal political masters.

DUTCH MOVE TO DEPORT AGEE

Philip Agee, the ex-CIA agent deported from Britain in June, is now facing deportation from Holland. After he left the CIA in 1968, Agee lived in France where he started work on his book, *The CIA Diary*, which was published by Penguin Books in 1975. In 1972, he came to live in Britain with his family until the Home Secretary announced in November last year that his continued residence was a danger to 'national security'. Since June Agee has been based in Amsterdam, with the exception of a few weeks spent in Paris which led the French government to issue a deportation order against him. Now the Dutch authorities have refused to renew his residence permit, and he has appeared before an 'advisory panel' (on December 19th), which will consider his application to stay. The outcome will not be known for several weeks.

The Dutch Ministry of Justice have told journalists that there have been 'foreign complaints' about Agee's activities in Holland. It has informed Agee that he has broken his undertaking not to engage in political activities that would 'endanger public order or national security, including the good relations between the Netherlands and other countries'. Agee's lawyers have pointed out that however, there is no prohibition in Dutch law on political activity by aliens, and Agee commented that 'From my side, there has been no deception,

either before I came or after'. Prior to being granted a residence permit he gave the Dutch Ministry of Justice a copy of the statement prepared for the British 'advisory panel' which detailed his activities over the past five years, thus making clear what his work involved.

Agee himself is in no doubt that the real reason for the deportation move is to stop his work on the CIA. He is currently working on a second book for Penguin and planning with people in many countries the creation of a world-wide index of CIA operatives and contact organisations.

Agee has commented in Amsterdam that: 'I have never been accused of any legal offence, in the UK, France, even the USA, or here. Everything I have done is legal. The actions taken against me in the UK, in France and now in the Netherlands unhappily resemble the banning practices of South Africa. For if I am to publish, or to counsel, or to speak without risking deportation on 'national security' grounds, then my activities are restricted in a manner not unlike a banned person's are'.

POLICE NATIONAL COMPUTER

Jo Richardson tabled three parliamentary questions on the Police National Computer (PNC), after the arrests of members of the Hunt Saboteurs Association (HSA). (See *State Research Bulletin No. 2*). Three members of the HSA were arrested and charged with desecrating the grave of John Peel, following information that one of them was 'a prominent member of the Anti-Blood Sports League'. This information was received by a police officer in response to a query about a car parked in a motorway service station. Jo Richardson asked for assurances that the PNC is not storing information about the political beliefs and activities of

individuals; she also asked what information, covering how many people, is stored on the computer, and who has access to the PNC (*Hansard*, 2/12/77).

Dr Summerskill, replying for the Home Office, denied that political information is stored on the computer, but she went on to say that 'Occasionally information about association with an organisation has been held for a limited period in the index of stolen and suspect vehicles when a police officer has judged it relevant when reporting a vehicle as suspected of being used in connection with a crime'.

Dr Summerskill said that the PNC currently holds information on the following categories (numbers of individuals involved in brackets): stolen and suspect vehicles; owners of licensed motor vehicles (17.7 million — this information is transferred from the Department of the Environment's Drivers and Vehicle Licensing Centre at Swansea); the national criminal records (3.8 million); and the national fingerprint collection (2.2 million). The wanted or missing person's file (50,000) will be added in 1978, and that of disqualified drivers (170,000), in 1979. However, Dr Summerskill made no mention of the stolen property and suspended sentence files, both of which it is reported are to be put on the PNC.

Largest police computer in Europe

The PNC came into operation in 1974. With a capacity to store 40 million records, and terminals in all police stations in Britain, it is the largest police intelligence system in Europe. Exactly what information is to be stored on the computer, and how it will be used, has been a matter of concern to many people, given the potential uses of such a comprehensive system as the PNC. The national criminal records, according to Dr Summerskill, hold names of people 'convicted of more serious offences', and the Home Office issues guidelines to

police forces on what is to constitute a 'recordable offence'.

There are 53 categories of offences considered serious enough to warrant recording, which include wasting police time, violent behaviour in a police station, travelling on a railway without paying, poaching and offences under the Rent Act and criminal libel. Other offences included are ones that have political connotations — being a suspected person (an offence almost unknown outside urban immigrant communities); incitement to disaffection; obstructing the police and offences against the Public Order Act (both frequent charges against political demonstrators). Possession of cannabis is also a recordable offence; in addition convictions for attempting, inciting, aiding and abetting any of the 53 categories of offences, are themselves recordable offences.

One question raised by Dr Summerskill's denial that the PNC is used to store political information, is in what form was the information that the member of the HSA was a 'prominent member of the Anti-Blood Sports League' being held? If this information was logged on the index of stolen and suspected vehicles, as her answer seems to suggest, why was it there? Is political activity a reason for an individual's car to be listed as suspect? There is an alternative reading of Summerskill's answer. The political information is stored in the computer; rather the PNC acts as a giant index to information that is stored elsewhere, thereby providing almost instant access to political information on individuals.

SPECIAL BRANCH ATTEMPT TO BUY INFORMATION

Mr Patrick Hamill, the Chief Constable for Strathclyde, has admitted that one of his force's Special Branch officers did

approach a student at the Paisley College of Education to give reports on political activity in the college. The student, Robert MacNeill, was asked by the college secretary, Mr John Oswald, to come to his office after a sociology lecture. When he arrived he was directed to another office where a man in civilian clothes was seated behind a desk. He showed MacNeill a police identification card. The Special Branch officer asked him if he would be interested 'in helping the police with secret and confidential information'. A discussion about MacNeill's political attitudes followed, with particular reference to the Grunwick strike. The officer said that he had got MacNeill's name because his father was a civilian driver for the Edinburgh City police. He told MacNeill that he was a suitable candidate 'because of my clean police record . . . he offered me financial incentives which would be tax-free and told me that I would not be seen publicly with him . . . he asked me to sign a copy of the Official Secrets Act which he produced so that the conversation would be treated in the strictest confidence. I refused.'

'Plausible denial'

MacNeill talked to friends and staff about the interview, and the student union president elicited from the college secretary that the Special Branch officer had visited the college on a number of occasions. Norman Buchan, Labour MP for Renfrew West, sent letters to the Strathclyde Chief Constable and to the Home Secretary. 'Bluntly, he was offered a job as a political spy on his fellow students', Mr Buchan wrote to Merlyn Rees.

The Chief Constable of Strathclyde in his reply to Mr Buchan expressed 'distress' about the approach made to MacNeill. His letter went on to say: 'You have my assurance that he [the SB officer] was not acting on my instructions, and that he had taken it

upon himself to seek out and interview Mr MacNeill. You may want to know that I have issued a directive that such practices must cease forthwith.' This response, in the parlance of the CIA, could be classed as a 'plausible denial' (which allows superiors to deny individual actions by subordinates when their actions prove embarrassing).

REVIEWS

HARNESSING THE SOCIAL SCIENCES

WAR ON THE MIND, The Military Uses and Abuses of Psychology, by Peter Watson, Hutchinson £9.95

Military psychology is the software of the war machine. Behind the tanks and guns, submarines and planes is the 'human factor', changing in its actions and responses as warfare is transformed from conventional battle to guerilla insurgency. Since the second world war the prospect of nuclear conflict has generated enormous social stress on the military and civilians, which the traditional sciences employed by the military could not grasp. In the early 1960s military commanders turned towards the systematic application of psychology to answer questions concerning both the armed forces and civilian populations.

Peter Watson's detailed and comprehensive survey of the military uses of psychology reveals a shift from the pre-1960's emphasis on attitude formation and communications theory. Today the military are concerned with 'Everything you could think of — from the psychology of the cell structure of underground insurgencies to the psychological effects of weapons from the selection of men to work behind enemy lines to the ways to induce

defection, from the way to stop men chickening out of battle to how to avoid being brainwashed, from tests to select code-breakers to the use of ghosts to hairy tribal peasants . . . ' Anthropology economics, linguistics, and operational research have all been absorbed into this work.

Watson's study, a massive 534 pages divided into five parts, is based on military sources, mainly from the United States, including 70 classified documents. The relative lack of British material reflects the obsessive secrecy of our government, heightened by contrast with the US Freedom of Information Act. Vietnam is a major source of information; Northern Ireland features much less although there have probably been several innovations in military psychology there which match those developed by the US. Watson starts with combat, showing how psychologists have sought to rationalise the selection and training of soldiers, to help them develop special skills, to understand military group dynamics and to improve the quality of leadership. A bizarre final note to this section looks at animals in a military context, from *kamikaze* fish as detonators to the use of pigeons as spies (an Israeli brainwave: the Middle East war has sponsored some imaginative psychological experiments).

Part Two of the book examines stress, including battle-proofing, the psychological effects of weapons, combat psychiatry and atrocity research, which has generated controversy because of experiments to brutalise soldiers or to deliberately attempt to select men preoccupied with violence. In Part Three, Watson demonstrates how work on captivity, torture and brainwashing has been used to develop 'resistance training' in how to be loyal. Experiments such as sensory deprivation carried out on soldiers purport to discover how best to resist; in fact, they emerge in practice against the enemy, often with consequences which cannot be predicted in a test . . . and that experience is then

fed back into the insatiable psychological imagination. Part Four shows that imagination again at work, this time in exploring how to survive, particularly after a nuclear war. Apparently the Americans believe that nuclear war will turn the poles into a battleground, so they are trying to find out how survivors of the blast will manage in temperatures of -30°C .

The last part of the book deals with the psychology of counter-insurgency, a field which has brought social scientists to the fore. This account is particularly useful because there is so little literature available on psychological warfare. Military operations and politics have become inextricably linked: the military/psychological ploy of dropping propaganda leaflets together with forged banknotes (to encourage people to pick up the leaflets) can create chaos in the money economy of a hostile nation. Since 1958, the US has prepared Psychological Warfare Guides on 32 countries — all, except Russia, in the 'third world' — some more than once. The Guides cover every aspect of the political economy, social organisation and 'weak spots' of these nations.

Watson's achievement is to have collected this material and to have presented it in a comprehensive fashion. He confines most of his comments to the Introduction and Conclusion, letting the material speak for itself. But the danger in surveying official literature is that of slipping into the framework whose details you are examining. It is slightly disconcerting that Watson at times adopts the 'neutral' terms of the scientists, his style echoing the stilted monotone of military or psychological report. Occasionally he appears not to be aware of the banality of some experiments. And it seems that each conflict becomes simply another testing-ground; the Vietnamese and the US adopt psychology in similar ways for similar ends. War itself becomes neutral: a conflict fought in a remote area (a human laboratory) to be

analysed and dissected elsewhere.

While Watson inveighs at one point against the view that economics and politics play no role in insurgency, he is not clear enough about the 'psychological fix inherent in the armed forces' and media presentation of counterinsurgency operations. There is little discussion about the role of the media, a field of increasing interest to the writers of counterinsurgency manuals.

War on the Mind leaves a number of unanswered questions. Who are these military psychologists? Watson names some in connection with particular research and (justly) criticises others, but no overall picture emerges, although he does mention all the major research establishments. Who funds this research, and how much is done in Universities and by armaments firms? And who determines the priorities of research and the allocation of resources? Watson advocates an independent watchdog body set up by the psychologists themselves 'in the manner of the British Press Council', but as a *Sunday Times* journalist he must be aware how weak a solution this is in the face of the potential threat posed by some of the research he describes. Especially when an independent body would be denied access to information under the Official Secrets Act (revised version), and he himself is rightly opposed to excessive secrecy.

One of the central lessons of this book is that the introduction of psychological techniques by the military means that every area of human life has become of legitimate interest to it. Watson gives us the necessary information to campaign for greater access to military psychological research and for decisions in this field to be discussed openly, together with the question of social responsibility in science. The politicisation of warfare by the psychologists requires a political response.

KM

Censored, Seized, Banned

This article, which originally appeared in the West German illustrated weekly 'Stern' (6/10/77), shows the alarming extent to which sections of the West German constitution have been overturned in the current wave of repression. Constitutional Law Article 5 states that 'Every person has the right to freely express and disseminate his opinion in speech, writing and picture and to inform himself unhindered from all generally acceptable sources. Freedom of the press and freedom of reporting by broadcasting and film are guaranteed. There is no censorship.' Article 19 states: '... In no case may the essential content of any Constitutional right be violated.' Yet early in 1976 the criminal law was revised, by the introduction of Paragraph 88a which threatened with imprisonment anyone found guilty of 'anti-constitutional support for criminal actions.' The Paragraph is so vaguely worded that even legal experts are not sure where the offence begins.

As small bookshops are raided and publishers prosecuted, printers, wholesalers, dealers, buyers, sellers, librarians and even laudatory reviews are caught up in the mood that has been generated, and censorship) official and self-imposed — is commonplace. An English translation of the article is available from: Stage One, 47 Red Lion Street, London WC2 (send foolscap s.a.e.).

'Hibernia' on Telephone Tapping

The Dublin-based Irish news magazine 'Hibernia' has published two articles detailing the ways in which the British Army and the Provisional IRA have been eavesdropping on telecommunications in Northern Ireland. The first article ('1984 is Here', 14/10/77) shows that between 1972 and 1974 the British Army was conducting probably the most widespread phone-tapping operation ever mounted

anywhere in the world. The targets for this were not only republican and loyalist paramilitary and political organisations, but also parliamentary politicians, journalists, clergymen, and senior civil servants. Largely unknown to the Army, the Provisional IRA were at the same time eavesdropping on the Army's confidential communications. ('How the Provos Listened in on British Army Secrets', 4/11/77 *Hibernia*, 25p weekly, 4 Beresford Place, Dublin 1.)

Special Air Services (SAS)

The SAS, the elite regiment specially trained in counter-insurgency techniques, are the subject of a four-part series in *Republican News*, the weekly paper of the Provisional Sinn Fein in Belfast. The articles, which cover its size, organisation, history and activities, explains why the SAS is the only Army unit to have expanded rather than contracted during the latest Defence cuts. 'To the traditional security agencies in Britain one can now add another -- the SAS'. The articles appeared in the following issues of *Republican News*: 19/11/77, 26/11/77, 3/12/77, 10/12/77. 12p each from: Belfast Republican Press Centre, 170a Falls Road, Belfast.

National Association for Freedom

The mid-December issue (Vol.2, no.25) of the NAFF's fortnightly paper 'Free Nation' contains a useful resume of the organisation's actions during the first two years of its existence. An article in *Searchlight* (no.29), 'NAFF and Fascism', draws out the common ground between NAFF and the National Front on issues like trade unions, welfare, money inflation, defence spending and anti-communism. It argues that the organisations represent two, albeit different and often temporarily antagonistic, varieties of capitalist philosophy. 'Free Nation', 11 Grape Street, London WC2. 'Searchlight',

21 Great Western Buildings, 6 Livery Street, Birmingham 3.

The Black and White Minstrel Show — Carter, Young and Africa

Barry Cohen, the author of this pamphlet, provides an interesting insight into current American policy in southern and central Africa — its similarities with, and differences from, the Nixon-Kissinger policies. 20pp, 30p from Spokesman Books, Bertrand Russell House, Gamble Street, Nottingham.

FBI vs Women

In February 1977, 14,000 pages of FBI files on the American women's movement were released under the Freedom of Information Act. Using this information Diane Wang and Cindy Jaquith detail the surveillance and disruption tactics to which the FBI subjected the women's movement. 48pp, 45p from Pathfinder Press, 47 The Cut, London SE1.

The State and the BBC

Evidence of how news management at the BBC keeps the Corporation's stories in line with the political consensus has come to light with the publication of internal minutes in the January issue of *The Leveller* magazine. The regular news and current affairs meetings bring together the senior editors and journalists concerned with the production of TV and domestic and world service news, and senior BBC executives. Extracts from a full set of the minutes of these meetings for 1976 form the basis of the article. *The Leveller*, 155a Drummond Street, London NW1. 35p.

**BACKGROUND
PAPER**

The Franks Committee, which was appointed to look into the use of Section 2(S.2.) of the 1911 Official Secrets Act, presented its report to parliament in September 1972. It recommended that S.2. should be replaced by a new Official Information Act. Despite public commitments by successive Conservative and Labour governments to introduce legislation, nothing happened. The present Labour government has announced that it does not intend to bring in new legislation in the present session of parliament (ie. before the autumn of 1978). However, a White Paper on the subject is to be published in the spring.

Mr Rees, the Home Secretary, told parliament in November 1976 that a new Act along the lines of the Franks recommendations would replace a 'blunderbuss' with an 'Armalite rifle' (*Hansard*, 22/11/77). The ambiguity of the present law was to be replaced by one which would provide an effective deterrent and ensure successful prosecutions. The embryo of the 'Armalite rifle' proposed by Mr Rees lies in the report of the Franks Committee. Arthur Davidson, then a Labour backbencher and now a junior law minister, commented in 1973: 'I do not care whether the government implements the Franks recommendations because I do not think that these recommendations would do very much at all to ensure that the public gets more information. What worries me about the Franks recommendations is that they would ensure a tight list of secret documents, and in that respect the press and other organs of information would be worse off in practice than they are now'. (*Hansard*, 29/6/73)

The present Labour government has moreover indicated that any reform would place even tighter limits on information in major policy areas than those recommended by the Franks Committee.

In the interests of 'national security'

Meanwhile this same government has acted, in the interests of 'national security', to deport two journalists — Agee and Hosenball — and has given its consent to the prosecution under the existing Acts of two other journalists and their source of information — Aubrey, Campbell and Berry. In doing so they have shifted the line between the desire of the permanent state employees for secrecy, and the demand for more public information, even further in favour of the state.

Without adequate information there is no basis on which a proper democratic discussion can take place, and without a discussion there is no basis on which the public can assent or dissent, as the case may be, to the direction of government decision-making. The danger in that situation is that the government becomes even more dependent on the policy-making initiatives of the permanent state employees — the civil service, the military, the police and the security services.

A common thread between the proposed 'reform' of the Official Secrets Acts and the actions taken against these journalists and their sources is an attempt to preserve the severe restrictions on the information available in major policy areas — defence, foreign relations, the intelligence and security agencies, the police and the Special Branch. At present it shows every chance of success. For many years the needs of 'national security' have limited effective questioning by MPs of policymaking in these fields, and media coverage has been in the hands

of a select band of defence correspondents.

The emergence of a committed investigative journalism presented a challenge to the bi-party 'conspiracy of silence' in parliament, and 'managed' news coverage. The government, prompted by pressure from the Ministries and the agencies in these key areas, has acted to make an example of certain journalists and to introduce a more effective law in the future — the 'Armalite rifle'.

The Official Secrets Acts: their role and uses

The three Official Secrets Acts, of 1911, 1920 and 1939, provide governments with an all-embracing net with which to catch spies, civil servants, the press and the citizen in the field of official secrecy. For, in principle, the Acts make it illegal to disclose *any* information on the workings of government and the departments of the state. To understand the exact nature of the protection afforded to governments by the Acts, their purpose should be seen primarily as a means of *internal* rather than external restraint. The extent to which the Acts deter agents of foreign countries from continuing their activities is negligible, and the penalties for being caught are accepted by them as a necessary risk.

In internal affairs the very reverse is true: the Acts not only deter mischievous 'leaking' of information, but also underpin the Civil Service tradition that the workings of the state should remain secret. By this means the release of information is so restricted as to guarantee an ill-informed parliament, press and people on the central issues of the day.

The two basic Official Secrets Acts, 1911 and 1920, were passed in haste by parliament, and MI5 (the internal security service) played a part in drafting both of them. (The 1939 Act simply amended one section of the 1920 Act.) The 1911

Act was passed at the start of the pre-World War 1 spy mania. The 1920 Act was passed to preserve wartime powers in the face of ruling class fears of strikes, the 'Irish troubles', and of the spread of 'international Bolshevism'.

There are three main provisions in the Official Secrets Acts. Section 1 (S.1.) of the 1911 Act, which Mr Rees has described as 'the spying clause' (*Hansard*, 3/5/77), is the section used to try foreign spies in this country. It prohibits any action by a civil servant, member of the armed forces, or of the general public which might prejudice the 'safety or interests of the State'. In particular it is an offence to collect, obtain, or pass on any information which 'might be . . . useful to an enemy'.

Section 2 (S.2.) of the 1911 Act makes it an offence for a person employed by the state to pass on *any* information to anyone not authorised to receive it. It also made it an offence to receive such information. The third provision of the Acts is that for S.1. charges the onus is on the defence to prove innocence, not on the prosecution to prove guilt. Also under S.1. a person's known character and conduct can be sufficient grounds to establish guilt if it appears that their purpose was one prejudicial to the interests of the state. Two other provisions allow the police themselves to issue search warrants (rather than by obtaining one from a JP), and Section 7 of the 1920 Act makes any act *preparatory* to committing an offence in itself.

Between 1945 and 1971 there were 21 prosecutions under S.1., and 20 of these were against British citizens who were agents of foreign powers. The remaining case was against six members of the Committee of 100 who were jailed for conspiring to enter the Wethersfield airforce base in 1964. Under S.2. there were 23 prosecutions, 12 of which concerned official information relating to defence, though only two involved foreign agents. Nearly all those found

guilty of S.2. charges were fined. Under S.6. of the 1920 Act (as amended by the 1939 Act) two journalists were sent to prison in 1962 for refusing to reveal their sources of information to the Radcliffe Tribunal, which enquired into the Vassall spy case. The only other postwar use of the Acts were the S.2. charges brought against the editor of the *Sunday Telegraph* and Jonathan Aitken, then a journalist, after the publication of confidential military information on the Biafran war.

The Franks Committee Report

It was largely as a result of the *Sunday Telegraph* case that the Franks Committee was set up. Its main recommendation was that S.2. of the 1911 Act should be replaced by a new Official Information Act. This new Act would only restrict information in certain specific fields — defence, foreign relations, the intelligence and security agencies, and some aspects of the police and prisons. Two other fields proposed for inclusion by the Franks report have now been dropped — currency and exchange questions, and Cabinet meetings (except where they concern the areas outlined above). The disclosure of information in these fields would be subject to criminal sanctions (fines/imprisonment). This would mean that other fields — housing, health, education, social services and so on — would no longer be covered. But the report recognised that other sanctions against civil servants releasing information would still be available.

The fact that these other fields would not be covered did not mean that more information would be released, only that criminal sanctions would no longer be available. Indeed, Mr Rees emphasised this point in the Commons in November 1976, 'the normal sanctions of the rules of conduct against disclosures of official information will continue to apply' (*Hansard*, 22/11/77). These sanctions are

formidable, and include demotion, non-promotion or dismissal.

Secondly, the report recommended that only highly classified information, in the fields mentioned above, should be covered by the new Act. The report said only information that 'would be likely to cause serious injury to the security of the nation or the safety of the people' should be covered. It therefore proposed that the top security classifications — TOP SECRET and SECRET — should be subject to criminal sanctions. Information classified as CONFIDENTIAL and RESTRICTED should be excluded. Both the Conservative government in 1973, and the Labour government in 1976 rejected this recommendation. All information in the fields of defence, intelligence and security is to be protected regardless of its classification.

In addition two new classification categories will be introduced, Mr Rees told the Commons in 1976. The Franks report suggested one new category, DEFENCE-CONFIDENTIAL, to cover military production contracts. This is now to be extended to cover information in the field of foreign relations and re-titled 'DEFENCE and INTERNATIONAL CONFIDENTIAL'. Mr Rees also announced that there would be an entirely new category covering intelligence and security matters, which is 'deserving of the highest protection whether it is classified or not' (*Hansard*, 22/11/77). In the field of law and order, much information on the police and prisons would be covered by the new Act, in particular that relating to the maintenance of public order and that which would facilitate crime.

When the new Official Information Act is introduced the disclosure of any information in the fields of defence, security and intelligence, and most of the information on foreign relations, the police (inc. the Special Branch), and prisons will carry criminal penalties. Secrecy in the other fields of government will continue to be maintained by the

traditional sanctions of the Civil Service. The delay in the introduction of the new Act, which has necessitated the publication of the White Paper, is not due to any disagreement over the questions of principle raised in this paper, but over the exact details of implementation. Specifically, various ministries cannot at present agree on what information should still carry criminal sanctions against disclosure.

Secrecy v. democracy

Two broad arguments have been put forward in this paper. Firstly, that the reform of S.2. of the 1911 Official Secrets Act, by the introduction of a new Official Information Act, will do nothing to further the Labour Party's 1974 General Election Manifesto pledge to bring about more open government. If there had been any doubts on this score Mr Rees removed them when he stated that the sanctions and rules of Civil Service disclosures will be maintained. Secondly, that in major policy areas official secrecy is to become even tighter.

The use of the Official Secrets Acts raises many questions. The decision by the Attorney-General of the Labour government to prosecute Aubrey, Berry and Campbell was prompted in the first place by their arrest. The arrest of the three, by the Special Branch, was in turn based on information supplied by MI5 following surveillance of the Agee-Hosenball Defence Committee. And the Attorney-General's decision to give his consent to the prosecution followed assessments presented to him by a team of people at the Ministry of Defence on the seriousness of the alleged offences. Equally the decision to bring an additional charge against journalist Duncan Campbell under S.1. for 'collecting information concerning defence communications which might be directly or indirectly useful to an enemy' was taken on advice from the MOD. Essentially, Duncan Campbell has been charged for being a journalist in the areas of defence communications and Signals

Intelligence who is not acceptable to the Ministries and services concerned. The information he has collected from open sources is now alleged to be 'of use to any enemy'. The same holds true for Mr Rees's decision to deport Agee and Hosenball. It is doubtful whether he had heard of either of them until two large files from the security service, MI5, arrived on his desk.

If the actions of the present Labour government against journalists and their sources is indicative of the way in which the new Act is to be framed and used then it is clear that researchers, academics and journalists who choose to work in these 'sensitive' fields open themselves up to criminal charges and possibly imprisonment.

The importance of knowing what the government and the many departments of the state are doing, and are planning to do, raises fundamental questions about democratic discussion and accountability. Information on the activities of the government and the state is essential to free democratic debate without which, over time, the quality of democracy declines and eventually withers away. The first step along this road occurs when important areas of public concern are not tolerated as subjects for public debate. If that debate is entirely dependent on what the state decides the people should be told, and nothing more, the options for Ministerial decision-making become defined solely as those put forward by the departments of state. And democratic accountability is lost for ever.

Of course, more information of itself would achieve nothing. Information only becomes useful when it informs action, whether this is to stop some particular practice, to bring about a reform, or to develop strategies for more fundamental change.

Useful sources: *Not in the Public Interest*, David Williams, 1965; *Officially Secret*, Jonathan Aitken, 1971; *Censorship in Britain*, Paul O'Higgins, 1972; *Franks Committee Report*, Vols 1, 2 & 3, 1972.

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