

Subversion

Peter Robinett
1968: Year of Protest, Year of Change
June 13, 2003

The prospect of internal sabotage of the regime has been fear of many governments throughout history. However, the development of the fear of a “fifth column” secretly eating away at the system, and doing so without resorting to violence or even breaking the law, is a development of the Twentieth Century. Nowhere is this more apparent than in Great Britain, where fears reached such heights that the description of governmental attitudes as “plots and paranoia” no longer seems outright ridiculous but actually a reasonable description of official sentiment at some times. The height of such attitudes was the 1960s and 1970s, when growing political extremism brought new fears of the subversion of parliamentary democracy. The actions of the Special Branch (SB), particularly of the Metropolitan Police, and the Security Service (MI5) provide both illustration of the government's view of subversion by their actions and a source of controversy on the nature of subversion, the validity of the idea, and the place of anti-subversive activities in a democratic society. As the primary organizations devoted to combating subversive activities, a focus on the actions and views of these particular agencies provides a good understanding of the issue of subversion as it occurred in the Great Britain.

Before the topic of subversion is considered further it must be noted that the historical record is quite sparse on this subject. This fact can be partially attributed to that fact the issue of subversion is one of thoughts and ideas, more than outright action. This circumstance, combined with the secretive nature of the Special Branch and MI5, has combined to create a situation in which the majority of information is personal accounts, allegations, hearsay, and rare official comments. Despite this lack of strong impartial data, most sources are consistent and plausible, so what is known about Special Branch and MI5 can be assumed to be fairly accurate.

The Special Branch of the Metropolitan Police was originally formed as the Special Irish Branch of the Criminal Investigation Division of the Metropolitan Police in

response to Fenian bombings during the earlier part of the 1880s, particularly 1881.

While the exact years of its formation are unclear, by the end of the decade the organization had a broader focus and, reflecting its more general duties, a new name: Special Branch.¹ While originally a very small organization, by the 1920s Special Branch was gaining in importance. The post-World War I Red Scare was an impetus for growth, and Special Branch was producing a weekly report for the Cabinet entitled "Report on Revolutionary Organizations in the UK."² By the 1930s the Special Branch had expanded to around 200 officers.³ This period is important because here one sees the beginnings of the Special Branch focusing not just on those who participate in and espouse violence but also those simply hostile to the current regime.

Another important development in this time period is the increasingly secretive nature of the British government. Most important are the Official Secrets Acts. The first form of this law was "railroaded" through Parliament in 1889 and was intended to "outlaw spying and breaches of official trust."⁴ However, a second act, which replaced the first and would last throughout almost the entire century, was passed in 1911. Again the bill was rushed through Parliament, with a total of 30 minutes of discussion devoted to it. This second Official Secrets Act significantly expanded the scope of law, covering any official information "whether or not it was concerned with 'national security'."⁵ Of particular significance is Section 2 of the Act, which prohibits any unauthorized disclosure of official information. Hillyard and Percy-Smith see this section as incredibly restrictive, saying that "the consequences of this [section] are, firstly, that the public has no 'right' to any official information whatsoever."⁶ While this analysis may seem unduly

1 Bernard Porter, *Plots and Paranoia: A history of political espionage in Britain*, London (Unwin Hyman, 1989) 102.

2 Michael Smith, *New Cloak, Old Dagger: How Britain's Spies Came in from the Cold*, London (Victor Gollancz, 1996) 232.

3 Smith, 233.

4 Paddy Hillyard and Janie Percy-Smith, *The Coercive State*, London (Pinter Publishers, 1988) 112.

5 Hillyard, 112.

6 Hillyard, 113.

alarmist, there is merit in the claims, as will be shown later. As proof of the culture of secrecy throughout all elements of government, not just national defense organizations, engendered by this act one finds the example of the Department of Transport in 1978. While 21 percent of cars failed their test because of brake defects, car buyers were “not allowed to know which makes of cars failed.”⁷ The restrictive nature of the Official Secrets Acts is all the more surprising considering the general dislike of those of the late Victorian era for such secrecy. One observer, Erskine May, remarked on secretive spy agencies, “The freedom of this country may be measured by its immunity from this baleful agency.”⁸ However, despite such sentiments by the mid Twentieth Century the Special Branch and MI5 were firmly established and conducting almost all their work hidden from public scrutiny.

Concerted efforts to ferret out subversives in the government began in 1947, spurred on by the exposure of Soviet spies within the government. Using Special Branch and MI5 files, a secret Cabinet committee named “GEN 183” would dismiss communists and fascists found to be working in the government. In a part seemingly straight out of a conspiracy thriller, those marked for dismissal could appeal the decision to a group called the “Three Wise Men.”⁹ However, as only those with existing Special Branch or MI5 files were reviewed by the committee, very few people were dismissed. In response, by the end of 1951 a system of “positive vetting” was introduced for government employees. Employees, regardless of whether or not there was a file on them in Special Branch or MI5's systems, were investigated for support communism or fascism, though the former was clearly the focus given the climate of the times.¹⁰

The 1950s also saw the government's attitudes towards subversion elaborated.

Sir David Maxwell Fyfe, the Conservative Home secretary provided the following

7 Hillyard, 113.

8 Stephen Dorril, *The Silent Conspiracy: Inside the Intelligence Services in the 1990s*, London (Heinemann, 1993) 160.

9 Porter, 187.

10 Porter, 187.

explanation on September 24, 1952:

The Security Service [MI5] is part of the Defence Force of the country. Its task is the Defense of the Realm as a whole, from external and internal dangers arising from attempts at espionage and sabotage, or from actions of persons and organizations, whether directed from within or without the country, which may be judged to be subversive to the State.¹¹

This statement, which would be the government's the main guide towards subversion till the mid 1970s, is noteworthy in its *failure* to define subversion. There is no definition of how subversion might be determined, such as the use of violence, nor is there any information on who had the right to define what is subversive. Furthermore, in a reflection of the tradition of not involving Parliament or other democratic institutions, no mention is made of Parliament or democracy. While parliamentary democracy is understood to be included in the phrases "the Realm" and "the State," the distinction must be made between explicit mention and something that is only understood. Again, there is the problem of who decides "the Realm" is at risk. Such wording is so vague that it could be used to construe *any* change, including legitimate political ones, as threatening to "the Realm as a whole." This statement is indicative of the conservative attitude of the security services in general, in which any change is a threat to the status quo they are tasked to defend.

Home Secretary Fyfe not only provided a very general outline of subversion, but he also provided an insight of the freedom of MI5:

You [the Director-General of MI5] and your staff will maintain the well-established convention whereby Ministers do not concern themselves with the detailed information which may be obtained by the Security Service in particular cases, but are furnished with such information only as be necessary for the

¹¹ Smith, 60.

determination of any issue on which guidance is sought.¹²

This tradition of independence and ministerial disengagement was intended to prevent political meddling with MI5 and ensure the organization was apolitical. However, as with Fyfe's first statement, there is the problem with control. MI5 was supposed to be accountable to the Home Secretary, who was then accountable to Parliament. However, when the Home Secretary essentially abdicated his responsibility and no new oversight is provided, a situation was created in which MI5 was accountable to no one.¹³

While MI5 is not a police agency like the Special Branch and thus considered differently by officials, MI5's policy towards subversion was relevant to the other agency given their very close ties. The guidelines for Special Branch included language that mimicked Home Secretary Fyfe's guidelines for MI5:

A Special Branch assists the Security Service in carrying out its tasks of defending the realm against attempts at espionage and sabotage or from the actions of persons and organizations whether directed from within or without the country which may be judged subversive to the State.¹⁴

Thus the Special Branch is involved just as much as MI5 in the "defense of the realm." Again the issue of accountability arises. Here Special Branch should be more open to oversight than MI5, as it is a branch of the police. The government holds that the Special Branch and its officers are just as accountable as the rest of the police forces. However, Home Secretaries have traditionally refused to answer questions in Parliament about the branch's activities. This creates a situation in reality much like that of MI5, in which Parliament is unable to oversee its activities. Norton-Taylor remarks that "the real paradox is that at the moment he [the Home Secretary] has a statutory right to be informed but does not have to pass the information onto Parliament."¹⁵ Such a lack of

¹² Smith, 60.

¹³ Smith, 60.

¹⁴ Richard Norton-Taylor, *In Defense of the Realm? The Case for Accountable Security Services*, London (The Civil Liberties Trust, 1990) 48.

¹⁵ Norton-Taylor, 45.

Parliamentary oversight is even more troubling in the case of Special Branch than in MI5 because Special Branch is a police force and is vested with full law enforcement powers. In addition, while MI5 has the “Fyfe Directive” from 1952 guiding its actions, the first known Special Branch guidelines were issued in 1970 and only made public in 1984.¹⁶ While it seems quite likely that guidelines of some sort existed prior to 1970, the lack of information is troubling. If such guidelines did exist it would not be surprising if they were internally generated.

Despite already being devoted to combating subversion Special Branch and MI5 became much more active in the 1960s, as turmoil in British society led to the emergence of New Left and labor groups that they felt were subversive. In both cases fears about the groups were based upon the belief that communist groups allied with the Soviet Union were eroding the foundations of British society. A variety of changes were instituted in the 1960s, with an impact upon counter-subversion efforts. In 1964 the Police Act created Special Branch units in all the regional police groups. Dorril comments that “although, in theory each force was independent, all activities were coordinated by Scotland Yard.”¹⁷ Thus more Special Branch offices were created, though the Metropolitan Police Special Branch's centralized power was not significantly reduced. Furthermore, since 1966 all police forces have been required to maintain a “memory databank” on “any one who 'comes to the notice' of the police with the help of informants.”¹⁸ So called subversives are prime targets of such information collection, as even the most innocuous acts might “come to the notice” of the security agencies who are quick to see subversion throughout. Most importantly, by the end of the decade New Left groups were included in the focus of Special Branch and MI5. In 1968 Home Secretary James Callaghan issued an order for the Special Branch to root out the “far

16 Peter Gill, *Policing Politics: Security Intelligence and the Liberal Democratic State*, London (Frank Cass, 1994) 143-144.

17 Dorril, 161.

18 Dorril, 167.

and wide left.” Likewise, the Official committee on Security, a MI5 oversight body, recognized Trotskyists and Maoists as threats on par with the communists who were the traditional focus of MI5 anti-subversive activities.¹⁹ These official decisions greatly widened the category of potential subversives and increased the number of individuals under observation by the security organizations.

The security agencies, in a move that further betrayed their conservative nature, were quick to label groups demanding changes in society as subversive. The Campaign for Nuclear Disarmament (CND) started in the early 1960s and was quickly labeled a subversive organization.²⁰ The National Council for Civil Liberties (NCCL), while labeled a subversive organization in the mid 1970s, was the object of scrutiny for many of the same reasons as CND. The NCCL was classified as a subversive organization with the claim that “the organization's criticism of institutions, including the police, amounted to deliberate attempts to undermine them.”²¹ Stella Rimington, a member of MI5 at the time and Director-General of MI5 during part of the 1990s, provided a different justification, saying that the NCCL and CND were targets of subversives, and thus MI5 had a legitimate interest in the organization in so much as there was subversive infiltration of the organizations. She also asserted that MI5 did not run spies in legitimate organizations. However, such justifications ring hollow, especially considering her assertion that the Soviet Union wanted to encourage peace movements to reduce Western democracies' abilities and resolve to defend themselves.²² Such a statement seems to show a blanket disapproval of such movements and does not distinguish between the supposed subversives in the organization and the organization itself. Rimington's statements and the justification given for labeling NCCL as subversion both suggest a total intolerance of any criticism of “the Realm,” including legitimate dissent as

19 Dorril, 162.

20 Norton-Taylor, 83.

21 Norton-Taylor, 85.

22 Stella Rimington, Television Interview,
<http://news.bbc.co.uk/olmedia/cta/progs/02/true_spies/rimington03nov.ram>.

fundamental part of democratic society.

Another example of MI5 and Special Branch activities against moderate protest groups was their monitoring of anti-apartheid leaders. In response to a growing protest movement against the English rugby team's South African rugby during the winter of 1969-1970 MI5 and Special Branch began to track the movements of the campaign's leaders. In fact, even ten years later their movements were still being recorded.²³ While the monitoring of activists is worrying, even more worrying is the fact that many years later they were still considered suspect by the security agencies. It appears that MI5 and Special Branch operated under the belief "once a subversive, always subversive." Gordon Winter, a former agent for South Africa's Bureau of State Security (BOSS), claimed that "MI5 provided South Africa with information about British left-wingers in the mid-1960s."²⁴ This revelation is troubling because it shows that the security agencies were willing to spy on those who did not even criticize British institutions but those of foreign allies in a wholly legitimate manner.

One of the most significant events was the March 1968 Grosvenor Square protest. The 10,000 person march organized by the Vietnam Solidarity Committee ended at Grosvenor Square, near the United States Embassy, where the protest devolved into a battle between a group of violent protesters and the police. Police records indicate that 117 policemen and 47 demonstrators were injured, while almost 250 people were arrested.²⁵ Memories fresh from this relatively unprecedented violence, many worried about the Vietnam Solidarity Committee's October 27 protest. *The Times* was noteworthy in its fears, claiming on September 5 that "a small army of militant extremists plan to seize control of certain highly sensitive installations and buildings in Central London next month while 6,000 Metropolitan policemen are busy controlling an estimated crowd of 100,000 anti-Vietnam war demonstrators on a peaceful march." Not

²³ Norton-Taylor, 47.

²⁴ Norton-Taylor, 55.

²⁵ Norman Fowler, *After the Riots: The Police in Europe*, London (Davis-Poynter, 1979) 58.

stopping there, *The Times* worried that “27th October could bring the most violent upheaval in Britain for many years.” In addition they stated that “some senior officials believe that they are faced with a situation potentially as violent as the student demonstrations in Paris and Berlin earlier this year.”²⁶ Others worried that “there could easily be serious trouble on a scale not seen in London since the Fascist riots of the 1930s.”²⁷ In such a fevered environment the Metropolitan Police Special Branch created the Special Demonstration Squad. Squad members infiltrated leftist and liberal groups, even going so far as to assume the names of dead babies for their false personas and spending years undercover working their way up the organizations. Those spied upon included anti-apartheid campaigners and Tariq Ali, editor of *The Black Dwarf* magazine and a member of The Trotskyite International Marxist Group.²⁸

Despite such fears of extraordinary violence the October 27 march was remarkably peaceful, especially considering its size. Less than the expected 100,000 participated in a march to Hyde Park, which was chosen in lieu of Grosvenor Square to avoid conflict with the large police presence there. At Hyde Park speeches were made, including one by Tariq Ali, said by some to be “Britain's Cohn-Bendit.” However, he did not live up to this expectation, merely telling the crowd, “This is not the end. This is the beginning of our campaign.”²⁹ 6,000 did march to Grosvenor Square where they tried twice to break through police lines. A total of 4 policemen and 50 demonstrators were injured, while 42 demonstrators were arrested. In the end, the demonstration successfully avoided the dire events predicted for it and concluded with policemen and demonstrators singing “Auld Lang Syne” together.³⁰ The success of the march and the general avoidance of violence can be attributed to the peaceful desires of the protesters

26 Fowler, 58.

27 Fowler, 59.

28 “Subverting the Subversives,” *BBC News Online*, 27 Feb. 2003, 1 June 2003
<http://news.bbc.co.uk/2/hi/programmes/true_spies/2351169.stm>.

29 Fowler, 59.

30 Fowler, 59.

and the non-confrontational tactics of the police. It appears that the Special Branch and MI5 had no part in preventing the feared riots, despite the development of the Special Demonstration Squad specifically to prevent the occurrence of violence like that of the Grosvenor Square protest.

In an era of increased labor activism Special Branch and MI5 stepped up their activities against unions, often based upon the claim that subversive communist elements were infiltrating the unions. In 1964 Prime Minister Harold Wilson told Parliament the Seaman's Union strike was organized by a "tightly knit group of politically motivated men,"³¹ which is assuredly an oblique way of saying communists. Challenged to backup his claims, he was unable, though he was able to give detailed information about union members' travels. Such information could have only been provided by the Special Branch and MI5. Starting in 1966 and continuing until 1977, influential labor leaders Jack James and Hugh Scanlon, later knighted, were under surveillance. Regular "security" reports on them were made, their phones were tapped, and attempts were made to prevent them from being appointed to top jobs.³²

Such anti-union activities can be explained partially by the impact of large strikes, especially in the first half of the 1970s. In 1970 Conservative Prime Minister Edward Heath declared a state of emergency in response to a dock and power workers strike. In response to this strike the 1971 Industrial Relations Act was passed in an attempt to curb union power. However, 1972 saw the particularly powerful Miners' Strike. Coal shortages were so acute that businesses were put on a three day week. In all, more days were lost to strikes in 1972 than any year since 1919.³³ Additional large miners' strikes in 1974 are credited by many for leading to Heath's defeat.³⁴

Special Branch Officer Tony Robinson revealed that the National Union of Mine

31 Hillyard, 282.

32 Norton-Taylor, 86.

33 Smith, 64.

34 Tony Robinson, Television Interview,
<http://news.bbc.co.uk/olmedia/cta/progs/02/true_spies/robinson26oct.ram>.

Workers was placed on watch lists, especially in Scotland and the northeast of England where the union was particularly strong. In response to such costly strikes a system of blacklisting was developed, particularly at one large Ford automobile plant. Special Branch officers such as Robinson worked with Ford executives to ensure that no labor organizers were hired at the plant. Such cooperation enabled Special Branch to get detailed records on suspects, as they had access to their job applications to the plant, which included such information as home address, date of birth, national health insurance number, and so on. Robinson believed such intrusive spying and blacklisting were justified, as allowed a small number of subversives jobs at the plant could later mean many would go out of work in the event of a strike.³⁵

Reflecting this fear of strikes leading to an overthrow of the government, Labour minister Lord Harris of Greenwich provided an expanded definition of subversion in 1975, stating that subversive activities are those “which threaten the safety or well-being of the state and which are intended to undermine or overthrow parliamentary democracy by political, industrial, or violent means.”³⁶ Such a definition is believed to have been used by at least 1970 by Special Branch. Particularly noteworthy is the lack of illegal activity as a necessary element of subversion and inclusion of references to political and industrial action. Such a reference to industrial action is surely mentioned in consideration of the many strikes and Heath's downfall in 1974.

Arthur Scargill, longtime leader of the National Union of Mine Workers, made no secret of this desire for radical change, saying he desired a “socialist Britain.” He observed that such goals must have lead MI5 and Special Branch to see him as a threat to “their” Britain. He defended his one-time membership in the Young Communist League as legitimate, as it merely argued the case for socialism (which he said Labour claimed to do also) and did not do anything illegal. Desire for radical change, former

35 Tony Robinson, Television Interview.

36 Peter Gill, 120.

membership in a communist organization, and leadership of the miners' strikes assured him of being classified as a subversive. However, he defended himself, stating, "I wasn't doing anything either illegal or subversive."³⁷ Furthermore, he said he hoped the mine strikes would not overthrow the government, but rather spur voters into recognizing an intolerable situation and vote for the introduction of socialism.

In this tumultuous environment Special Branch maintained files on over a million people and ran a wide system of blacklisting. Tony Robinson defended the restriction of civil liberties this entailed, declaring that "you have to draw a line somewhere when it comes to protecting the state."³⁸ Such fears of the subversion of the state were not exclusive to Special Branch and MI5. Two coups were rumored to have been plotted to stamp out the growing Left: one by senior army officers in the early part of the 1960s and another by Cecil King, head of the *Daily Mail* (and suspected MI5 agent), in May 1968.³⁹ Another persistent rumor was that Prime Minister Wilson had been "compromised" by the Russians on an official trip to the Soviet Union before becoming Prime Minister.⁴⁰ Indicative of the right-wing mood was the relative success of *The Chilian Club*, admired by the *Daily Mail*, in 1971, a book about "four elderly ex-army super-patriots" that assassinate "trade union bosses, student agitators, anti-apartheid leaders and lefty bishops, all of whom have mysterious Moscow links." Such violence clears the path for "the 'bosses' to take over again and 'put the country straight!'"⁴¹ Such sentiments were not reserved to right-wing novelists. James Anderton, Chief Constable of Manchester, declared the country was threatened by a secret enemy "more dangerous, insidious, and ruthless than any faced since the second world war." This enemy sought to "overthrow democracy" and "the most cherished elements of the establishment,

37 Arthur Scargill, Television Interview, <http://news.bbc.co.uk/olmedia/cta/progs/02/true_spies/scargill03nov.rm>.

38 Tony Robinson, Television Interview.

39 Porter, 204.

40 Porter, 203.

41 Porter, 203.

including the monarchy.”⁴² In such a polarized atmosphere it is little surprise that the conservative Special Branch and MI5 were quick to investigate popular union and leftist movements.

One of the most interesting parts played in the drama of this time was that of the Labour party. While traditionally wary of MI5 and Special Branch, Labour leaders were also responsible for increasing in targeting of leftist groups. Lawrence Lustgarten and Ian Leigh describe “an often bitter antagonism—far in excess of anything evinced toward the electorally dominant Conservatives—that successive Labour leaders have directed at those to their Left.”⁴³ Lustgarten and Leigh explain such animosity by the common fear of a communist infiltration of the Labour Party by way of labor unions. Based upon the idea that “Left understands Left”⁴⁴ and was thus uniquely qualified to combat them, Labour “openly identif[ied] non-communist Left groups as legitimate targets” in acts of “ideological witch-hunting.”⁴⁵ While it is true that Labour Prime Minister Wilson ordered phone taps of union leaders during the 1966 Seaman's Union strike, Lustgarten and Leigh ignore the many actions Labour leaders undertook to limit MI5 and Special Branch's reach. In 1964 Wilson ordered MI5 to stop tapping Members of Parliaments' phones. In 1969 he reduced MI5's Informational Research Department. In 1976 Merlyn Rees claimed he reduced MI5's Northern Ireland “Psyops” group. In 1977 Prime Minister Callaghan closed the Informational Research Department. Furthermore, Labour leaders have traditionally put pressure on MI5 to recruit officers from outside traditional upper-middle class ex-public school circles.⁴⁶ This ambivalent relationship with the security services shows that politicians did not universally give the organizations a *carte blanche*, though often a popular idea among some, especially Conservatives. However,

42 Porter, 205.

43 Lawrence Lustgarten and Ian Leigh, *In from the Cold: National Security and Parliamentary Democracy*, Oxford (Clarendon Press, 1994) 399.

44 Lustgarten, 400.

45 Lustgarten, 400.

46 Porter, 213.

it should be noted that any actions Labour took against MI5 and Special Branch were relatively minor and never seriously threatened their freedom or right to exist.

As has been shown above, subversion has never been clearly defined. Lord Denning's 1964 report on the Profumo affair stated that subversives were people who "would contemplate the overthrow of the government by unlawful means."⁴⁷ While this early definition mentioned illegality it classifies anyone who *contemplates* overthrowing the government a subversive. While perhaps playing with words, this distinction is important. A paranoid organization, which MI5 and Special Branch have proved themselves to be, can very easily assert that anyone with negative views of the government is subversive. This wording thus allows people to be classified as subversive for thoughts, rather than actions. Ultimately this issue is one of civil liberties versus the desire to protect the state. Chief Constable Sir Kenneth Newman of the Royal Ulster Constabulary provides an ominous assertion of policing: "It is not sufficient to think only in terms of crime control. We need to lift the problems to a higher level of generality, encompassed by the expression 'social control', in a benign sense."⁴⁸ While he is speaking from his experience in Northern Ireland and discussing policing in general, this expression "social control" is a good explanation of what Special Branch and MI5 desired from their anti-subversive activities. Merlyn Rees, as Home Secretary in 1978, provided a similarly blunt view: "The Special Branch collects information on those who I think cause problems for the State."⁴⁹ Home Secretary William Whitelaw provided another explanation of the Special Branch, saying they are tasked with "the acquisition of intelligence related to public order." Their information is used to determine "whether marches, meetings, demonstrations and pickets pose any threat to public order." He admitted that such a task requires "information to be kept on individuals who are active in a political movement, not because of the views they hold out but because the

47 Gill, 119.

48 Hillyard, 285.

49 Gill, 121.

activities of the group could be such as to encourage public disorder.”⁵⁰ This information collection on public gatherings has a chilling effect on public speech and assembly. In addition, such monitoring was not restricted to extremist groups, but to *any* political or industrial meeting. A leaked 1974 “general order” required the police to inform the Special Branch of any political or industrial meeting, which would then provide note-takers. Often the information would then be passed on to MI5.⁵¹ Later one Conservative Home Secretary would say that it is not enough to “define subversion in terms of those who breach the criminal law. We must be able to know the plans and intentions of those who abuse the freedom that we provide *under the law*.”⁵² This statement is a perfect summary of a conservative opinion of subversion: it is people who are thinking and doing things *they* consider to be wrong yet the law has failed to prohibit. The law provides too much freedom for people to do what any good Englishman would find abhorrent. Patricia Hewitt provides the following criticism: “a central element of constitutional law, the definition of the enemies of the state and therefore the identification of the legitimate targets of police surveillance, had been fundamentally changed not by Parliament, not even by the courts, but secretly by the security services, the police, civil servants and Ministers.”⁵³ Hewitt also observes that traditionally British police have seen themselves as having the responsibility of discharging “the communal will.” She states, “Implicit in it is the view that the police alone truly know what constitutes 'the communal will'.”⁵⁴ This official attitude is an incredibly arrogant and anti-democratic one that seems to betray a conservative reluctance to embrace popular democracy. It is a paternalistic impulse to believe that the masses have foolishly allowed too much to be legal, even to the detriment of their society and democracy. Prime

50 Dorril, 164-165.

51 Dorril, 165.

52 Porter, 205.

53 Patricia Hewitt, *The Abuse of Power: Civil Liberties in the United Kingdom*, Oxford (Martin Robertson, 1982) 31.

54 Hewitt, 30.

Minister Margaret Thatcher went so far as to declare that “there was ‘an inherent conflict of loyalties’ between membership of a national trade union and the defence of ‘national security’.”⁵⁵ Thus the Prime Minister declared that loyalty to one’s nation cannot be reconciled with union membership. Such a statement reveals a belief reveals a “you’re either with us or against us” mentality, in which those who are not complete supporters of “the establishment” are seen as against “the State” and “the Realm.”

In light of such actions it is not surprising that MI5 and Special Branch have come under repeated criticism throughout the years. The organizations had developed to the point that they would label a person subversive at the drop of the hat. Prime Minister Heath stated that there were some MI5 officers “whose whole philosophy was ridiculous nonsense. If some of them were on the tube and saw someone reading the *Daily Mirror*, they would say, ‘Get after him, that is dangerous. We must find out where he bought it.’”⁵⁶ Not only were some officers paranoid, but many critics say they were hopelessly out of touch with the current political climate. Lord Carver, a former soldier, declared, “the people concerned seemed to live in a completely closed world whereby what really went on and what people actually thought and did, they just did not understand.”⁵⁷ Roy Jenkins, Home Secretary from 1974-1976, provided somewhat more muted criticism of MI5 in 1989: “I am convinced now that an organization of people who live in the fevered world of espionage and counter-espionage is entirely unfitted to judge between what is subversive and what is legitimate dissent.”⁵⁸

In addition to these criticisms other serious accusations have been made. Regarding official secrecy and Parliamentary oversight, in the mid 1980s civil servant Clive Ponting revealed he was ordered to provide a false report to Parliament on the sinking of the *General Belgrano*. He remarked, “It was a deliberate attempt to conceal

55 Norton-Taylor, 53.

56 Smith, 69.

57 Porter, 213.

58 Smith, 69.

information which would reveal that ministers had gravely misled Parliament for the previous two years.”⁵⁹ There have also been allegations of smear campaigns against Wilson, Minister Edward Short, Heath, and others. While there is no proof that MI5 or Special Branch were involved, as Porter remarks, “The allegations could not be proved, but neither could they be dismissed out of hand. They seemed in many ways to *fit*.”⁶⁰ In regards to Northern Ireland there is a whole litany of allegations: torture, murder, bombings, seduction, blackmail, disinformation and propaganda, “shooting to kill,” fabricated evidence, and cover-ups.⁶¹ While these accusations are not exclusive to MI5 and Special Branch or immediately relevant to their anti-subversive activities, they do reflect upon the organizations as a whole and do not encourage confidence that their anti-subversive actions would be conducted with appropriate restraint.

Lustgarten and Leigh believe that the notion of subversion is nothing more than “a convenient form of Left-bashing” and “contains an inherently right-wing bias.”⁶² One must note that the security agencies did investigate some right-wing groups. Also, there *were* some Soviet spies and their actions *did* compromise national defense. However, their numbers were very few, and the spies were normally in government agencies such as MI5, not in trade unions or anti-apartheid protest groups. Ultimately one must characterize the notion of subversion itself as a dangerous idea, because it is all too often used indiscriminately by the government to demonize groups that disagree with them. While states have a legitimate need for security organizations and some secrecy, oversight by Parliament is necessary to ensure that the organizations do not overstep their bounds and remain accountable. Subversion is not a realistic threat to nations. Any illegal activity is sufficiently combated by law enforcement and traditional defense organizations. Governments must accept that legitimate dissent includes vocal

59 Hillyard, 115.

60 Porter, 211.

61 Porter, 199.

62 Lustgarten, 401.

opposition and is a fundamental part of a functioning democracy. Luckily conditions have improved since the 1980s, and it appears that anti-subversion activities have all but become a thing of the past at MI5 and Special Branch following the end of the Cold War. However, Parliamentary oversight remains weak. The tradition of secrecy and lack of written constitution, with rights guaranteed to its citizens, sets apart Great Britain from many nations, yet abuses of civil liberties in the name of anti-subversion are all too common in many nations.

Bibliography

- BBC News – Programmes: True Spies*. 27 Feb. 2003. BBC Online. 1 June 2003
<http://news.bbc.co.uk/2/hi/programmes/true_spies/default.stm>.
- Dorril, Stephen. *The Silent Conspiracy: Inside the Intelligence Services in the 1990s*. London: Heinemann, 1993.
- Fowler, Norman. *After the Riots: The Police in Europe*. London: Davis-Poynter, 1979.
- Gill, Peter. *Policing Politics: Security Intelligence and the Liberal Democratic State*. London: Frank Cass, 1994.
- Hewitt, Patricia. *The Abuse of Power: Civil Liberties in the United Kingdom*. Oxford: Martin Robertson, 1982.
- Hillyard, Paddy and Janie Percy-Smith. *The Coercive State*. London: Pinter Publishers, 1988.
- Lustgarten, Lawrence and Ian Leigh. *In from the Cold: National Security and Parliamentary Democracy*. Oxford: Clarendon Press, 1994.
- Norton-Taylor, Richard. *In Defense of the Realm? The Case for Accountable Security Services*. London: The Civil Liberties Trust, 1990.
- Porter, Bernard. *Plots and Paranoia: A history of political espionage in Britain 1790-1988*. London: Unwin Hyman, 1989.
- Smith, Michael. *New Cloak, Old Dagger: How Britain's Spies Came in from the Cold*. London: Victor Gollancz, 1996.