

## 8

## An American Gift

## Government in the Sunshine

Duncan Wilson Archibald Campbell came from a respectable family. His father was a professor of economics at the University of Dundee. His mother received first class honours in mathematics at Glasgow University and had worked for the Government Code and Cipher School in the Second World War. Duncan followed in this tradition of excellence, gaining a first class honours degree in physics at Oxford University.

But the smooth path to bourgeois anointment did not appeal to Duncan Campbell. He abandoned science for radical journalism, and, on the evening of 18 February 1977, he ran into trouble. Not long afterwards, he would give an account of the event, in legal jargon a ‘proof of evidence’. Setting forth his defence, the proof told what occurred on that February evening.

At 10.10 p.m. Campbell had just left the London flat inhabited by a former soldier, John Berry, and was trying to persuade *Time Out* staff writer Crispin Aubrey to drive him to Victoria Station. As they approached Aubrey’s car, they realized they were not alone. Eight police officers materialized from the shadows. They separated the two journalists. A detective superintendent from Special Branch told Campbell he was being arrested under Section 2 of the Official Secrets Act. ‘He then asked me who I was.’

This was encouraging. There must have been some kind of mistake. Campbell fumbled for his press card in an attempt to demonstrate his bona fides. But the officers now confiscated his briefcase, bundled him into a waiting vehicle, and told him he was being taken to Muswell Hill police station.

The Hillman Hunter police car drew parallel with the stated destination and drove straight past it. Campbell feared for a moment he was being abducted. But it was a mistake stemming from lack of street knowledge by

officers whose duties were of an irregular nature. In a display of initiative, the officers now hailed a taxi, told the driver to go to Muswell Hill police station, and followed him there.

On arrival at the police station, Campbell was consigned to a small room with no bed or toilet, refused permission to see a solicitor on the Friday night of his arrest and for a further 48 hours, and not shown any of the specific charges against him. But he had an inkling, as the police had displayed such an interest in the contents of his briefcase. They included the transcript of his newly completed interview with John Berry.<sup>1</sup>

Campbell had been engaged in a campaign to demonstrate how the British state conducted an illicit programme of surveillance. In May 1976, assisted by the American journalist Mark Hosenball, he had published an article in *Time Out*. Though a cultural guide to London, the magazine doubled as an ‘underground’ publication, and Campbell’s article outed the codebreaking institution GCHQ. It declared, ‘Britain’s largest spy network organisation is not MI5 or MI6 but an electronic network controlled from a country town in the Cotswolds.’

Campbell explained how, from its base in Cheltenham, GCHQ operated a worldwide network of signals intelligence, cooperating closely with America’s NSA. Campbell and Hosenball supplied a map identifying 22 SIGINT sites in the UK. It pinpointed facilities such as the NSA’s at Edzell in Scotland, various GCHQ-operated posts, and a collaborating BBC installation at Caversham Park. The Scottish-American pair portrayed an operation that involved spying on commercial rivals and on friendly nations, notably France. They raised issues of effectiveness as well as propriety—GCHQ operators listening in to the Soviet Air Force tended to get bored, and instead tuned in to concert broadcasts from Moscow.

Undoubtedly, GCHQ contributed to national—and international—security. Undoubtedly, too, it conducted or abetted illegal surveillance. For operational reasons and out of expediency, the very existence of GCHQ had been a state secret guarded with an emotional intensity. Campbell questioned a culture of secrecy that could mask incompetence and wrongdoing.<sup>2</sup>

For the three hours preceding the arrests of 18 February 1977, Campbell had been interviewing Berry over a bottle of Chianti. The ex-soldier had related his experiences at a GCHQ listening post in Cyprus. Aubrey had initiated the threesome, calling in Campbell because of his communications expertise, and he recorded the interview on his brand new tape recorder. All three, Aubrey, Berry, and Campbell, were now charged under Section 2 of

the Official Secrets Act that had to do with the unauthorized release of official information. Later, the Crown preferred charges under Section 1 of the same law, which dealt with the more serious charge of espionage. Under the terms of the indictments Aubrey and Berry faced prison terms of fourteen years, and Campbell thirty.<sup>3</sup>

The Old Bailey trial of Aubrey, Berry, and Campbell came to be known as the ‘ABC’ affair. The authorities used tactics that, when disclosed, weakened their cause. Defying attempts at suppression, the radical press published the identity of the chief prosecution witness, ‘Colonel B’. He turned out to be Hugh Johnstone, renowned for his participation in the British Army’s efforts to subdue unrest in Cyprus. Given Cyprus veteran John Berry’s whistle-blowing presence in the dock, Johnstone was not a brilliantly wise choice as a credible witness.

By September 1978 when the case came to court, the ABC defence was taking place outside as well as inside the legal precincts. Campaigners found support in the media. The television journalist Russell Harty ran an exposé suggesting there had been an official attempt at jury tampering, and for this reason the first trial had to be stopped. In the second trial with a new jury, Campbell was able to show that all the information he had collated had come from open sources. His ‘Proof of Evidence’ gave chapter and verse.

The proof also cited a November 1976 pronouncement by Home Secretary Merlyn Rees that seemed to undermine Section 2: Rees said it was government intention that the ‘mere receipt of information should no longer be an offence’. When the trial judge described the use of Section 1 against Campbell as ‘oppressive’, the prosecution case was in shreds. In November 1978 all three defendants escaped with minor non-custodial sentences, and Section 2 of the Official Secrets Act was doomed.

The human rights lawyer Geoffrey Robertson saw the trial as the most important of the decade, and thought that by the case’s end ‘Britain was a less secret country’. The ABC affair was a landmark in the history of civil liberty and a turning point in the development of the British national security state. Painting a broad brush portrait, one could argue that hitherto there had been blind acceptance of government secrecy, trust in the authorities’ management of national security issues, and even pride in Britain’s ability to operate discreetly, projecting power by clandestine means without rushing to war. An irreversible change had now taken place.<sup>4</sup>

The argument in this chapter is that the impetus for greater openness in intelligence and national security affairs that affected Britain and other

western countries in the last quarter of the twentieth century came in large measure from the United States. In the 1970s, America reconsidered some of the premisses underlying its national security system, and with the collapse of the Cold War would resume its questioning in the 1990s. The American debate of the 1970s had a strong, if delayed, impact on other western countries.

It marked a turnaround in certain British attitudes. In the nineteenth century, it is true, Chartists and other reformers had admired American republicanism, democracy, and religious freedom. But in the twentieth century the British left was more critical. According to historian of the Labour Party Henry Pelling, the British left had become 'blind to the merits of American society'. In a reversal of attitudes, and in contrast to the staid and conservative leadership of the UK intelligence community who assiduously avoided the idea that anything might be learned from America, Campbell and others on the left now imported lessons from the USA.

Not that Britain lacked its own tradition of civil liberties. Without that tradition, the American seeds would not have germinated in British soil. Magna Carta had been a medieval stab at royal prerogative; assertions of parliamentary authority in the seventeenth century resulted in a civil war and then in the 1689 Bill of Rights; parliament abolished the slave trade in 1807. The Official Secrets Act of 1911, however, sent out a different message. The UK spied on other nations but was fierce in the defence of its own secrets. At home, the growing security services pried into the lives of individuals but refused to admit their own existence, let alone explain what they did and why they did it. In a century when people demanded personal privacy and public exposure to scrutiny, the British national security state delivered the opposite.

Compton Mackenzie's *Water on the Brain* (1933) had been a significant act of defiance directed at MI6. But of course it was fiction. Its author's prosecution under the Official Secrets Act had aimed to prevent him from revealing MI6 secrets, specifically the identities of 'C' and sixteen agents, and the fact that the Passport Control Office was one of MI6's covers. Thereafter, Mackenzie developed new interests such as Scottish independence—he had fallen in with the communist poet Hugh MacDiarmid and together they had been founder members of the National Party of Scotland.

Well before the 1970s, amnesia and the occurrence of competing events had blunted the impact of the Mackenzie case. He had become famous for something else. His work of comedic fiction *Whisky Galore*

(1947) portrayed a salvage effort by the islanders of Barra, off the coast of Scotland, following the wreck of a merchant ship. It was based on a real incident, the ransacking of the whisky-laden SS *Politician*, an act of plunder that goes some way to explaining today's high incidence of alcoholism on the isle of Barra. Ealing Studios made an evergreen movie of the book featuring Mackenzie himself as the ship's captain. Rarely are people remembered for more than one book, and Mackenzie's status as the man who tried to open up the affairs of MI6 sank with the *Politician*.<sup>5</sup>

By the 1960s, some underlying conditions preparing the way for greater openness had developed in Britain. A new group of radicals demanded greater transparency. The Labour Party's approval of an independent nuclear deterrent alienated an articulate minority that now came to be labelled the 'new' left. The new left espoused a range of causes including the ending of apartheid in South Africa. One of its most important causes was the exposure of nuclear weapons policy, and opposition to it.

The Campaign for Nuclear Disarmament (CND) was a prominent movement of the early 1960s. Some supporters of unilateral British nuclear disarmament formed a more radical group, the Committee of 100. Led by the philosopher Bertrand Russell, they broke away from CND with the aim of rendering 'government folly impossible'. In 1963, adherents of the Committee of 100 calling themselves 'Spies for Peace' broke into a military bunker in Reading. The bunker's purpose was to protect an elite in the event of a nuclear war. The committee sent out its message that the 'professors, top civil servants, air marshals and policemen' were 'quietly waiting for the day the bomb drops, for that will be the day they take over'. Duncan Campbell credited Spies for Peace as a significant British precedent for the drive for openness in the 1970s.<sup>6</sup>

Another British move in the direction of transparency was of a distinctly less radical character. Government officials started to release information in a controlled manner. They reasoned that publication of officially sanctioned histories might usefully correct misperceptions: the idea that British intelligence was crippled by moles, the notion that communists deserved most of the credit for European underground resistance to Hitler, the claims that America won the war and that the UK could not match the prowess of the CIA, and the proposition that espionage was a superfluous activity that burdened the British taxpayer. With an honest shilling to be made, there was no shortage of publishers ready to launch spy books based on the insider information that would now be available.

So the books began to appear. In 1962, the MI6 veteran H. Montgomery Hyde published his *Quiet Canadian*, a study of Sir William Stephenson, Britain's spy chief in the USA in the Second World War. Hyde had been one of Stephenson's agents. He was a controversial figure. For his advocacy of the decriminalization of homosexuality, the Conservative and Unionist Party in Northern Ireland had dropped him from its list of parliamentary candidates. However, his biography of Stephenson was acceptable to officialdom, for although it was a revelation, it was also a favourable account of British intelligence activities. The UK authorities decided to allow its publication and the *New York Times* greeted it as the greatest shock since *Lady Chatterley's Lover*.<sup>7</sup>

M. R. D. Foot's official history, *SOE in France*, appeared in 1966. There were several reasons for the authorization of this work. In the 1950s, the Conservative MP Dame Irene Ward had lobbied for an authoritative account that would confirm or dispel contemporary charges that incompetence at the helm of SOE had resulted in the deaths of a number of female agents who had fallen into the hands of the Gestapo. Another concern was that, as part of their 'we won the war' industry, the Americans were making claims for the prowess of OSS that seemed to diminish the role played by SOE, and by implication the need for British covert capabilities in the future. There was also resentment at the line being taken by French communist historians, who gave primacy to the role of communists in the French resistance (M. R. D. Foot's references to communists in his *SOE in France* were even-handed but sparse; the British like the Americans gave scant credit to the part played by the Red Army in the winning of the Second World War).

At the same time, the authorization of *SOE in France* was an attempt to guide the storm. If there was to be a flood of revelations about the intelligence services, the government wanted to be in a position to direct the flow, and thus to have the ability to switch it off at an advantageous juncture. Wherever one wishes to place the interpretative emphasis, *SOE in France* was a pioneering experiment in official intelligence history. The UK authorities having begun to ponder the virtues of publishing official histories, the work was an experimental start.

In the view of those who insisted that signals intelligence was the main course, Foot's narrative of special operations was just a taster. But some authors were already nibbling at the main feast, and in 1968 the UK opened up new possibilities by reducing the fifty-year-rule for the release of government

documents to thirty years. This augmented the scope for authenticated histories of Second World War intelligence. To direct the flow, the government commissioned the intelligence veteran and Cambridge history professor Fred Hinsley to write an overall official history of intelligence in the Second World War. Official revelations about *wartime* SIGINT, at least, were now within sight though the first of Hinsley's volumes did not appear until 1979.<sup>8</sup>

America, too, had a tradition of civil rights. The Bill of Rights enshrined in the US Constitution listed press freedom and freedom from arbitrary arrest, and the states fought their own civil war resulting in the emancipation of slaves. Another strand in the tradition, a strand that was important to later open government initiatives, had to do with journalism. The golden age of investigative journalism—the 'muckraking era'—occurred in the period stretching from the late 1890s through the presidency of Theodore Roosevelt (1901–9). Writers like Upton Sinclair, Ida Tarbell, Ray Stannard Baker, and Lincoln Steffens targeted capitalist malpractices and political corruption. This was one reason why, when the Bureau of Investigation was formed in 1908–9, there was a vigorous public debate.

There were setbacks to the concepts of freedom from government intrusion and open democracy. Repression in the First World War and the Red Scare that followed were notable examples. So was the Yardley case. Like Mackenzie, H. O. Yardley found himself suppressed when he tried to reveal espionage secrets.

From an early stage in his administration, President Franklin D. Roosevelt authorized illegal wiretapping. Undertaken by the FBI, this practice at first targeted spies and others deemed to be a threat to national security. By the eve of the Second World War, it had assumed a political character. The Roosevelt government spied on its foreign policy critics. Because those anti-interventionists lost their campaign and were swamped by the patriotic fervour of war, the Rooseveltian misdeeds were forgotten—if only for the time being.<sup>9</sup>

In the 1950s, Joe McCarthy's anti-communist crusade promised to expose government secrets, but was a setback to the cause. The CIA with its supposed contingent of covertly liberal/left-leaning officers was one of the senator's prime targets. When McCarthy overplayed his hand and fell into disgrace, it gave secrecy a new if finite lease of life. For now, those who campaigned against secrecy could be, and regularly were, accused of being 'McCarthyist'. Furthermore, the 1950s and early 1960s were a period of

Cold War hypertension, and until the 1970s only a minority of Americans were sympathetic to attacks on the CIA or other icons of national security.

Yet the anti-secrecy bug was becoming virulent in America. *The Invisible Government* (1964) by journalists David Wise and Thomas B. Ross was the first in a stream of books that criticized secret intelligence, and it was well informed. In fact, Wise and Ross mentioned GCHQ as a 'British counterpart' of the NSA. Duncan Campbell made this a point in his defence as it showed he was not the first to reveal the existence of the Cheltenham unit. The *Ramparts* affair of 1967 was another notable event that helped set the agenda for the 1970s. And as the decade wore on, 'new left' opponents of the Vietnam War were building up a case against the excessive secrecy of the national security state. It was a campaign with international charisma.<sup>10</sup>