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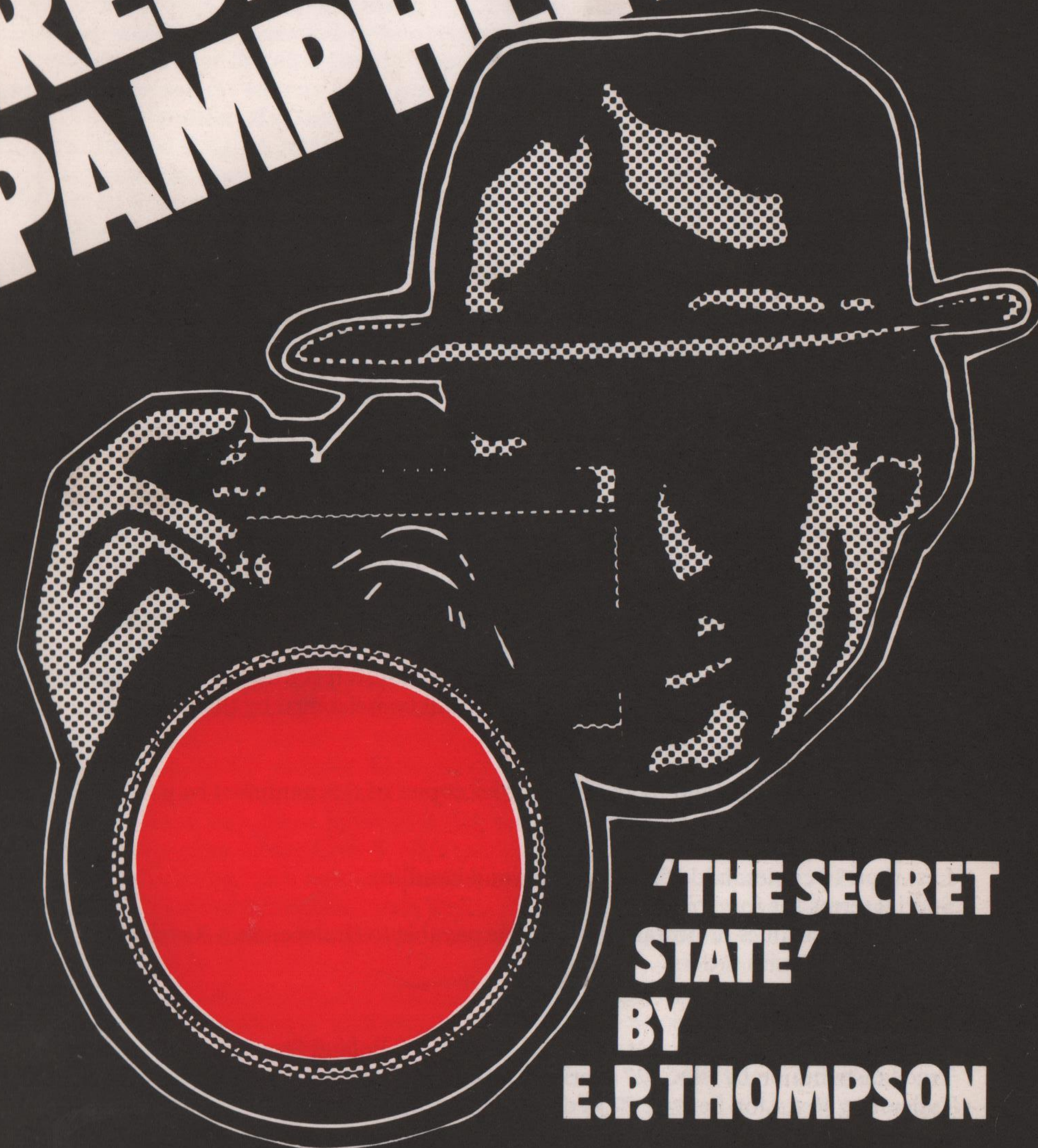
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STATE RESEARCH PAMPHLET NO. 1



**'THE SECRET STATE'
BY
E.P. THOMPSON**

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INTRODUCTION

There is a crisis of civil liberties in Britain today, which profoundly affects the quality of political freedoms that we enjoy now and shall have in the future. In part it derives from the advent of long-term mass unemployment, the deterioration of urban centres, the reinforcement of racialism by legislation and the emergence of police chiefs and police who are rejecting the traditional limits on their powers. These causes in turn build on the long-term effects of the traditional enemies of liberty: an over-centralised state, inadequate democratic controls, permanent militarism, and widespread social injustice. But some of the greatest threats to liberty are posed by an entire, secret, area of activity precisely because we were never intended to know of it.

By its actions over the past decade, the British state has focused attention on the very questions it has sought to hide from public knowledge. On official secrecy and 'national security', the activities of state agencies have been exposed in an unprecedented way: the operations of the CIA in Britain, Western Europe and the Third World have been revealed; there has been publicity for the increased size of the British security services and their brief to keep political and industrial activists under surveillance; and the role of Signals Intelligence (SIGINT), not only in monitoring the communist world, but in eavesdropping on the communications of many Third World countries, has been clearly established.

On the role of the police in the community, urgent questions arise as to their new practices, such as the formation of Special Patrol Groups and the increasing use of arms. These form the background to their demands to the Royal Commission on Criminal Procedure for increased police powers over the citizen, including the power to detain people for 72 rather than 24 hours. An eminent police historian, T.A. Critchley, has commented on the effects of such changes:

'If the police were to lose public support and goodwill on any significant scale it seems clear that their traditional character could not long survive. Britain could then expect what she has long resisted — a tougher, more authoritarian, more oppressive system of police; and public confidence, once lost, would be hard to regain. The price, ultimately, would be to set at risk liberties that have been cherished for centuries.'¹

The police in Britain have not only lost the confidence of sections of the working class but also of the black community as a whole.

The agencies of the state, such as the police, the Special Branch, the security service (MI5), and the military, represent a secret, hidden state within the state. They are totally unaccountable to British democratic institutions at national and local level, and are increasingly exercising this 'freedom' to go over the heads of their supposed political masters. More than any other sections of the state, they can no longer be viewed as the servants of the people in the Civil Service tradition, but as masters over themselves. Reluctance to confront this new power base stems partly from the blind faith placed in these agencies by governments of both parties, and partly from an unwillingness to question the re-drawing of the boundaries of their practices, because it would be seen as unpatriotic to do so.

In this pamphlet EP Thompson takes up two aspects thrown up by these questions. First, he addresses the secrecy that surrounds the British state and especially those agencies concerned with political surveillance and covert actions at home and abroad. Secondly, he takes the left to task for failing to respond on questions of civil liberties and democratic rights in the past decade. Throughout the last two hundred years the

libertarian strands of radical and working class movements have come together to oppose repeated attempts by the state to curb political rights. This 'nerve of outrage' is in urgent need of rediscovery. In particular, he attacks those on the left who dismiss the need for action on the grounds that *all* states, *all* police, and *all* law are bad. In doing so Thompson pinpoints the nub of the increasing powers of these state agencies, that they are seeking to re-draw the boundaries of the liberal democratic tradition by declaring to be illegitimate political and industrial activities which alone distinguish a liberal democracy from an authoritarian or fascist society.

We are publishing this essay in the interests of reasserting the importance of civil liberties questions on the left. It was contributed by EP Thompson, the historian and writer, as the Introduction to the *Review of Security and the State 1978*.² It is, in our view, an important re-statement of a basic civil libertarian approach to the state — for liberals, radicals and socialists alike. The views expressed are those of the author, and do not necessarily reflect the views of State Research.

State Research

1. *A History of Police in England and Wales*, by T.A. Critchley. Revised edition, 1978, pp.328-9.
2. The collected edition of State Research Bulletins, 1977-78, published by Julian Friedmann Books, 1978.

THE SECRET STATE

In the informative and carefully-researched papers which follow, the authors have been at care not to intrude upon the text with their opinions. In this, one part of the value of *State Research* is to be found.

The task which the authors have set themselves is both difficult and hazardous, for they are concerned with disclosing the mode of operation of some of the most secretive and arrogant 'servants' (in practice often *masters*) among modern bureaucratic states. It is difficult to disclose these operations, because these are generally defined by the operators themselves as 'official secrets'; what the operators themselves wish to secrete from public view they are empowered to classify as forbidden materials, and to defend from publicity by a number of sanctions — not only, as a final resort, the implementation of the Official Secrets Act, but also the recourse to 'D Notices', pressure (or favours) towards journalists and editors, the deportation of insubordinate aliens (such as Agee and Hosenball), the disciplining of civil servants (who have already been passed through the screens of 'positive vetting'), and so on. And if, by the careful accumulation of evidence from public sources, independent investigators are able to reconstruct these operations with some accuracy, then they instantly become possessed of an 'official secret' which they publish at their own hazard.

This is the double-bind within which the British public has been held, for many years, by its own security services, and increasingly in recent years by the police and other agencies of Government. It has worked so well that, whereas the CIA is now a household word, many people have only the haziest notion as to the character and functions of MI5, MI6 or the Special Branch of the police. Indeed, for a large part of the public, these organisations might not exist; or, if they do, they are thought of as either counter-espionage agencies, playing a John Le Carré game of spooks with the Russians, or as emergency flying squads brought into being, on an *ad hoc* basis, to counter evident threats from hi-jackers, bombers, or alien terrorists. It would amaze many British citizens to learn that these and other organisations are only at the end of a long historical line of ruling-class institutions, with agents or informants in trade unions, educational institutes, and political organisations (especially of the Left), and with direct access to the postal and telephone system of the country; that they are larger and more powerful, and less subject to ministerial or parliamentary control than they have ever been; and that a large part of their function has always been to invigilate the British people themselves.

The most satisfactory conditions for the effective operation of these organs of the State — and also for the operation of private information-gathering organs such as the Economic League — are ones in which they can lie low, beneath the threshold of public consciousness and concern. When Mr Merlyn Rees, the Home Secretary, introduced the pitiful Government White Paper on the 'reform' of the Official Secrets Act, he retorted to one of his own critical back-benchers that 'he doubted whether more than two or three of his constituents care about the issue' (*Times*, 20/7/1978). That is certainly the situation which he and his advisors *hope* to be the case. One objective of *State Research* is to ensure that no Home Secretary will dare in the future

to address such an insult to the House of Commons and to the British public. If Government refuses to enlighten the people, then such private initiatives as *State Research* must supply that want.

The authors of this work are of the view that their purposes can best be served by scrupulous objectivity and the painstaking accumulation, from public records, of factual accounts. They do not offer any general theory of the State, and still less any wholesale invective against all organs of power. But they have invited me, as an independent reader, to offer a more general comment on their enterprise. I approve warmly of this enterprise, and I am honoured by the invitation. But I must make it clear that my comments are of a personal nature — and they come from a person committed, as a historian and as a citizen, to the libertarian traditions of the radical and working-class movements of this country. My comments do not carry the authors' assent or endorsement. Indeed, I have not met the authors, and we have not discussed the issues together. It is probable that, in this or that particular, we may disagree.

I have already said that the operators of the British security services are 'some of the most secretive and arrogant' to be found in modern bureaucratic states. My words were chosen with care, and are intended to be neither complacent nor alarmist. I am insisting upon a peculiar combination of invisibility, lack of accountability, and the consequent composure of an antique ruling group which has been bred to govern from behind a wall of silence. The situation could, very certainly, be worse, and, if we are not alert, it will become worse. The German security organs are blatant and massively visible, in an old Prussian statist tradition; and they have seized gratefully upon the opportunity provided by Baader-Meinhof to enlarge their brutal presence in civil life. In Russia and in several parts of Eastern Europe it is never possible to disentangle the motives of administration from those of 'security' and control, and in significant areas it is not possible to speak of civil rights or of a rule of law at all. In the United States we have witnessed three decades of the frightening enlargement of agencies of 'security' (including massive espionage, provocation, 'dirty tricks', and possibly even assassinations, committed against their own citizens); but this has at length been met, by the American liberal tradition, in a very vigorous counter-attack, in which some journalists and lawyers have played an honourable part. Without this counter-attack, which included the massive 'leakage' and then the legally-enforced disclosure of 'secret' documents and tapes, the mountain of official excreta known as 'Watergate' would never have been exposed to public view. And it is now possible, under the US Freedom of Information Act, for victims of these organs (such as the sons of Rosenberg or Alger Hiss) to gain access to some part of the documentation necessary for their vindication.

Thus the United States security organs are more powerful and more intrusive, but they have suffered a public check, are disgraced in the eyes of many American citizens, and are at last subject to some legal accountability. In this area at least, the American liberal tradition has turned out to be much tougher than the British. It is now a platitude — but one which bears repeating — that in Britain a 'Watergate' could not have occurred exactly in that way; but if it had occurred, in a more 'British' way, the British press would neither have been able nor have dared to disclose the facts about it, and the British public would have been told only so much as certain 'wise men' of the Establishment thought it safe to allow them to know.

Thus British security operations are distinguished by their invisibility and their lack of accountability. (This is so much the case that even sections of the British Left customarily denounce — as they should — the conspiracies of 'the CIA', overlooking the fact that for decades the invisible British counterparts have collaborated unreservedly with United States agents, fed them with information on British subjects, and shielded them from exposure behind the same screen that protects themselves). They are also distinguished by a peculiar quality of ruling-class composure and arrogance.

A historian is bound to reflect upon the particular route which led us into this situation. Not much more than one hundred years ago, the British people were distinguished throughout the world for their resistance — at least on their own home ground — to the pretensions of the State. This resistance stemmed not only from 'Radical' but also from 'Tory' sources. The settlement of 1688 had been marked, above all, by jealousy of the Crown, and, hence, of the central powers of the State. The gentry emerged as the rulers of England, and (more selectively) of Scotland and Wales also. In the eighteenth century, as the limited resources of parliamentary democracy became obstructed and corrupted, and as the aristocracy and great gentry enlarged their lands and wealth and their purchase upon interest and patronage, so both Whig and Tory magnates enlarged their hostility to a bureaucratized and rationalised State: they wished to be left free to govern in their own way within their own spheres of influence. This was very far from being a democratic impulse; but it did, in the Whig tradition, afford shelter for libertarian modes of thought, in continued jealousy of central power and in vigorous resistance to the examples of absolutism provided by continental monarchies.

By the end of the eighteenth century, this was an all-pervasive Whiggish rhetoric, shared by Tories, Whigs and Radicals alike. Moreover, it was a rhetoric taken over and applied to greatly more democratic ends, by the rising popular reform movement. The parliamentary oligarchs wished to contain their debates within the privacy of the walls of Parliament; they did not wish the British people to overhear how their governors talked, in private, about them. Wilkes and the printers defied 'the law' and breached this privacy; we owe *Hansard* to this defiance. In area after area, the 'common people' insisted that the civil rights of the 'freeborn Englishman' were not the privileges of an élite but were the common inheritance of all: freedom of press, speech and conscience, rights of assembly, inhibitions upon the actions of military or police against crowds, freedom from arbitrary imprisonment or unwarranted arrest and entry upon private premises. The insurgent British working-class movement took over for its own the old Whiggish bloody-mindedness of the citizen in the face of the pretensions of power. Even when labouring under the manifest class discrimination of the Combination Acts, the secretary of an illegal trade union branch of framework knitters in Mansfield in 1812 was able to protest against a clause in a Bill proposed by the workers' representatives themselves, which authorised the search for shoddy goods in the houses of manufacturers: 'if iver that bullwark is broke down of every english mans hous being his Castil then that strong barrer is for iver broke that so many of our ancesters have bled for and in vain.' The workers had appropriated the democratic precedents and practices of past generations for their own; the ancestors were not 'theirs' but 'ours'.

And this was how matters continued for at least one hundred years. The Chartist,

Radical Liberal, Irish Nationalist, and formative Labour movements were distinguished by their sensitivity to libertarian issues, and their suspicion of the polity of Statism. When the police forces were enlarged and rationalised (or as some would have it today, 'modernised') in the mid-nineteenth century, this was a victory for bourgeois utilitarian bureaucratic policy in the face of intense resistance extending from old Tory localism through Radical Liberalism to outright Chartist opposition — for Chartists and trade unionists very well understood what kind of imperatives dictated Government policies. As a consequence of this opposition, the presence of the police in British public life remained unusually subdued. They must be seen as 'servants' of . . . either the gentry or 'the public', and they must in no circumstances exhibit a brash public presence. And, as a more concrete evidence of the old libertarian tradition, which endures to this day, the British police (at least in Britain) must usually go about the street unarmed.

There were some anticipations of the statism of the twentieth century in the increasingly intrusive and punitive presence of the police in Britain in the 1880s. This was a natural reaction of the propertied classes, who reacted to the rumour that there were now socialist agitators in the streets (making speeches against *their property!*) with seemly terror. In general the police were impartial, attempting to sweep off the streets with an equable hand street-traders, beggars, prostitutes, street-entertainers, pickets, children playing football, and free-thinking and socialist speakers alike. The pretext, very often, was that a complaint of interruption of trade had been received from a shopkeeper. William Morris remarked on the impatience of 'the more luxurious part of society' to 'clear the streets of costermongers, organs, processions, and lecturers of all kinds, and make them a sort of decent prison corridors, with people just trudging to and from their work.'

Less evidently impartial were the statements and actions of Sir Charles Warren, who, in the face of mounting demonstrations by unemployed, Radicals, Socialists and Irish Nationalists, was appointed chief-commissioner of the London metropolitan police in 1886. Here he engaged in exercises of 'public relations' quite as vigorous as any subsequently set in motion by Sir Robert Mark or Sir David McNee. He presided over the processions which culminated in his banning all meetings in Trafalgar Square (on the grounds that it was Crown property) and the subsequent episode of 'Bloody Sunday' when demonstrators were scattered by massive police and military forces, and with a violence which, in any accounting, was unnecessary and inexpedient. But Warren had overplayed his hand, the Liberal Party was shocked and riven down the middle. The general dislike of his methods was fueled by the public's dislike of the police's treatment of women, and by the conspicuous failure of Warren's forces to solve the 'Jack the Ripper' murders. When Warren refused outright to accept the instructions of the Home Secretary, he was forced, with the *douceur* of a KCB, to exchange the command of London for the command of Singapore (1889).

I do not mind about the KCB. I am perfectly willing for all over-mighty security officers and police to be given KCBs, so long as they are dismissed. I have introduced the case of Sir Charles Warren for two other reasons. First, it is a reminder — and an important reminder, in the face of a certain pessimistic determinism which is in fashion on the Left — that it is not absolutely foreclosed and prescribed that ordinary people will lose every contest with power. The history of the past 90 years is not an unrelieved record of the enlargement of the powers of the State, and of the impudence of its officers. Because people made enough row, Warren was sacked; Trafalgar Square was

re-opened and in the main has stayed open (apart from demonstrations about Ireland); the battle for free speech in the streets was, largely, won, for the Radicals and Socialists at least.

The second reason, however, is less comforting. Sir Charles Warren signals the feed-back of imperialism — its experience and its consequences — to the streets of the imperial capital itself. Glancing at the DNB I see that, before serving as metropolitan police commissioner, he had gained military experience in Gibraltar and Griqualand West; had commanded the Diamond Fields Horse in the Kafir War (1877-8); and had been military and civil administrator of the Bechuanaland protectorate. He came from Suakin to London, and departed thence to Singapore; he served with distinction in the Boer War ('he cleared the country between the Orange River and the Vaal'), and was a founder-member of the Boy Scouts. He was, in short, a representative figure of the imperialist climax; and he reminds us of the inter-recruitment, cross-posting, and exchange of both ideology and experience between those who learned to handle crowds, invigilate subversives, and engage in measures of 'pacification' in the external empire, and those who struggled with the Labour Problem, the Unemployed Question, the Women Problem, and sometimes just the People Problem, at home.

We are entering the world of a John Buchan novel — British imperial interests are endangered by alien agents and by subversive rotters at home (perhaps even by milksops in the Cabinet?), but our hero knows that he can rely upon a few absolutely trustworthy people — men who went to the same privileged school, served together on the North-West Frontier or between the Orange River and the Vaal, and who bump up against each other in select London clubs or deer-stalking on the Scottish moors. These people know better than 'the politicians', and very much better than the public, what British interests are. They accept, with a grimace of resignation, the duty to save Britain from herself.

That is the novelettish way of seeing it. But in fact it remains true that the growth of an unrepresentative and unaccountable state within the State has been a product of the twentieth century. Its growth was, paradoxically, actually aided by the unpopularity of security and policing agencies; forced by this into the lowest possible visibility, they learned to develop techniques of invisible influence and control. It was also aided by the British tradition of Civil Service neutrality; this sheltered senior civil servants from replacement or investigation when administrations changed, and afforded to their policies the legitimization of 'impartial, non-political' intent. Ministers, and Prime Ministers, increasingly became putty, on questions of 'security', in their senior advisors' hands. They were handed their briefs, and — often, in the press of business, with the haziest understanding of these — they knew that it was their first business in the House to defend their own advisors or Departments. And it must be admitted that Labour Ministers have shown the greatest eagerness to learn the same lessons of loyalty to their 'servants', and no-one has been more eager than Mr Merlyn Rees.

A complex of forces has impelled the increasing statism of the past decades, and I will only mention two or three. Very obviously, two world wars have not only habituated people to uniform and to the arguments of national interest, but have also facilitated such lesser (but significant) perquisites as the busy exchanges between Oxford and Cambridge colleges and Whitehall, as scholars have done their bit in Intelligence. The rapid erosion of empire has perforce retracted the imperial ideology, has brought it back home, into the security services, the army, and the police, where

experience gained in Ireland, India, or Rhodesia, looks restively for new fields of application — these services are the last refuges of imperialism, within which a ghostly imperial ideology survives its former host.

There is also the very substantial, and very seldom mentioned, legacy of the British phase of 'McCarthyism' in the high Cold War. This resulted in extensive 'positive vetting' procedures in the public services, which were subjected to an opaque and pusillanimous enquiry, under the chairmanship of the late Lord Radcliffe, in 1961-2. The brief of this committee was to enquire into the measures of safeguarding information in the civil service against the intelligence services of foreign powers — although not, it seems, of the CIA — and against 'subversive organisations in this country, of which in current conditions the most formidable is the Communist Party of Great Britain, with its fringe of associated bodies and sympathisers.' This was a flexible definition, for 'current conditions' may change, and in the past fifteen years, as the Communist Party has become increasingly less 'formidable', one wonders what other organisations, fringes and sympathisers have been added to the subversive list? In any case, the Radcliffe committee proceeded on the assumption that any sound security man would know, instantly, what was subversive and what was not, remarking at one point: "We have followed the common practice of using the phrase 'communist' throughout to include fascists." The point is that *any* term would have been as good as any other — anarchist, situationist, rapist, or agronomist — provided that it signified to the proper people opinions and associations which, in current conditions, proper people disapprove.

There are two further points. First, liberal-minded opinion in Britain today is very properly angered by the loud and intrusive measures (*Berufsverbote* &c) of the West German authorities against political dissenters of the Left. I am glad that this solidarity is being shown. But it is not always remembered that the *Berufsverbote* of 'positive vetting' goes on in the British public services every day, in ways that are certainly less intrusive and that are very certainly less loud. What goes on, in the screening of applicants, in the promotion of public servants and in their allocation to different departments, we do not know; nor do we know what criteria are employed; and we would not be told even if we (or the House of Commons) asked. All that we do know is that men and women are passed through screens which select, for the most privileged and influential positions, those whose records appear to be most 'moderate', conservative and orthodox. It is perhaps time that a Russell Tribunal sat in Whitehall. Where — and this is my second point — it could take no evidence, since evidence would be, by definition, an 'official secret'.

This is to return once more to the John Buchan theme. The ruling group within the State in Britain has a kind of arrogance about it which may be historically unique. It has a settled habit of power, a composure of power, inherited from generations of rule, renewed by imperial authority, and refreshed perennially from the springs of the best public schools. It is a group which does not bother, or need to bother, to get itself elected. It knows what 'British interests' are, and defends these through every change of political weather. It decides whether you or I are subversive, and whether our actions should be watched. It does not have to justify its decisions in any public arena. It rules, unobtrusively, from within.

What it does is an 'official secret'. For example, do the security services simply invigilate 'subversives', and pass on information promptly to appropriate authorities,

or do they also engage in provocations and 'dirty tricks'? A historian is well aware of the latter in the longer record. At one time, in the Napoleonic Wars, the main centre of underground English 'Jacobinism' was, with some difficulty, kept in being only by the unremitting efforts of several Government spies, as a kind of honey-pot in London which might attract to it unwary reformers. In the next decades, the official papers in the Public Record Office are abundantly covered in the slime left behind by Oliver, Castles, and successive spies and provocateurs within the Chartist and Irish movements. In later decades the trail is less evident, because it has been more effectively obscured. Not only are matters of 'security' covered by a 30-year rule prohibiting disclosure, but even where the records are opened one may sometimes detect where the hand of a 'weeder' has been at work. (A 'weeder' is a scrupulous civil servant trained as an *anti*-historian, whose business it is to remove from the files obnoxious materials). Occasionally, among such a superfluity of materials, a 'weeder' makes a boob. Not long ago a Labour historian fell, to his great surprise, upon some papers in a file which showed, incontrovertibly, that one among the top five or six national leaders of the National Unemployed Workers Movement of the 1930s was passing copious reports upon that movement's inner councils to the authorities. A few weeks later some 'weeder' spotted the grave blunder. The papers were removed, and all sign of their existence was erased.

The innocent might suppose that such practices will have been curbed by the rise of Labour to political influence, and (purportedly) to power. If any such innocents still exist, they should read and reflect upon Sir Harold Wilson's account of his handling of the national seamen's strike in 1966, in chapter 4 of *The Labour Government, 1964-1970: a Personal Record*. The seamen's union, which for decades had been reduced to little more than a servile 'company' shop, had at length, in response to the pressures of its own membership, proclaimed a strike in furtherance of a series of demands for improved wages and conditions. As ship after ship tied up in British ports, the crews joined the strike with enthusiasm. And also with unusual militancy — partly because conditions of work were bad, partly because a long record of union torpor had at last been broken, but particularly because a national strike of seamen is one of the most difficult industrial encounters to organise, and once it has been launched the seamen *must* hold firm until they obtain the optimum settlement. The usual mechanisms for fobbing-off such crises — for example, a minor concession, on condition that the strike is called off, followed by some committee of enquiry, and the distant hope of further concessions — can never be acceptable to seamen. For once the ships are untied and have put to sea again, for a hundred disparate destinations, they cannot be abruptly recalled again to muscle the union's negotiations: to strike on the high seas, or to turn back to port, is mutiny. Thus in 1966 even the union's very moderate leaders acted — and, for a time, actually were — very tough. They must stand out for the maximum settlement, since it might be many years before they were in so strong a bargaining position again.

That was the seamen's side of the matter. The other side of the matter is so familiar that I scarcely need to rehearse it, since it is the background of 'national interests in danger' against which, for fifteen years, *every* strike has been enacted. The livelihood of 'the nation' was endangered; the national economic crisis was acute; the pound was falling; the Government's policies of wage restraint must not be breached. The Minister of Labour at that time, Mr Ray Gunter, was a well-known 'Red-baiter',

who was eventually to find that even Harold Wilson's Labour Party was too red for him to continue as a member. But Wilson and Gunter acted smoothly together in setting in motion the familiar and grossly-inequitable repertoire of power. A State of Emergency was declared. The armed services were called upon, but only for limited purposes ('I announced the use of RAF Transport Command planes for help with urgent export shipments'). The TUC and a Court of Inquiry were brought in to bully the seamen's leaders. Wilson broadcast to the nation on television. Finally, in the House of Commons, the Prime Minister placed full responsibility for the strike upon a 'tightly knit group of politically motivated men'. As he recounts in his reminiscences, 'I did not use the word 'Communist', though no one in the House or in the press, which next morning headlined my words as a sensation, had any doubts whom I had in mind.'

'The fact was,' his account continues, 'that the moderate members of the seamen's executive were virtually terrorised by a small group of professional Communists or near-Communists . . .' But there was one trouble with this story: as every informed member of the trade union movement knew, there was *not one single Communist* on the executive of the National Union of Seamen. (If the 'moderates' were terrorised by anyone, apart from Wilson and Gunter, they were terrorised by the militancy of their own members). Hence, eight days later, Wilson was forced into an unusual predicament in which he raised, for a brief instant, the veil of political lies and half-truths which is normally held between the public and the state within the State. 'From various sources we began to receive undeniable evidence of what was going on', he tells us. (These sources may have been as 'various' as MI this or that, the Special Branch, and the Economic League). Addressing the House once more, he itemised the (pathetically small) resources of Bert Ramelson, the Communist Party's industrial organiser: 'He has three full-time officials on his staff' - i.e. rather fewer than the staff of a firm making bicycle-clips, and very much fewer than the Merseyside Special Branch. More than this, he was able to report in detail upon the travels of militant members of the seamen's union, where they had been, whom they had visited, at which flats they had stayed overnight, and who had visited them there. It added up to a chilling James Bond scenario; or, if one was even moderately informed, to the normal lobbying accompanying any industrial dispute.

There was, however, one very curious episode within this drama, which is well to remember lest we fall into the error of assuming that 'the State' always operates as a well-oiled and synchronised ruling-class conspiracy. The Leader of the Opposition, Mr Edward Heath, saw through Wilson's rhetoric, and thought that Wilson and Gunter had mishandled the situation and provoked the seamen into stubbornness. Knowing that there were no Communists on the seamen's executive, he pressed Wilson to disclose his evidence and substantiate his charges. Wilson complied by arranging for Heath a highly-secret meeting, 'on Privy Counsellor terms', to which meeting he brought not only the 'senior people responsible for these matters' but also *'one of the operators "in the field"'*. Despite all these remarkable favours, Heath, to his credit remained unconvinced. But Wilson pursued his cloak-and-dagger script to the bitter end. Unprecedented measures were taken to split the seamen's executive, Wilson personally bullied their general secretary (giving him 'a sealed envelope' with information from the 'operators in the field'), and the strike was smashed.

I have run through this narrative because, while it should be familiar, it is not:

people have short memories, and official mythologies seek to make them shorter. We are rarely allowed as much information as to the operation of the State as we have in this episode, since few senior politicians have as large and loose a mouth as Sir Harold Wilson. We will note only three points. The first is that it should not be assumed that Tories are always more active in their capitulation to the state within the State than Labour ministers. A certain kind of Labour politician may have a malice against 'militants' and, above all, a deeply-engrained reflex of deference towards the 'real' guardians of British interests (whether in the Treasury or in the security services) which a certain kind of Tory — who meets these operators as class equals — need not always have.

Second, this episode illustrates not only how information is gathered upon subversives, but how it may be *put to use*. In 'normal' conditions of industrial and social peace, it is very rarely necessary for the 'operators in the field' to disclose their operations. And this leads to a certain complacency in the public. After all, if all that these people are doing is observing and invigilating us, but putting all this information to no use (unless against terrorists, spies, &c), then let them have their fun — and let them have the most advanced, computerised data-bank as well. What harm is there in that? But the point about the seamen's strike is that it demonstrates that we remain safe from intervention, blackmail and state-suborned calumny only so long as we remain good and quiet. The state within the State only becomes, briefly, visible during a State of Emergency; and a State of Emergency is a moment when any group of people with economic or social power stand up vigorously for their own rights. When the immediate crisis is over, the pall of invisibility settles down once more.

Third, I have recited this episode because, in its general outlines, it is now so familiar. The national crisis — the State of Emergency — the deployment of armed forces — the attempts to induce panic on the national media — the identification of some out-group as a 'threat to security' — all these are becoming part of the *normal* repertoire of power. Of course, there are historical precedents for all these things; but never before, since 1816, has Government been able to employ this repertoire without inflaming the nerves of outrage and resistance in a minority — a minority which, by patient agitation and political education, has often been able to influence the majority, and, in the long run, secure some reversal of the pretensions of power. What is new, in the last two decades, is the dulling of the nerve of resistance and of outrage. Familiarity has bred contempt — not contempt for the State and for the specious alarms and rationalisations of power, but contempt for any possible alternative. And in this moment a new danger appears. For once the libertarian responses of the British people have been brought under sedation, then the reasons for the invisibility of the state within the State begin to lose their force. And so we see the evidence, in the present decade, of the police, the army, the security services, the quasi-official and the pseudo-private agencies of control, becoming *more* public, engaging in active 'public relations', lobbying for new curbs on civil rights and for 'simplified' legal process, and attempting to familiarise the public with their intrusive presence. And in face of this new danger, the ancient historical nerve begins to throb once more. *State Research* is one of the evidences of that.

I will conclude by advancing some arguments which are, in part, addressed to my friends on the Left. In doing so, I am bound to tread on corns, left, right, and centre.

So that I must insist, once again, that these comments are personal, and need carry no assent from the authors of this work.

A large part of the blame for the dulling of the nerve of outrage lies with the Left itself. I do not make this as a wholesale accusation. There have been honourable centres of resistance, as in the long and dogged record of the National Council for Civil Liberties. We owe more than is often supposed to the vigilance of a few Labour and Liberal MPs, and even occasional questions from crusty Tory back-benchers. More recently, some journalists have been alerted to the dangers. And there are many others, among the splinters further to the Left. But the resistance has been inadequate, and, if we are now faced with the need for a massive campaign of political re-education of the people, one reason is that Liberal, Labour, Communist and Marxist-intellectual opinion, has, for different reasons, never fought the earlier campaign with conviction.

The reasons for the capitulation of much *official* Liberal and Labour resistance have already been rehearsed. The episode of the breaking of the seamen's strike encapsulates them all. The uniformed — and sometimes actively-democratic — national consensus of the last war was protracted into a kind of populist celebration of the servants of the State. A former leader of the Young Communist League, Lord 'Ted' Willis, was the creator of that homely neighbour and universal uncle, 'Dixon of Dock Green' — the precursor of the somewhat-less-homely and more truthfully-observed heroes of 'Z Cars'. 'Positive vetting' in the public service was tightened up, as a 'non-party issue', during the panic of the high Cold War, and confirmed in the aftermath of the cases of Philby, Vassall *et al.* The bureaucratic statism towards which Labour politicians increasingly drifted carried with it a rhetoric in which the State, in *all* its aspects, was seen as a public good, a defence of working people, or of the little man, against private vested interests. The dividing line between the Welfare State and the Police State became obscure, and bureaucracy, in every form, waxed fat in this obscurity. Labour politicians were anxious to prove that they were fit to 'govern'; and they, quite as much as the Tories, habituated the public mind to the normality of these enlarged resources of government.

I will not delay over the Communist Party. No doubt its members have, here and there, fought sharp and significant skirmishes on behalf of their own or others' rights. But the Party's association, in the public mind and often in its own mind, with the obscene record of Soviet statism has weakened the credibility of any libertarian professions.

One would have supposed, in these circumstances, that the libertarian tradition would have migrated to that archipelago to the Left and outside of the official parties — New Left, socialist sects and splinters, unorganised 'Radicals', the women's movement, the movements of ethnic minorities, and so on. Fitfully this may have happened, and potentially it may yet prove to be so. But in fact no very coherent, impassioned or consistent agitation or education in civil rights or in libertarian traditions has come from this quarter. To diagnose this failure is to touch on sensitive issues and to provoke furious counter-polemics; but since I believe that 'the nerve of outrage' has always in our history been carried, in the first place, by minorities; and since I also believe that the failure of our present minorities to react with sufficient clarity and consistency to the present threats of statism constitutes a significant contributory element in that threat — that the ambivalence *within the 'Left'* towards civil liberties is the most alarming evidence of all that the libertarian nerve has become dulled, and carries with

it a premonition of defeat — then it becomes necessary to touch these sensitive points.

There has been around, for a decade or more, on the unofficial Left a general rhetoric which passes itself off as a 'Marxism'. Sometimes this is expressed in sophisticated intellectual form, sometimes as an old-style Leninism, sometimes just as an unexamined vocabulary co-existing with other vocabularies. I will not address here the question as to whether this rhetoric is derivative from an authentic Marxist tradition or not; I have recently had my say on this at length elsewhere. But what are very often found, as common elements, in this rhetoric are some of the following: first, there is a platonic notion of the true, the ideal capitalist State, to which any actual case is only an approximation, but to which all cases must inevitably tend. This State is inherently profoundly authoritarian, as a direct organ of capitalist exploitation and control, and any inhibitions upon its powers are seen as 'masks', or disguises, or as tricks to provide it with ideological legitimation and to enforce its hegemony. It may (but need not) follow that any symptoms of authoritarianism are seen as disclosing a 'crisis of hegemony', and they may even be welcomed as unmasking the 'true' (i.e. platonic) character of the State, and as signalling the 'conjuncture' in which a final class confrontation will take place. This may easily consort with a profoundly pessimistic determinism, in which that kind of authoritarian state can be seen as the necessary concomitant 'structure' of the 'capitalist formation'. And this may, and often does, consort with a loose rhetoric in which civil rights and democratic practices are discounted as camouflage, or as the relics of 'bourgeois liberalism'. And, to cut short the list, this very often goes along with a wholesale dismissal of *all* law and *all* police, and sometimes with a soppy notion that *all* crime is some kind of displaced revolutionary activity.

This is not the place to engage in a philosophical wrangle. I will simply say that, to a historian in a libertarian Marxist tradition, these are all half-truths which have a continual tendency to degenerate into rubbish, and, moreover, into rubbish which has a particular appeal to a certain kind of élitist bourgeois intellectual. If we survey advanced capitalist societies today, we may certainly find common tendencies at work, but we will find an immense variety of forms of State power, traditions of law and of civil rights, and of popular expectations and resistance. If we extend our overview, and scrutinise post-capitalist societies which have attained to a situation in which there is no law, no police, and no crime, then our survey will come to an abrupt halt.

What is more to the point is that this rhetoric can be seen to unbend the springs of action, and to discount the importance of any struggle for civil rights. Pessimism is cherished, and then it is varnished over with revolutionary adjectives. If *all* law and *all* police are utterly abhorrent, then it cannot matter much what *kind* of law, or what *place* the police are held within; and yet the most immediate and consequent struggles to maintain liberty are, exactly, about kinds and places, cases and precedents, and the bringing of power to particular account.

If I may cite one case, I was first alerted to the extreme danger into which the Left can be led by such rhetoric when I noted the pitiful absence of concern displayed towards the recent modification in jury procedure, which allows for a majority verdict. Very clearly, the powerful lobby behind that 'reform' was motivated by intense hostility to the jury system as such. Many of the police, and some judges and lawyers, saw the jury system as an antique survival and an impediment to more 'efficient' executive action, in which judges and magistrates themselves, or perhaps some kind of 'expert' trained assessors, should determine questions of guilt.

Sir David McNee, in his recently highly-publicised package of proposals to 'simplify' legal procedures and to facilitate the labours of the police, does not directly ask for the abolition of the jury. But it is not difficult to guess that this proposal will be in the next or the next-but-one package to come.

In the last few years I have sounded out friends of mine on the Left about this question, and have met with some support. But I have met with more cynicism, and even with some abuse. I have been told (predictably) that the jury system is a relic of bourgeois liberalism, although it is in fact a very remarkable survival from a time when the bourgeoisie was not even a glint in feudalism's eye. I have been told that all juries (on *class* issues) are 'rigged', and this not as an occasion for outrage and reform, but as an inexorable fact of capitalist life. I have been told that juries make everything worse, by cementing the hegemony of the ruling-class, and by legitimating its rule through co-opting the people into being the instruments of their own oppression. I have been told, most of all, that juries are middle-class, stupid, bigoted and racist, although I cannot see to what this argument tends, unless towards a revolutionary clerisy who govern the people in their true interests and in spite of the people's ineradicable false consciousness.

The trouble with all such arguments is that they presume to contrast sordid reality with some pure alternative which exists only in an intellectual's abstracted utopian noddle. As a historian, I am competent to put together a substantial list of bad verdicts by bigoted, confused, or intimidated juries. I can also put together a much smaller list of good verdicts by independent-minded juries, a number of which were found in the full face of Government pressure, and which were of critical significance in the defence or enlargement of the citizen's liberties. The jury system is not a product of 'bourgeois democracy' (to which it owes nothing) but a stubbornly-maintained democratic *practice*. It has never been a perfect practice; its practice can never have risen higher than the common-sense and integrity of the jurors; but it has provided, repeatedly, a salutary inhibition — especially in matters of conscience and political behaviour — upon executive power. And, if we are to be purists, what other arrangement would revolutionaries propose? The notion of democracy as 'self-activity', as being — not the rule over the people by bureaucrats, 'experts', or a substitutionist vanguard — but the rotation among all ordinary citizens of public responsibilities and roles, would appear to be uncommonly well fulfilled in this curious survival, in which everyman or everywoman must take upon themselves the serious role of judgement of their peers. I can imagine better laws, and I can imagine better jurors, but I cannot imagine a better system. I would like to think of the jury system as a lingering paradigm of an alternative mode of participatory self-government, a nucleus around which analagous modes might grow in our town halls, factories and streets.

The jury system will certainly not survive this century, unless 'the Left' regains its libertarian memory. Those on the Right who seek its end, or its savage delimitation into some segregated area of justice, do so on the grounds of its inconvenience: it is slow, costly, unpredictable, and (in the view of lawyers and police, but not of jurors) it gives rise to too many acquittals — and some of these 'bad' acquittals. Few on the Right are far-sighted enough to envisage the situation in which the absence of a jury might deliver critical democratic rights into their hand. They share, rather, an impatience with messy, uncertain procedures, and a desire to 'rationalise' and

'modernise'. And they adduce no general theory of justice but hard-seeming, practical arguments. For example, some sectors of crime are now Big Business, and offenders command the wealth to suborn members of the jury.

It becomes important, then, to distinguish between genuine arguments — which, in their own terms, may have force — and the use of these arguments as pretexts to stampede the public into false conclusions. For we may be absolutely certain that no curbs will be proposed upon our democratic rights, and no extensions will be made in the resources of the organs of security, without our being offered 'practical' reasons and pretexts enough. Just now, the pretexts which will be flourished again and again will be two: the threat of terrorism and the increase in crime.

These both commence as genuine arguments, which are then taken over and manipulated by those who wish to employ them as pretexts to deliver us into authoritarian solutions. The Left, and in particular the intellectual Left, stands in need of greater clarity upon both problems. It is no good pretending that the State, or the 'capitalist formation', has *invented* or somehow engendered these problems, as an excuse for clapping the working class in irons.

Terrorism, kidnapping, bombing &c are abhorrent to me, as they are to most of the Left. I am an old soldier, and consequently I was forcibly disabused before my twenty-first birthday of any notion that violence is more 'real' than other modes of dispute. Armed violence is the empire in which contingency and accident reign supreme. Of course, in conditions of extreme repression, democrats and socialists may be forced to take arms in self-defence or in a strategy of insurrection. And in such conditions they merit our solidarity. But where other measures of organisation and agitation remain open, the recourse to terrorism is at best romantic, self-defeating and profoundly élitist (people who cannot be moved by arguments must be terrorised by guns), and at worst merely sick and villainous.

In terms of mere expediency, the matter is self-evident. Terrorist organisations are notoriously easy to penetrate with agents and provocateurs (the Weathermen in the United States or the Naxalites). They are notorious also for their savage sectarian internecine warfare (Provisional and Official IRA, the present Palestinian disasters). They generally provoke both fear and hostility among the very people whom they are supposedly 'liberating'. (If any among the Baader-Meinhof gang or the Italian Red Brigade supposed that they were acting for the 'Left', then they must know by now that they have driven ball after ball through the goal of their own side). Above all, they provide in superfluity the perfect pretexts for authoritarianism to rehearse its methods and to enlarge its repertoire.

This is clear enough to all, although some sections of the British Left have been slow to see it, and, through misplaced notions of solidarity, have been slowest to see it in the case of the Provisional IRA. I will therefore allow myself to state what has long been obvious to most of the people of Eire as well as of N. Ireland. The methods of the Provisionals constitute an absolute degeneration from the earlier Civil Rights movement. Provisional terrorism, and its Loyalist counterpart, are a symptom of the present malaise and point towards no kind of solution. And, whatever aggravations have been afforded by British policies and by the British military presence, the source of the malaise is not to be found in contemporary 'British imperialism' ('Britain's back-yard Vietnam') but in a historic conflict within Ireland itself, and *within the Irish working class*. In such circumstances, the duties of internationalism should be

met, not by giving equivocal rhetorical support, from positions of English safety, to the Provisionals, but by throwing our arguments, and if need be our bodies, in between.

Not all readers will agree with me — although I find that many Irish friends do. But we may agree that terrorism in N. Ireland — and its sporadic threat in English cities — provides a superb training-ground for the security services, as well as pretexts in abundance. I hope we may also agree that abstract intellectualist apologetics on behalf of such outfits as the Red Brigades utterly discredit the Left in its struggle for libertarian objectives.

It now seems that hi-jacking, kidnapping, and terrorism are among the permanent benefits of modernisation; in one form or another, we are likely to continue to experience episodes of these in coming decades, if only because the suffering of the most exploited parts of the former colonial world are now being re-exported back to the imperial powers. And it is futile to pretend that this will *not* present an argument for greater security — the security of particular threatened persons, the security of aircraft, on occasion the security of the underground and of the public house. Are we really to suppose that any State would do nothing? So that the struggle to contain the security forces — to keep them in a place appropriate to the actual threat, and to resist the transformation of real arguments into pretexts — will become increasingly complex and close. Just as those who, like myself, find the methods of the Provisionals abhorrent, must also support unreservedly the vigilant scrutiny which *State Research* keeps upon the Prevention of Terrorism Act, and the growing employment of its powers of detention and exclusion, so we must equally station ourselves to watch every twist and turn in the coming game. A blanket denunciation of all law and all police will do no good at all, since both will continue undisturbed, and a great part of the public will support them, saying: 'Well, *something* has got to be done.' So that exactly *what* is done becomes of prime importance: screening of all air passengers, *yes*: introduction of identity cards, *no*: collaboration with the Iranian security forces in the shadowing of Iranian students, *no*: data-banks on all citizens, spies in our unions and universities, *NO*!

Spies, data-banks, identity cards, more expeditious legal procedures — no doubt all these things would make the legitimate work of security easier. It would also open the door to every kind of illegitimate work as well. So that the maximum efficiency of operation of legitimate security (or crime-prevention) can never be accepted as the supreme priority. Civil rights will always place obstructions in the way of speedy executive action, and they should do so. The policing of Britain has been, and should continue to be, a difficult and ungrateful operation. But what about the other half-argument, half-pretext, the growth in crime?

Here, also, the Left must clear up its mind. In secure and secluded places, some marvellously abstract notions are afloat. It might even be supposed that the increase in crime was wholly fictional, a pretext orchestrated by the media to legitimate ruling-class and racist measures, or was of interest only as a symptom of the crisis of the 'capitalist formation' in this 'overdetermined conjuncture'. But whatever conclusions are reached as to the actual increment of offences; whatever diagnosis is made as to the social and economic predicament of offenders; whatever objections are upheld against the punitive ('exemplary') measures of the courts — there remains an objective record of suffering, loss and fear. For example, even if women are more ready to report rape and sexual assault than before, thus inflating the number of recorded offences, it

does appear that there are parts of our cities in which women are afraid to walk alone, when they were not afraid before. And if this is so, then it is an intolerable offense against civilised life and personal liberty. 'Something must be done', and that something must be deep and extensive, and involve the active co-operation of all citizens, male and female. Meanwhile, in the short run, something must be done with the aid of the protection afforded by law. I do not suppose that the matter will be set right by a few 'exemplary' sentences. But, equally, I do not suppose that it will be improved without the aid of the police.

Each one of us, who has not lived an utterly retired life, can offer examples. But there are some who refuse to acknowledge the obvious. It is apparent from some recent pronouncements, that there are exalted theorists who suppose that cat's eyes are placed in the roads by fairies, that missing persons materialise of their own accord, and that the police are nothing but an organ of the state with the function of repressing the proletariat. That the police are called upon to fulfil this function, on occasions, is manifest; but, once again, we are being offered a plausible half-truth on its way to degenerating into implausible rubbish.

The police are daily subject to the pressures of the most conservative ('law and order') ideology; those special sections of the force which are particularly trained in crowd control and in security operations (such as the Special Branch) have, notoriously, in the past been found to be permeated by extreme Rightist, or Fascist — and today, perhaps, National Front or racist — ideas and connections; and the means of democratic control over the police are wholly inadequate. But this has never been the whole story. In any known society, some of the functions of the police are as necessary and legitimate as those of firemen and of ambulance-men; and these legitimate functions include not only helping old ladies across the road (which I do not often notice them doing today) but enforcing the law and protecting citizens against offenders. In these respects, as the Socialist pioneers always insisted, the police are in a particularly-ambiguous social space: they are not only called upon, on occasion, *against* the actions of the working class, they are also, like firemen and ambulance-men, a section of the working class. As such, they are open to organisation, argument and persuasion; and historians can point to many successful examples of this taking place. On many occasions over the past thirty years, as I have shambled along in some street demonstration, I have fallen into conversation with the policeman shambling at our side — not, of course, the 'special' or the mounted 'officer' (these always behave like pigs), but the member of a local force drafted in for extra, Sunday duties. And after the first grumpy exchanges, when the policeman complains at the duty when he wanted to dig his back garden, I have often found my companion to be seriously interested in the issues of the march — nuclear disarmament, or the Vietnam war, or even racialism itself.

That is a sentimental picture. Grunwick showed the police in a less endearing light. But a wholly-indiscriminate attitude of 'bash the fuzz' is very much more sentimental, more self-indulgent, and counter-productive. It is not only that, with the modern technologies of crowd control, the crowd will nearly always get the worst of the bashing. Nor is it even that such infantile emoting must drive the police directly

into the Rightist ideology of which they are accused, in one single self-fulfilling motion. It is even more that if we are wholly serious in our libertarian intentions — if we mean to keep the British police unarmed, to limit them to legitimate activities in a legitimate place, and to enforce upon them democratic controls — then we must fairly acknowledge that some part of their work is both proper and difficult, that the controls which we seek to place upon them will certainly add to the difficulties in the way of smooth 'executive' action, and that the police are entitled to expect, in return, some assistance from citizens in their legitimate business.

These proposals will not meet with universal acceptance. I may wish to revise my judgement, in this or that particular, in the future. At a certain point, a Police State can pass a point of no return, where such considerations become irrelevant. But I do not think that we have got close to passing that point in Britain yet, and this is why the libertarian Left must clear up its mind on the issues. For we can be absolutely certain that, in the next few years, each and every attempt to limit our liberties will be supported by plausible pretexts: the growth of violent crime, the threat of terrorism. If journalists and others find it necessary to disclose, in the public interest, 'official secrets' as to the invigilation of citizens, then we will *always* be told that the disclosure of these secrets will give aid to the Provisional IRA or to desperate criminals; and since the true state of affairs will remain an 'official secret' beyond the public enquiry, it will always be impossible to disprove the prosecution case. One natural reaction then will be to denounce all pretexts in advance, to abuse the police and the law without discrimination, and to discount both crime and terrorism as if they did not exist. But the public will not accept those arguments. And then libertarians will be driven into a small and ineffectual minority.

It will now seem to some readers that I have been trapped in the double-bind against which I have myself given warning. What, indeed, can we do? One answer, which itself can become a double-bind of a different kind, is to reform the law. This is certainly important. It is especially important in the struggle to reform negative and punitive laws. The struggle to dismantle the provisions of the Official Secrets Act (section 1 quite as much as section 2) is important, not only in its own right, but because of the public airing which it gives to the issues and the education of the public mind.

It is equally important to struggle to bring the police under much stricter democratic controls, and to strip the security services of their invisibility. And it is of the utmost importance to fight such individual cases as may arise, and to give them all possible publicity. A historian knows that the governed can very rarely manufacture cases exactly to their own requirements — the governors are in charge of that. But it is, exactly, around particular cases that the motives and methods of the governors become disclosed. That is why the cases of Agee and Hosenball, and of Aubrey, Berry and Campbell, are of first significance, and concern us all.

Beyond this, and as part of the campaign to educate the public, there is a strong case for new affirmative laws. But this is where the other double-bind begins. I will leave aside the oddity of those who are against all law but who call for stronger laws against rapists and racials: that is their problem. The difficulty is, first, that when any affirmative measure, such as a Freedom of Information Act, is being drafted, the entire invisible establishment of 'public servants' is alerted, and immense pains will be taken to offer some innocuous concessions (to journalists, &c) while at the same

time actually strengthening the hard-core security provisions, which are then offered with a new legitimacy. This is exactly what is taking place inside the Government's White Paper on the Official Secrets Act. If we are alert enough, such manoeuvres may be spotted and exposed, but then the second difficulty arises. It has been admirably expressed by Mr Merlyn Rees himself, in the image of the 'self-sealing tank' (*The Times*, 20 July 1978). That is, if some Freedom of Information Act commands that there shall be public access to this and that category of document, then the state within the State will simply seal off this information in new ways: they will either assume, in their obscurity, the right to 'weed' the papers, or they will take care that certain decisions never appear in documents at all, or they will find an even more simple recourse. Thus the White Paper on the Official Secrets Act makes immense play upon the question of which categories of classified documents should come within its provisions — should these be TOP SECRET, or SECRET, or DEFENCE — CONFIDENTIAL, or whatever? But of course, whatever decision is come to, this tank will be able to seal itself in the easiest possible way, by a simple motion of re-classification, in which all that top people do not wish the public to know is placed within the inviolable category.

We should certainly campaign for a Freedom of Information Act. The campaign will have educative value. It might secure small gains, and, for historians, significant ones. But we should be under no illusions about it; whatever act is passed, our public servants will find a way around it. And they will probably find a way more effective than that of their cousins in the New York FBI who, several years ago, were caught red-handed in a succession of illegal break-ins into the offices of a small Socialist party in New York. Pursuant to a court order (which, in this country, it would have been impossible to get) the Party's legal representatives were authorised to inspect the relevant FBI files; here nothing as to their agents' activities was to be found, until, upon a renewed search, the representative chanced upon the letter 'N'. And here he found a very fat file indeed, complete with all the names and addresses of the Party's members, tidily put away under the suffix 'Not to be Filed'.

We seem to be reaching pessimistic conclusions. But this need not be so. For there are certain other factors which may be working on our side. One of these I can only describe as a very ancient cultural tradition in Britain of bloody-mindedness towards the intrusion of authority. It has been there for as long as my knowledge extends. In the seventeenth century popular hostility to the apparatus of the summoner, the apparitor, and the moral inquisitors of the Church Courts was a contributory factor leading to Civil War. Agents of the Society for the Reformation of Manners or intrusive Excise inspectors were often targets of the crowds' ebullient resistance in the eighteenth century. I have already mentioned that public resistance to the 'modernisation' of the police in Victorian England was immense. Again and again, in an unbroken series of cases, public opinion has eventually come to the side of the rights of the individual against the over-mighty State.

I do not believe that this inheritance of bloody-mindedness is exhausted, and I consider that we should regard it with respect. It is not to be simply equated with this or that kind of approved 'political consciousness', although it has certainly been an active force within the working-class movement. It is more pervasive than that. For example, I do not know the political views of the motorist who, in 1951, refused point-blank to produce his identity card, and hence necessitated a High Court case

which resulted in the withdrawal of that system (see p94). But my sense of history leads me to suggest that he was unlikely to have been a militant revolutionary, and might equally have been a Conservative or marginal Labour voter, and a bloody-minded 'free-born Briton'.

However much pushing goes on, people still do not like being pushed around. If there is one passage in the papers below with which I find myself in disagreement, it is where a suggestion is made that a jury which acquitted a man who appears to have been guilty of flagrant racial incitement (see p73) must itself have been 'racialist'. The author of that passage may be in possession of relevant information on the point. But if the comment rests upon speculation only, then my own speculation would lead to a different conclusion. British juries have, for hundreds of years, shown a recurrent dislike of finding against accused for their *opinions*. It is consonant with that tradition to suppose it possible that a jury, some of whose members genuinely abhorred racialism, would nevertheless acquit an accused, simply because it disliked punishing opinions even more than it disliked the opinions in question. It may be argued that such a jury was profoundly confused, and that its confusion argues an ulterior confusion, at the deepest level, as to the seriousness of racial incitement as an offense. But it is too easy to categorise this very complex response as 'racialist'.

The difficulty of calling for affirmative laws to ban these marches and outlaw those organisations is that, while on occasions these measures may be necessary, the measures can very easily be turned to quite opposite purposes; they familiarise the public mind with new accretions of State powers; and they tend to dull the nerve of bloody-minded resistance to the intrusion of authority.

And this is the main point which I have been making all along. We have to renew the nerve of outrage and we have to alert the public conscience. For ways of doing this we may turn to our history for many precedents. One way has been to break the law. This was the way of Lollards and of Levellers, of heretics and Puritans; it was the way of Wilkes and the printers; it was the way of Daniel Isaac Eaton (seven times in the dock) and of Richard Carlile (for whom prison became an editorial office), in their fight to publish the works of Paine; it was the way of Henry Hetherington, and of the hundreds who took part in the fight of the 'great unstamped'; it was the way of the Suffragettes. Whenever the governors of Britain have assumed to know better than the British people what it was in their 'best interests' to believe, to read and to know, one proper response has been to defy the law.

I am suggesting that we can never know (since that will be an 'official secret') when the security forces and the police are engaged in legitimate or illegitimate business. But there are plain indications, some of them documented in these pages, that much of their business is now illegitimate, and that this is enlarging. We must therefore educate the public conscience to the point where, on every side, their spies are surrounded by our 'spies'. If a copy-typist or a filing clerk falls upon offensive material, if a university assistant registrar or a civil servant knows that illegitimate invigilation is taking place, then this information must be 'blown'. What is legitimate and what is illegitimate will always be a difficult question; but I am saying that increasingly British people must become jurors in their own case. And, as public concern and understanding enlarges, we may hope that at least a few of the 'public servants' and 'operators in the field' will recollect their larger civic duties, as has happened in honourable cases in the United States. We need only one good 'blow'

from this quarter, and it will become at once more easy to estimate the problem, and to reconstruct the operation of the state within the State.

This course will be not easy. If successful, it will not extinguish the danger; but it will make the operators more guilty, more secretive, more cautious, and this is one way of containing them and of keeping them in their place. I think it utopian to expect much more. Indeed, I think this would be a notable victory, since it would mean that we had checked the immediate tendency for matters to grow worse.

If the secrets of power are 'blown', then fellow-citizens will be exposed to danger. The British security services will react more vengefully than their American counterparts to any attempt to disclose their operations. They will defend ferociously their invisibility and lack of accountability; and their peculiar style of ruling-class arrogance will leave them genuinely horror-struck at the bare notion that a British citizen might have his or her own view of the 'national interest' and find their actions illegitimate. Home Secretaries will loyally lisp through the briefs that their masters give them. Judges will hurry to the side of the State. A section of the press will slaver after 'exemplary' sentences. This means that, if we support the right to public information, we must be very serious indeed about coming to the defence of those who may expose themselves in this cause.

Nor will difficulties end there. We cannot automatically support every case. We do not want to provide cover for some mercenary spook. And it is possible that provocateurs may seek to 'plant' supposedly-secret papers upon some journalist, in the attempt to provide a distraction. And even the 'good' cases may have their own wrinkles. We may need to defend — and I am certainly not referring now to any case which may be before the public eye — cranks, or egotists, or fanatic sectarians, who kick us in the face when we offer them a shoulder, or who seek to enlist us in a sectarian cause of their own. But *there is nothing new about this*. 'History' has never offered to libertarians perfect cases, nor permitted those with nice palates to reject all food that has not been prepared by their own hands. We have to decide where principle lies. And then we have to defend that principle without reserve.

In all this I may be running ahead of events. *State Research* has not 'blown' any official secrets, nor presented more than can be recovered from the patient recourse to public sources. It is engaged in the essential preliminary tasks of public information and re-education, including the re-education of the Left. In this it deserves the fullest attention and support.

E.P. Thompson
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