

'SACK THE SPOOKS': DO WE NEED AN INTERNAL SECURITY APPARATUS?

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Introduction: The Security Totem

For fifty years a central concern of the Left has been the development of 'national security *states*' defined in terms of their political domination by military and security elites and consequent repression of democratic rights.' More recently, however, the focus has shifted to the increase in surveillance and accompanying 'disciplinary' measures employed by both state and non-state organisations, variously described as the rise of 'surveillance'² or 'maximum-security'³ *societies*.

Surveillance practices have developed over centuries within specific institutions – the prison, the factory – but it is only during the last few decades that they have extended from sites of confinement **and** production to those of consumption. The gathering, collating, buying and selling of personal data is directed at refining marketing and credit-evaluation techniques while the simultaneous mushrooming of CCTV schemes combine in a drive to make cities safe for **consumption**. Thus 'security' is a totem of the contemporary world and the numbers of those – especially in the private sector – whose livelihood depends in some way on its **provision** (or purported provision) grows to an **extent** matched in few other employment **sectors**.⁴ For some, notably Foucault, apparatuses of security are the very heart of modern government – '**governmentality**'.⁵ Although modern capitalist states may be choosing to withdraw from various markets through processes of privatisation they still play a central role in unifying the dispersed patterns of domination in capitalist societies: for example, as the 'strong state' that enforces the parameters within which those-markets **operate**.

However, it is important not to succumb to 'postmodern **paranoia**'⁶ regarding the malign aspects of surveillance, whether the chosen metaphor is **Orwell's** 1984 or Huxley's *Brave New World*.⁷ It is clear that the growth of surveillance cannot be reversed, not least because so **many** are convinced of its benign impact, for example, in providing safer opportunities for consumption and leisure. Rather, the case must be made for some

greater 'specificity' of the knowledges sought by otherwise excessive surveillance **schemes**,¹⁰ more robust **regulatory** and inspections systems, and, as here, appropriate organisational changes aimed at minimising the 'gaze' of those surveillance apparatuses seen as most malign to the democratic political process. This paper considers what if any political action the Left can take, particularly what any Labour government elected in the **UK** in 1996 or 1997 should do, particularly regarding the British Security Service (MIS).

As befits a modern totem, security is an 'expertise' that is very difficult for 'outsiders', including elected governments, to challenge: it is not just what those working in security claim to know that secures their position; it is also their 'monopoly on the lack of **knowledge** that counts.'" In the estimation of present and future 'unknowns' with respect to 'risks', 'threats' and 'vulnerabilities' their pronouncements are privileged in the 'hierarchy of credibility'" by their expert status. Yet, total security is unobtainable; some degree of security can be obtained by the professional assessment of 'threats' but when it comes to analysing that large area of uncertainty regarding the significance or intensity of the threats posed by political and social movements this must not be left up to 'experts'. Democratic control requires the involvement of elected 'non-experts'.

History records no example in which security experts concluded there were no threats justifying their continued employment: their methodologies and organisational interests are bound to lead to the identity of new 'threats' which may occur at some future time. Specifically, what has occurred since the collapse of the Soviet Union has been a rush by the agencies to 'colonise' fresh areas of threat and to advertise the utility of their traditional skills as counters, for example, regarding 'economic intelligence', 'economic security' and 'transnational organised crime'. The consequent rather frantic pace of organisational activity suggests not just that the agencies are trying to keep up with global political shifts but also that they would prefer to have a new security intelligence policy edifice in place – to match their new headquarters buildings on opposite banks of the Thames – should a Labour Government come to power in **12–18** months' time. There may be little in Labour's record in Opposition to alarm the agencies but enough questions are already being asked and budget cuts being made to give them some cause for concern.

It is clearly futile to expect a state to organise itself without reference to protecting its interests and foreign intelligence agencies (in the **UK** specifically the Secret Intelligence Service [SIS] and Government Communications Headquarters [GCHQ]) might be legitimately tasked to develop intelligence regarding those interests; but a consideration of the foreign intelligence structures so deeply embedded in the modern state system, particularly since international economic competition between

states becomes even more **Hobbesian**,¹³ is beyond the scope of this paper.

What is the problem?

Between 1947 and 1991 the proclaimed mission of western internal security agencies in general was the surveillance and countering of perceived Soviet agents and domestic communist parties. In fact these surveillance activities spread far and wide to cover all forms of organised dissent under the pretext of combatting 'subversion'. In Canada the Security Service developed as a special section within the Royal Canadian Mounted Police (RCMP) and only received its first executive guidelines when it asked for them in 1975; these were rapidly overtaken by the McDonald Commission inquiry into Service activities particularly in Quebec in the 1970s, resulting in legislation for the new civilian Canadian Security Intelligence Service (CSIS) in 1984.¹⁴ In Australia the Australian Security Intelligence Service (ASIO) was set up in 1949 and a statutory mandate followed in 1956, subsequently being revised in 1979 and 1986 in the light of royal commissions. The UK Security Service was established amid the spy-scares of 1909 and by means of 'secrecy, duplicity and chicanery'¹⁵ but only received a statutory mandate eighty years later. In both the Australian and British cases the decision to legislate reflected, to a greater or lesser extent, the fears of the relevant Service that subsequent Labour governments might impose greater restrictions, if not, in Australia, actually abolish the agency. Present internal security structures therefore reflect the fact that legislation has been passed primarily to 'legalise' already existing agencies and, in the Canadian case, to reform a structure discredited by scandal. A similar effort to provide a congressional charter for the domestic security functions of the FBI in the wake of the revelations of the corruption of the Hoover years failed in the late 1970s. Over the years the main challenges to the continued autonomy of these agencies have tended to come from bureaucratic rivals rather than democratic pressures, for example, the UK Security Service survived threats to its autonomy after both world wars.¹⁶

Otherwise, the autonomy of specific national agencies has been most compromised by the US intelligence hegemony. This was organised formally through intelligence-sharing treaties such as UKUSA that divided up the world into areas of **SIGINT** responsibility and informally through networks of information exchange. US domination of this 'intelligence community' was established by its provision of disproportionate finance that in turn enabled it to write the 'rules' for exchange and largely to set the tone for domestic political intelligence gathering." For example pressure from the US and UK was able to oblige the Australian Labour Party in 1948 to reverse its integration of the remaining wartime security

service into the police and establish the new, free-standing **ASIO**.¹⁸ Slightly earlier the Attlee Labour Government had expressed some independence from the security apparatus by appointing a police chief constable as the new head of **MI5** in 1946 but this initial scepticism did not survive the desire to share in the developing US nuclear programme as exemplified by Labour's adoption of US-recommended vetting **procedures**.¹⁹

By the 1960s the succession of British security 'scandals'⁷ – Burgess, **Maclean**, Philby, Blunt, **Vassall**, Bossard and the Profumo case – indicated so far as the US was concerned that not only was the British Security Service incapable of catching 'spies' unaided but, more significantly, that it had probably itself been penetrated at a high level by the Soviet KGB. Accordingly President Johnson commissioned a study of British intelligence in 1965 as a consequence of which some in the Central Intelligence Agency (CIA) – James **Angleton** in particular – appear to have hoped that they would soon have their own officials working within MI5. The Security Service was able to resist this but in 1967 those officials in **MI6**, MI5 and the CIA who shared Angleton's views on the omnipotence of the KGB and the extent of Soviet penetration of the West initiated the series of CANZAB counter-intelligence conferences which was intended to further the US hegemony. Since Angleton's demise in 1975 US pressure may have been less overt but in a general sense its focus has shifted rather than been reduced. What has been called the 'internationalization'²⁰ of US law enforcement has been developing alongside anticommunism during the twentieth century but, with the decline of the latter, has become much more significant amidst the 'new world disorder'⁷.

In Britain the official response to these scandals was primarily a series of 'damage-limitation' policies but the tight grip of secrecy retained around security intelligence structures²¹ has minimised the examination of not just whether the Security Service could effectively protect security but also the allegations from former security intelligence insiders – Miranda **Ingram**, Jock Kane, Cathy Massiter, Peter Wright, Colin Wallace, Fred **Holroyd**²² – that its operations infringed the democratic process. Hitherto the reaction from the Labour Party in general to this range of most serious allegations and revelations has been timid. In part this is explained by the success of '**Thatcherism**' in appropriating popular fears and insecurities in order both to protect the security apparatus from outside scrutiny and to strengthen it as an essential context for its liberalisation of the economy. However much these fears were aggravated by 'moral panics', they always had some material base in people's experience of the consequences of capitalist restructuring.

The challenge facing Labour is to develop an alternative position which enables it both to face down the Right's rhetoric on any issue relating to security or public order and to assert democratic control over domestic

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security apparatuses whose autonomy has been deployed on behalf of predominantly right-wing causes. If and when Labour takes power enormous pent-up expectations of social and political improvement will descend upon it and, to the extent that some of these are likely to be disappointed, a further challenge facing Labour will be to avoid simply making use of both the traditional and newer mechanisms of repression, for example, the Criminal Justice and Public Order Act 1994.

In meeting this challenge Labour must consider, first, what threats to national security actually exist and, only then, what organisations would be most appropriate to gather information about and counter those threats.

What is National Security?

Hitherto the political left within capitalist democracies has not really subjected the notion of 'national security' to detailed scrutiny because it perceived, quite correctly as we see below, that it was itself viewed by state security intelligence agencies as a major 'threat' to that security. Consequently there was a tendency to regard the entire notion of 'national security' as nothing but a veil behind which state agencies and their private sector allies would seek to repress dissent. It is now well-documented that notions of 'subversion' came to mean in practice that any activity on the left, even if entirely peaceful and legitimate, would be routinely surveilled by the state and, possibly, subject to **disruption**.²³ This could take a variety of forms but most involved some degree of 'information control'. Records released by the Public Records Office in August 1995 have confirmed the establishment by the 1945–50 Labour government of the Information Research Department (IRD) within the Foreign Office that, until its abolition in 1977, provided the primary vehicle for anticommunist propaganda. Significantly, Labour's initial desire that the IRD adopt a 'third way' between anti-communism and pro-capitalism was rapidly eroded by the military and intelligence officials primarily running the Department." The IRD was primarily aimed at foreign audiences but did make its materials available to anticommunist British trade unionists. So also did Industrial Research and Information Services (IRIS) formed in 1956 as an off-shoot of Common Cause. Providing a platform for anticommunist propaganda this was financed primarily by private companies through tax deductible charitable donations but, when it became independent of Common Cause in 1963, was tided over by the Macmillan government with £40,000 from the intelligence services **budget**.²⁵

Such close connections between the security intelligence services and the private sector date from the immediate aftermath of the first world war and the establishment of the Economic League (by the former head of Naval Intelligence) which conducted not just anticommunist propaganda

but also ran its 'blacklisting' service into the 1990s.²⁸ Security Service information gathering regarding trades unions was most often carried out on the basis of unionists' membership or association with the Communist Party, a pretext that legitimised surveillance on the grounds that the Party was 'subversive'. But the use to which resulting 'intelligence' might be put went far beyond 'threats to national security', for example, a Security Service transcriber was instructed to listen particularly for any reference to the Ford Unions' bottom line in their pay negotiations late in 1978 when she received the material from the permanent telephone tap on Syd Harraway, a communist convenor at Fords Dagenham."

Security intelligence agencies have always taken advantage of divisions within the labour movement, but this has not prevented the agencies employing disinformation more generally against the Labour Party. For example, Colin Wallace worked as a public relations officer for the Army in Northern Ireland from 1968 until 1974, latterly concerned with a variety of disinformation campaigns directed at paramilitary groups. During 1974, however, an intensive period of political activity in Britain including the NUM strike, Heath's 'who governs Britain?' election in February and a second election in October, Wallace became concerned that the raw **material** he was receiving from MI5 increasingly dealt with the financial and sexual vulnerabilities of British, especially Labour, politicians.

Wallace's evidence is just part of a broader picture that looks very like a campaign by, among others, members of the Security Service to discredit the Labour Party in general and Harold Wilson in **particular**.²⁹ Official **rubbishing** of these allegations has never been very convincing and none of the records that the British government has so far chosen to release in any way amends the picture. If nothing else, the history of these years should be a salutary lesson to any new Labour government that if it does challenge the security intelligence apparatus then it must be prepared for the possibility of similar disinformation campaigns appearing through the media outlets historically used for the dissemination of unattributable 'information'.

Operations against the NUM culminating in the 1984–5 strike were a central feature of the Security Service's operations after 1972. Then, resources began to be switched from the traditional targeting of Soviet representatives to 'domestic subversion' in the face of the growth of political and industrial struggles. Seumas Milne has recently produced a compelling account of the campaign involving the British state and private interests, notably Robert Maxwell, not only to break the strike but also to discredit Arthur Scargill. Alerted by some GCHQ employees to the fact that the three main security intelligence agencies had combined forces in a concerted effort to 'Get Scargill', Milne recounts the extensive human and technical surveillance operation mounted by MI5, including the use of

agents provocateurs, the recruitment as sources of as many as **three-quarters** of media labour correspondents, the placing of a high level informer into the NUM's Sheffield HQ – Roger Windsor, the Chief Executive, and the extensive interception by GCHQ of European banking transactions in order to advise the court sequestrators where the NUM had sent its **money**.³⁰

One problem with Milne's analysis is symptomatic of the challenge facing a future Labour government. In places the evidence in support of his account is rather thin yet, despite the seriousness of the allegations, remarkably little political fuss was made by senior members of the Labour Party at the time of the book's publication. In part this no doubt reflects the Party's embarrassment at its failure to challenge the Thatcher Government's handling of the strike, but it also reflects a lamentable lack of determination actually to ascertain the extent and propriety of the Security Service's operations against the strike. An inquiry into these operations, among others, would provide an excellent agenda for the post-election Intelligence and Security Committee established by the Intelligence Services Act 1994.

Since 1989 domestic security intelligence agencies have been at pains to point to the small proportion of their resources that are now devoted to the surveillance of 'subversives'," and there is independent evidence that certainly this is much reduced from earlier years.³² But the extremely broad definition of national security still pertaining in the UK is a potential pretext for widespread political surveillance: 'the safeguarding of the state and the community against threats to their survival or well-being.'" Outside the UK inquiries into security intelligence abuses have resulted in a number of efforts to *narrow* similarly broad national security mandates but this has been resisted in Britain. First, there has been no public inquiry; second when ministers have been invited to narrow the official definition they have declined. Douglas Hurd, for example, during the passage of the Security Service Act said that the Government did not want to exclude *anything* from the Service's mandate which might one day become a *threat*.³⁴

It is not, in fact, impossible to define this concept in such a way that it will concentrate security intelligence resources on genuine threats and reduce the risk of interference with legitimate political activities. This issue has most recently been addressed by Laurence Lustgarten and Ian Leigh who argue that, contrary to notions of the need for some 'balance' between security and rights that predominate in the security intelligence *literature*,³⁵ political and civil rights are actually a major constituent of national security. Consequently the national security of any state that fails to protect human rights is not worth defending. Therefore governments must elaborate precisely what they see as threats, respond to them propor-

tionately and with appropriate mechanisms of oversight. The core security task to which, they argue, governments must be confined, is to defend democratic practice from foreign manipulation along with the ability to defend the nation's independence and territory against military attack.³⁸

Their analysis can be criticised for resting on a somewhat idealist view of the role of law in defining areas of core state concern, for example, judges in the UK have shown themselves perfectly able simultaneously to affirm the importance of rights *in general* while denying them in individual cases," but their 'minimalist' definition of national security provides a significant critique of officialdom's preference for 'maximalism'.

Challenging the extension of domestic security

Formally, domestic security intelligence threats are enumerated as espionage, 'subversion', 'terrorism' and foreign influence. More recently, 'economic well-being' has been added to this list.³⁹ The central issue is to distinguish the genuine element of these 'threats' from that which is contrived and facilitates generalised political intelligence gathering.

From espionage to 'economic well-being'.

Espionage, we are told, has not ended with the end of the Cold War. There are some residual areas in which the traditional concern with protecting military secrets still applies, but officials are now more likely to refer to 'illegal technology transfer' and 'proliferation'. One reason for scepticism as to the security intelligence role here is that security agency action regarding 'technology transfer' will not be unambiguously determined by any legal prohibitions. Organisational interests must be considered: if an agency's primary mandate is intelligence-gathering then it may well connive at illegal technology transfers if, as a consequence of those transfers, it is receiving useful information. Thus the very utility to the SIS and Security Service of those who became the Matrix Churchill defendants was the access they gained to Iraqi factories and officials through supplying them illegally with machinery.

But more generally, 'counter-espionage' is being supplanted by the protection of 'economic well-being'. Since all states will define protection of the basic socio-economic structure as a fundamental task of governing, and in modern times governments expect their performance to be judged by the electorate largely in terms of the economy, we should not be surprised if 'national security' is viewed increasingly through the prism of economic 'well-being' but, again, there must be a challenge. The specific concern here is not whether states should seek intelligence regarding their vulnerabilities and threats faced within the global economy, but what role is to be played by domestic security agencies?

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The issue is not whether economic activities require security – clearly they do, but it is normally provided by those economic sectors themselves and the costs passed on to consumers. In the UK where neo-liberalism has been in the ascendant for the last twenty years it would be ironic if state security intelligence agencies were to enter the economic field in order to provide national firms with protection against the operations of the market system. If this were to happen these agencies would presumably find themselves opposing the agencies of precisely those countries with whom they were formerly allied during the Cold War.³⁴

The UK Security Service claims its interest is in the 'leakage of selective technology'³⁵ and the Security Service Act only mandates the Service to counter the actions of people outside Britain⁴¹ but the present economy provides a crucially different context from that of the Cold War. This was **conceptualised**, however falsely, as a two-person zero-sum game: and domestic security agencies developed their organisational policies, practices, and culture accordingly. The 'Free World' and the 'Communist bloc'⁷ competed in such a way that the 'gains' of one equalled the 'losses' of the other.

The contemporary global economy is neither two-person nor zero-sum. The longevity of capitalism is partly accounted for by the fact that it is a variable sum game, though the winnings and losses are highly unequally divided and the numbers of competing states and corporations is now such that the global economy is an n-person game. Therefore, for security intelligence agencies it follows that there will be greater difficulties in identifying 'us'. Historically, this was defined in national-state terms even as patterns of economic ownership and control became steadily transnational. Now, patterns of ownership and production are such that identifying what is a 'Canadian' 'American' or 'British' company' (in order to **advise/protect** it) will be difficult. For example, an American writer on this issue lamented the failure of the US Government to provide leadership by re-defining national security to include economic competition and the need to counter 'competitive espionage', yet noted also that 'much' of the economic espionage reported by US companies in a 1992 survey was conducted by other US companies!⁴²

Alternatively, it has been argued that defensive economic intelligence should be based more on regional rather than national **concerns**⁴³ but this barely simplifies the issue since competition within regional blocs may be as fierce as that between them. A primary reason for the development of regional trading blocs is the degree of intra-bloc trade, much of which involves companies in direct competition with each other.

Another problem with current developments is that 'us' is officially defined in **corporate** terms. Clearly, 'economic well-being' should not be seen as simply a synonym for 'corporate profitability': in the following

quote from Robert Reich any country might be substituted for 'America':

...American ownership of the corporation is profoundly less relevant to America's economic future than the skills, training, and knowledge commanded by American workers – workers who are increasingly employed within America by foreign-owned corporations. So who is us? The answer is, the American work force, the American people, but not particularly the American corporation."

From 'subversion' to 'terrorism'

Historically, security agencies within liberal capitalist states have regarded 'subversion' as synonymous with left-wing dissent – that never was justifiable in any terms other than the self-interest of the political elites themselves and maintaining this mandate perpetuates the risk of improper state surveillance of political activity. 'Subversion' in Britain is not a criminal offence and is defined so broadly as to permit the security surveillance of political activities that are neither illegal nor violent. The recent history of the equivalent provision in Canada is instructive: when the new CSIS was established in 1984, having been separated out from the RCMP, it was to operate for the first time with a statutory definition of what constituted threats to Canadian security. This included 'subversion'⁷ though, as is also the case in the UK, the actual word was not used in the statute. After a few years the new overseers of CSIS concluded that the old discredited ways of the RCMP Security Service remained essentially intact and, after a further government inquiry, the counter-subversion branch of the Service was disbanded. Over the next few years almost all its case files were closed and destroyed or sent to the public archives. Of the cases that were re-assessed relatively few were re-allocated to either counter-intelligence or counter-terrorism branches. Subsequently a parliamentary Committee conducting a five-year review of the CSIS Act concluded that the subversion section of the mandate was essentially redundant and should be repealed. The Government, however, adopted the Hurdian position of wishing to keep the provision 'just in case'".

After the defeat of the NUM strike the political violence associated with Northern Ireland became the primary threat addressed by the Security Service: in its **1993** corporate brochure MI5 said that 70% of its resources were allocated to terrorism (**44%** 'Irish and other domestic', **26%** 'International').⁴⁶ What impact the Irish ceasefire has on these figures remains to be seen but a crucial question will be: how to ensure that there is some legitimate state structure for the gathering of information as to threats of serious political violence – whether directed at political structures or particular groups within the population – while preventing 'terrorism'⁷ simply replacing 'subversion' as the pretext for the widespread surveillance of political dissidents. This tendency within security intelligence agencies has been brought about not just by the conservatism of their personnel but also by the logic of targeting and surveillance. Any

individuals who are planning illegal political violence will do so covertly and thus be harder to detect. By comparison, political activists organise and propagandise openly and thus are relatively easy to **surveill** – thus agencies develop large banks of data on the latter but frequently struggle to identify the former.”

'Foreign Influence'

'Foreign influence' is closely related to subversion and terrorism because western elites have assumed not only that domestic political conflict can only arise as a consequence of **conspiracies**²⁸ but most probably these conspiracies will be foreign-directed? Again, the left has been particularly prone to this because it has explicitly avowed the centrality of international solidarity to its struggles. This category for surveillance has been particularly pernicious because, in its most extreme form, there is no way in which an individual can 'disprove' the proposition that she is an agent of foreign influence. The only 'evidence' required for a positive **threat**-assessment is that someone takes public positions that are consistent with those of a foreign state. Typically, during the Cold War, therefore, arguing for British unilateral disarmament was 'evidence' simply because that was consistent with Soviet aims to achieve military superiority.

The bizarre and potentially damaging consequences of this 'logic' were illustrated most recently when *The Sunday Times* headlined 'KGB: Michael Foot was our agent' on the front page of its February 19, 1995 issue. The following story was based primarily on the recollections of Oleg Gordievsky, the former KGB officer who had worked for the British as a 'defector-in-place' between 1974 and 1985 when he finally defected and whose memoirs commenced their serialisation in the paper the following week. The substance of the story was that Foot, among others, had been targeted by the KGB as a potential 'agent of influence' in the 1960s because of his editorship of *Tribune*. Soviet officials, including KGB officers, with whom he met made small donations to the paper. *The Sunday Times* argued that its 'disclosures' were given such prominence because they showed how the Soviet Union had sought influence, that the British Left and communism had a 'shared philosophy' and because Foot had later become a party **leader**.²⁹ Neither of the first two reasons was remotely novel which leads to the conclusion that it was the opportunity to damage a former leader of the Labour Party that most appealed to editors and publishers of *The Sunday Times*, ignoring completely the fact that neither Foot personally nor *Tribune* had ever toed a Soviet line. The fact that these views will have coincided on occasions is the only 'support' for such a classic smear. When Foot sued for libel *The Sunday Times* retracted, offered 'sincere apologies' and paid Foot a six-figure sum in costs and damages?'

However, there remains the possibility that foreign influence may be exerted in a manner against which any state has the right to protect itself, for example, Canada's concern at the clandestine activities of foreign intelligence officers within their large ethnic communities is **understandable**.⁵² Concomitant to this, however, is the danger that security agencies alleged 'concern' with the safety of their ethnic communities actually arises from their pursuit of inquiries on behalf of the security agencies of allied states. Should these states face major political challenges then the 'concern' may actually be to **surveill** foreign sympathisers with that challenge. This certainly occurred in the FBI's investigation of the Committee in Solidarity with the People of El Salvador (CISPES) during 1983–5⁵³ and something similar may have happened also in Canada in 1995 when CSIS 'interviewed' a number of Canadian human rights workers who had been working in Chiapas, the area of the Zapatista uprising against the Mexican government – Canada's partner in **NAFTA**.⁵⁴

Therefore the issue becomes how to achieve protection without infringing on democratic liberties? At the very least, this concept must be defined more restrictively than it is at present in the UK ('the activities of agents of foreign powers') so that it is limited to covert activities. All nations use a variety of public relations techniques in order to influence each others' policies that are not appropriate concerns for security agencies, but covert funding of domestic publications or political **organisations** are.⁵⁵

From 'domestic security' to 'law enforcement'

Although not seen historically as matters of 'national security', the final collection of threats that are currently receiving increased attention from domestic security services relate to law enforcement. This is perhaps the most crucial area for current concern. The UK Security Service Act 1989 did not include a role for MI5 regarding crime, except permitting it to pass on 'collateral' information, but the Intelligence Services Act 1994 that sets out for the first time in statute the jobs of the SIS and GCHQ specifically includes 'the prevention or detection of serious crime' as a function in addition to those regarding 'national security' and 'economic **well-being**'.⁵⁷ In the US a string of cases from the 1980s onwards – Noriega, BCCI and BNL – led to considerable controversy as the organisational interests of intelligence agencies in information and of law enforcers in prosecutable cases clashed **loudly**.⁵⁸

In Canada, CSIS is treading very warily given the fact that it is barely over a decade since it was created by the removal of the Security Service from the RCMP – the federal police force, but the UK Security Service is far less reticent about colonising areas of law enforcement, despite its initial protestations to the contrary. In her Introduction to the corporate

brochure the Director General, Stella Rimington, wrote in July 1993:

... the work of the Service is strictly limited to countering activities which are assessed as threatening national security, or safeguarding the economic well-being of the United Kingdom. *There are therefore no plans for the Service to become involved in the investigation of, for example, the misuse of illegal drugs, or organised crime.*"

But by October 1995 the Security Service had successfully positioned themselves to take on an increasing role with respect to 'organised crime'. The speed of this shift, accelerated by the ceasefire in Northern Ireland, raised even sharper questions as to the future role for the Security Service while the main alternative – the National Criminal Intelligence Service set up in 1992 including police, customs and civilian analysts – suffered from under-resourcing and the unwillingness of chief constables to allow it to become operational. Thus Stella Rimington's public lecture to the **English-Speaking Union** in October 1995 offering 'the same strategic approach, the same investigative **techniques**' to counter the threat of organised crime as had been developed to deal 'with the more familiar **threats**'⁶⁰ previewed John Major's announcement to the Tory Party Conference the following week that legislation would be prepared to extend the Security Service's mandate **accordingly**.⁶¹

The ease with which a potentially underemployed Security Service has been able to occupy this turf can be explained in part by the essential similarity of security and criminal intelligence methods (discussed further below). The only real respect in which they have differed has been in targets: those of security intelligence have been explicitly political – dissidents, peace campaigners, those employing political violence – while criminal intelligence has been concentrated primarily against the provision of illegal markets – drugs, gambling, smuggling and the laundering of the proceeds of these markets. Contrary to the impression sometimes **given**,⁶² these pre-date the end of the Cold War although the extent of some has increased with the globalisation of computerised information-exchange. While some of these phenomena are capable of causing significant (if poorly quantifiable) harms to both public and private interests and there is certainly scope for **utilising** intelligence in support of law enforcement, for example, countering nuclear proliferation, the wholesale application of security intelligence methodology would be highly inappropriate. But it is not only Stella Rimington for whom 'International Organized Crime' promises to fill the void left by the collapse of 'International Communism'; Roy Godson cites US counter-espionage of the 1940s and counter-terrorism of the 1970s as 'roadmaps' for a US, indeed international, strategy against organised **crime**,⁶³ **ignoring** the fact that 'organised crime' is an endemic part of most capitalist economies (including that of the US). Following this map will certainly ensure lifetime employment for security intelligence personnel but is as likely to contain or defeat international

organised crime as it is to eliminate sin.

Meanwhile clear dangers are posed by inserting unreconstructed security intelligence agencies into the criminal justice process. The traditional 'targeting' practices of security intelligence agencies have led them inexorably towards the surveillance of dissent. 'Organised crime' is already viewed by police in essentially ethnic terms, for example, 'Italian-', 'Asian-', and, most recently, 'Russian'.⁷ Additionally the new European security architecture is dominated by official concerns with population movements and defined largely in terms of ethnicity.⁸ Consequently one particularly negative aspect of this change might be yet greater generalised surveillance of ethnic minorities.

Further, there is a clear gulf between the agencies' traditional practices and the requirements for open and fair trials. Apparently, it is the trial process that will be reconstructed in order to close the gulf, for example, the use of Public Immunity Interest certificates to prevent disclosure of prosecution evidence to the defence and witnesses appearing **anonymously**.⁹ Such practices have infamously contributed in the past to the succession of major miscarriages of justice revealed in the UK since 1989. However, are current developments – domestic security intelligence agencies supporting or supplanting the police – the only alternative?

Alternative Organisational Futures

In the UK domestic security intelligence is currently the responsibility of the Security Service and police special branches (**SB**). The former is primarily an intelligence agency and has no police powers but it may use a variety of countering techniques short of arrest. The latter is the junior partner – in the words of its 1994 Guidelines it is 'to assist the Security Service in carrying out its statutory **duty**',¹⁰ and it is to gather information with respect to those same threats as does the Security Service in addition to making 'public order assessments'. Both agencies are involved in 'security': personnel vetting is carried out in part by the Service and partly by other departments, **SB** advises on and provides personal protection for prominent people while the Service advises government on the security of buildings and information. Are both these agencies necessary?

The arguments for keeping the role of a domestic security intelligence agency distinct from that of a police force have been most systematically considered by the Canadian McDonald Commission (1977–81). Their detailed discussion is re-examined here because of its relevance, though, of course, it cannot be assumed that what suits Canada will necessarily be appropriate elsewhere. The Commission's Report explained first why it thought government needed counter-intelligence, -terrorism, and -subversion **capabilities**,⁶⁷ why it thought these functions could not be

achieved by reliance on conventional policework* and why it thought the function should be **carried** out by a separate civilian security agency rather than by a special section within the **RCMP**.⁶⁶ Generalising from the Canadian experience, it is argued that the police's gathering of information is for more specific purposes and by more restricted means than is appropriate for a government's need for security intelligence. The specific purpose is prosecution and the means of gathering information for that purpose are governed by rules of evidence and disclosure determined by judges. Given future security uncertainties, it is argued, the state requires more general information and sources should not be restricted only to those that **will** be admissible in court. Therefore, the argument continues, the kinds of people traditionally recruited into police forces and trained in a culture that emphasises obtaining relatively short-term 'results' are **ill**-equipped for the longer-term and more analytical nature of security intelligence work.

A second argument is that denying police powers to a security intelligence agency is a check on any potential abuse of power. For example, it might be argued that an agency with police powers of arrest and charge will find it easier to coerce people into providing information. In part this argument reflects the well-placed fear of a 'political police' in which the very vagueness and permissiveness of 'political crime' laws⁷⁰ adds immeasurably to the power of an agency that may arrest and detain people for 'thoughtcrimes'.

McDonald pointed to the benefit that could accrue from having a security intelligence agency, without police powers, separate from a police agency with certain residual security functions, namely that they would check and balance each other by having to co-operate on certain operations and also potentially providing information about the other's misdeeds." In 1994, addressing herself to a related question – the suggestion that the UK required a single, unified 'counter-terrorist structure', Stella Rimington argued that co-ordination and focusing of the necessary expertise would not necessarily be achieved by centralisation. Rather, she argued, the existing structure in which several government departments, the police, Customs and Excise and the Crown Prosecution Service all 'added value' without eroding their specialist skills or losing the flexibility to turn to other work, had demonstrated its **effectiveness**.⁷²

Whether the 'successes' of these arrangements outweigh the 'failures' generated through inter-organisational struggles is not known, but the general argument that more agencies, competing and co-operating, might be preferable has been recently supported also by a radical critic of the UK security regime, Richard Norton-Taylor, pointing out that the current disputes between police and **M15** over 5 may not promote efficiency:

Yet it may have one, unintended, benefit – rivalries will prevent the creation of an over-

arching national agency, with the threats to civil liberties that the history of the FBI has so clearly demonstrated in the US.⁷⁴

Perhaps the FBI is not the best example to use since in the US liberties have been as much assaulted by other federal agencies such as the DEA and its predecessors and the 'Red Squads' established by many municipal police forces.⁷⁴ However, the point is taken that one of the factors strengthening political dissent has been the simple inefficiencies of the state's attempts to **surveill** and repress it.

What are the arguments against such a separation? Organisationally it can be argued that the number of separate agencies that should be maintained with overlapping functions should be minimised. As we have seen, a problem with maintaining a separate domestic security intelligence agency is that it has an ongoing bureaucratic interest in the discovery of fresh 'security' threats. Jurisdictional disputes ('turf wars') between agencies are an indispensable feature of bureaucracy but they can be particularly intensive within the security intelligence area because of the compartmentalisation of knowledge ('need-to-know') which aggravates the reluctance to share information and co-operate with other agencies for fear of compromising valued sources. Further, having more than one agency, possibly under different regimes of ministerial control, if any, may result in some sub-contracting of sensitive operations between agencies, specifically towards those in which control and accountability are less developed.

Given organisational jealousies it might be proposed as a general rule that enforcement agencies will prefer to act on the information provided by their own intelligence 'heads'. There is some evidence, therefore, that agencies which are 'only' intelligence agencies might seek some way of acting on their intelligence, that is developing their own 'arms', while those with executive functions will seek to develop their own means of generating **intelligence**.⁷⁵

Another argument for separation is that security intelligence work requires ministerial control while policework must remain independent but ministerial control or direction of security intelligence work is a double-edged sword. While it is important to prevent security intelligence agencies from enjoying so much autonomy that they become 'independent security states',⁷⁶ they may also be mis-used for partisan purposes by the party in **power**.⁷⁷ Within the current UK security framework, neither the Security Service nor police are tasked by political authorities (as are SIS and GCHQ). Therefore, to shift the security intelligence function from the Security Service to the police would involve no great innovation constitutionally. In the UK the notion of ministerial control of police, however, is seen officially as anathema. But what does this doctrine of 'constabulary independence' actually mean? Its primary value is as political myth which

conceals the extent of the increasing central government influence over policing as manifest in its role in budgeting, regulations and Home Office circulars regarding policy. The myth has been utilised mainly as a means of rebutting the attempts of left-wing local governments in the 1980s to have greater influence over local policing policies," but its symbolic importance can also be seen in the efforts of the British government to conceal their direction of police policy with respect to the NUM strike in 1984-5.

The central core of the doctrine that should be preserved is that the prosecution of individuals should not be subject to partisan political pressures; would this be violated if security intelligence functions were to be carried out by the police? If, as is argued here, as much as possible of the security intelligence mandate should be defined in terms of the criminal law, then there is no principled objection to political control of the investigative priorities of the police. Historically the Attorney General has been given control over security-related prosecutions precisely because of their political 'sensitivity'. The rhetoric of the rule of law, however, does not permit the political direction of the criminal justice process and so, we are told, the Attorney General acts as an individual, not as a member of the government, when making decisions over prosecutions. This fiction has been exposed on a number of recent occasions in the UK as Attorneys General have acted, or have been used as, 'presentational' devices to conceal Cabinet **manipulation**,⁷⁹ for example, in the **Westland** and **Spycatcher** cases. Should the police take over the security intelligence function, however, the prospect of political manipulation of prosecutions would be no worse, or possibly a little less given the somewhat lower susceptibility of the police to partisan political pressures.

The argument here is not, in any event, for the creation of some super-agency performing all domestic security intelligence functions, but the more limited one of suggesting the removal of one agency on the grounds that its existence is neither beneficial nor necessary. Police, special branch or whatever, will still need to co-operate with other enforcement agencies such as Customs and Excise. Also, to the extent that national police intelligence units become more significant as a consequence of shifts in functions, it is important to reiterate the point that this must be conducted only within a broader context of re-structuring and democratising state structures in the **UK** so that any tendencies for such units to become 'firms within the firm' are minimised.

Conclusion: Sack the Spooks?

It has been argued that current trends towards extending the surveillance activities of a domestic security agency such as **MI5** should be resisted.

Their most extensive abuses of power have resulted from excessively vague mandates and a lack of democratic oversight. Modern states do require some means of assessing the extent of genuine threats to their security and public safety, but these should be defined in terms of the criminal law and minimalist definitions of 'national security'.

Therefore it is proposed that any new Labour government inquire into the domestic security structure with a view to abolishing the Security Service; those of its functions and personnel still being **required being** reallocated to the appropriate section of the police. The vehicle for such an inquiry could be the Intelligence and Security Committee already in place but the limited access to information enjoyed by that Committee would be a problem. Rather, a free-standing committee of inquiry would be a better vehicle for the necessary examination of precisely what threats to public security and safety, if any, are deemed to require special investigative powers and then the most appropriate organisation for the **task**.⁸¹ The current regime of control and oversight of both security intelligence and police is inadequate; consequently a simple transfer of functions from one to the other would not be helpful. For example, it can be argued that the current accountability regime for national-level police **squads** such as the Metropolitan Police special branch and the National Criminal Intelligence Service is no more transparent than that for the Security Service. It is equally important that Labour applies critical scrutiny to the plans of some chief constables for a 'British FBI'. **Any** reconstruction of the **police** and security apparatus must take place within a broader context of constitutional reform: particularly the incorporation of a bill of rights and access to information that goes beyond the cosmetics of the present 'Open Government' package in the UK.

It is assumed that the state will continue to gather foreign intelligence both by HUMINT and SIGINT. Domestic intelligence, once 'threats' come to be defined entirely in terms of the criminal-law, would be the investigative responsibility of the police and other law enforcement agencies, presumably with some continuing organisational specialisation between special branches (for explicitly 'political' threats) and other special squads for 'non-political' criminal threats such as fraud and drugs. Since threats do not conveniently fall into exclusive 'foreign' or 'domestic' categories there will of course need to be arrangements for liaison between the relevant law enforcement and foreign **intelligence** agencies. As regards covert foreign influence, for example, information as to this may be generated abroad (by a foreign intelligence agency) or domestically in which case the investigative peg would be existing laws relating to corruption.

Some have argued that applying a 'criminal **standard**' to security intelligence activities unduly restricts the state's ability to defend itself against

undemocratic **attack**.⁸¹ However, not restricting agencies in this way has historically led not to proven effectiveness against 'spies' and 'terrorists' but to the accumulation of large quantities of information about many varieties of perfectly proper political activities. Consequently limiting security intelligence surveillance to some criminal standard will actually concentrate the minds of officials on the difficult task of identifying those few who may be planning some criminal activity and/or developing information about those actions that can inform some form of countering action.

Clearly this proposal is no panacea – controlling state surveillance or 'political policing' will remain extremely difficult and contentious; Turk argued that:

... the process of intelligence-gathering always tends to flow through and around legal constraints, and to be limited only by political considerations and the available technology.⁸²

However, the role of law is not one-dimensional – certainly it is no guarantee of correct behaviour by the state but neither can it be dismissed as irrelevant to the calculations of state officials. If only for reasons of self-protection, they will prefer to act within legal parameters and therefore the first part of the process of controlling excessive state surveillance is to ensure that as far as possible it is confined to activities that are actually illegal, that is, excluding such categories as 'subversion'. This will be easier if state surveillance is the responsibility of law enforcement bodies rather than intelligence agencies lacking enforcement functions. Since the 'new threats' discovered by security agencies since the end of the Cold War are predominantly criminal – drugs, money laundering, etc. – this strengthens the argument that the police will be the better locus for security intelligence gathering.

As long as capitalism remains the dominant form of economic **organisation**, and 'economic well-being' remains of central concern to elected governments, then, other things being equal, it is inevitable that one dominant interest of state security apparatuses will continue to be those seeking to challenge the dominance of the capitalist form. Hitherto the essentially unchecked autonomy of security intelligence agencies has meant that such dissenters were the primary targets of surveillance even though their opposition took place legally and peacefully within a democratic political process. The task now is to curtail that autonomy so that only those challenges that are expressed illegally and violently come within the legitimate frame of state surveillance. It is the present contention that this is most likely to be achieved by a Labour government committed, first, to a thorough auditing of the massive democratic deficit incurred by domestic security agencies and, second, to the development of a security regime under better control and properly accountable. No Labour, or any other, government will be able to reverse the general rapid growth of security

surveillance, but by asserting some control for the first time of those most secret parts of the state machinery it can demonstrate its commitment to the progressive development of a more democratic state in the UK.

NOTES

The author gratefully acknowledges the helpful comments given on an earlier draft by Annie **Demirjian**, Ian Leigh, Richard Norton-Taylor, Leo **Panitch**, Reg Whitaker and some anonymous others.

1. For example, on the US see M. Raskin, 'Democracy versus the National Security State,' *Law and Contemporary Problems*, **40(3)**, 1976, pp.189–220; on the UK see T. Bunyan, *The History and Practice of the Political Police in Britain*, Quartet Books, London, 1977.
2. For example, D. Lyon, *The Electronic Eye: the rise of surveillance society*, Polity, Cambridge, 1994.
3. G.T. **Marx**, *Undercover: police surveillance in America*, University of California Press, Berkeley, 1988, pp.219–33.
4. L. Johnston, *The Rebirth of Private Policing*, Routledge, London, 1992, pp.71–86; also, see T. Jones & T. **Newburn**, *How Big is the Private Security Industry?*, Policy Studies Institute, London, 1994.
5. M. Foucault, 'Governmentality,' in G. **Burchell et al** (eds.) *The Foucault Effect: studies in governmentality*, Harvester Wheatsheaf, London, 1991, pp.102–3.
6. Bob Jessop makes the point that both Foucault and **Poulantzas** agree on this despite the differences in their approaches to state power: *State Theory: putting capitalist states in their place*, Polity, Cambridge, 1990, p.235.
7. A. Gamble, *The Free Economy and the Strong State: the politics of Thatcherism*, Macmillan, Basingstoke, 1988.
8. Lyon, *Electronic Eye*, pp.218–9.
9. Marx, *Undercover*, suggests that Huxley is a better guide than **Orwell** to current developments in modern capitalist states because of the pre-eminence of the 'velvet glove' over the 'iron fist', pp.231–2.
10. Lyon, *Electronic Eye*, p.217.
11. W. van den Daele, 'Scientific Evidence and the Regulation of Technical Risks: twenty years of demythologizing the experts,' in N. Stehr & R. **Ericson** (eds) *The Culture and Power of Knowledge*, de Gruyter, Berlin and New York, p.332.
12. H.S. Becker, 'Whose Side Are We On?' in Becker, *Sociological Work: Method and Substance*, Allen Lane, London, 1971, pp. 123–34.
13. R. Whitaker, 'Security and Intelligence in the Post-Cold War World,' *Socialist Register* 1992, p.113.
14. For a summary of these events see, for example, G. **Weller**, 'The CSIS Under Stress,' *Canadian Public Administration*, **31(2)**, Summer 1988, pp.279–302.
15. R. Thurlow, *The Secret State: British internal security in the twentieth century*, Blackwell, Oxford, 1994, p.43.
16. F.H. Hinsley & C.A.G. Simkins, *British Intelligence in the Second World War: security and counter-intelligence*, HMSO, London, 1990, pp.6–7, 177–8.
17. UKUSA is fully explored in **J.T.** Richelson & D. Ball, *The Ties That Bind*, Unwin Hyman, London, 2nd edition, 1990.
18. See, for example, D. **McKnight**, *Australia's Spies and their Secrets*, Allen & Unwin, St Leonards, NSW, 1994, pp.6–25.
19. For details see I. Linn, *Application Refused: employment vetting by the State*, Civil Liberties Trust, London, 1990, pp.9–10.
20. E.A. **Nadelmann**, *Cops Across Borders: the internationalization of US criminal law*

enforcement, Pennsylvania State University Press, Pennsylvania, 1993. A recent US State Department Survey found that eight American law enforcement agencies employ 1,649 people permanently assigned overseas. (CASIS Intelligence Newsletter #24, Fall 1995, University of New Brunswick, Fredericton, p.23).

21. The Major governments have proclaimed that they are embarking on 'Open Government' – the title of a White Paper published in 1993. This has resulted in some volunteering of historical files on certain security intelligence issues, eg, surveillance of the British Union of Fascists, but these releases remain solely at government discretion. There is no right to access nor any means, as in Australia, Canada and the US, to challenge the government before some independent tribunal. For discussion see R. Aldrich, 'The Waldegrave Initiative and Secret Service Archives: new materials and new policies,' *Intelligence and National Security*, 10(1) January 1995, pp.192–7.
22. These are summarised in P. Gill, *Policing Politics: security intelligence and the liberal democratic state*, Frank Cass, London, 1994, pp.20–27.
23. eg see Commission of Inquiry concerning certain activities of the RCMP, Second Report, Volume 1, *Freedom and Security Under the Law*, Minister of Supply and Services Canada, 1981, pp.445–511 (hereafter 'McDonald').
24. *The Guardian*, August 18, 1995, pp.3, 9.
25. D. Osler, 'Anti-red, and alive,' *New Statesman and Society*, February 10, 1995, p.18.
26. M. Hollingsworth & C. Tremayne, *The Economic League: the Silent McCarthyism*, NCCL, London, 1989, provides a good summary of the league's history and operations.
27. Interview in *MIS* Official Secrets broadcast on Channel 4, March 8, 1985.
28. P. Foot, *Who Framed Colin Wallace?* Pan, London, 1990, pp.41–2.
29. The clearest expositions of this are: D. Leigh, *The Wilson Plot: the intelligence services and the discrediting of a prime minister 1945–76*, Heinemann, London, 1988 and S. Dorril & R. Ramsay, *Smear! Wilson and the Secret State*, Fourth Estate, London, 1991.
30. S. Milne, *The Enemy Within: MIS, Maxwell and the Scargill Affair*, Verso, London, 1994, pp.252–85.
31. The proportion of Security Service resources allocated to 'subversion' was officially said to be 5% in 1993 (The Security Service, HMSO, London, July 1993). Stella Rimington described this as 'only a tiny fraction of what it was ten years ago.' (*Intelligence, Security and the Law*. James Smart Lecture, London, November 3, 1994).
32. Security Intelligence Review Committee, *Annual Report for 1987–88*, Minister of Supply and Services, Ottawa, 1988, pp.13–14.
33. As given by Douglas Hurd, House of Commons Debates, March 23, 1984, col.591.
34. House of Commons Debates, January 17, 1989, cols. 213–4.
35. For example, the Report of the Canadian Senate's Special Committee on the CSIS was entitled *Delicate Balance: a security intelligence service in a democratic society*, Minister of Supply and Services, Ottawa, 1983.
36. L. Lustgarten and I. Leigh, *In From the Cold: national security and parliamentary democracy*, Clarendon Press, Oxford, 1994, pp.4–26.
37. D.J. McBarnet, *Conviction: Law, the State and the Construction of Justice*, Macmillan, London, 1983, pp.154–68.
38. For instance, Security Service Act 1989, s.1.
39. Documentation regarding French targeting of US and UK corporations during 1989–91 provides the basis for a brief chapter in J. Adams, *The New Spies: exploring the frontiers of espionage*, Hutchinson, London, 1994, pp.121–6.
40. The Security Service, 1993, p.16.
41. Security Service Act, s.1(3).
42. J.T. Strong, 'Titling with Machiavelli: fighting competitive espionage in the 1990s,' *International Journal of Intelligence and Counterintelligence*, 7(2), 1994, pp.165–6.
43. S. Porteous, 'Economic Espionage: issues arising from increased-government involvement with the private sector,' *Intelligence and National Security*, 9(4), 1994,

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pp.743-4.

44. Quoted in R.M. Fort, *Economic Espionage: problems and prospects*, Consortium for the Study of Intelligence, 1993, p.9
45. See Gill, *Policing Politics*, pp.107-12 for further details.
46. *The Security Service*, HMSO, 1993, p.12.
47. E.g., Jean-Paul Brodeur, 'On Evaluating Threats to the National Security of Canada and to the Civil Rights of Canadians,' Paper for Security Intelligence Review Committee Seminar, October 1985, pp.7-9.
48. See S. Hall *et al*, *Policing the Crisis: Mugging, the State and Law and Order*, Macmillan, Basingstoke, 1978, pp.309-10.
49. See B. Porter, *Plots and Paranoia*, Unwin Hyman, London, 1989, *passim*; R. Thurlow, *The Secret State: British internal security in the twentieth century*, Blackwell, Oxford, 1994, p.396.
50. February 26, 1995, p.5.
51. *The Guardian*, July 7, 1995, p.1; July 8, 1995, p.3.
52. The Canadian Security Intelligence Review Committee has recently reviewed some of the activities of CSIS in this regard. SIRC, *Annual Report 1994-95*, Minister of Supply and Services, Ottawa, 1995, pp.17-19, 21-23.
53. G.M. Stern, *The FBI's Misguided Probe of CISPEs*, Center for National Security Studies, Washington DC, 1988, pp.2-16.
54. *Toronto Star*, April 22, 1995, A1; April 25, 1995, A3. SIRC, *Annual Report 1994-95* refers to the Review Committee's 'serious reservations' regarding CSIS' liaison arrangements with security agencies in one Latin American and one African country, 1995, p.25. It noted also that CSIS assessments of foreign agencies paid inadequate attention to human rights abuses and corruption, pp.29-31.
55. Security Service Act, 1989, s.1(2).
56. Lustgarten & Leigh, 1994, pp.408-10.
57. Intelligence Services Act, 1994, s.1(2).
58. A joint task force established by the Justice Department and CIA eventually reported in August 1994 with 23 recommendations, short of new legislation, for ways of improving the co-operation of the intelligence and law enforcement communities. Joint Task Force on Intelligence and Law Enforcement, *Report to the Attorney General and Director of Central Intelligence*, August 1994.
59. *The Security Service*, 1993, p.5.
60. 'National Security and International Understanding', London, October 4, 1995, p.13.
61. *The Guardian*, October 14, 1995, p.7.
62. For example, Stella Rimington talked of the phenomenon of 'organised crime' as being 'comparatively new'. 'National Security and International Understanding', October 4 1995, p.13.
63. R. Godson, 'The Crisis of Governance: devising strategy to counter international organized crime,' *Terrorism and Political Violence*, 6(2) Summer 1994, pp.163-77.
64. For example, see T. Bunyan (ed), *Statewatching the New Europe: a handbook on the European state*, Statewatch, London, 1993.
65. For example see C. Foley, *Northern Ireland: human rights and the peace dividend*, NCCL, London, 1995, pp.38-40. Also interview with Michael Mansfield QC, *Red Pepper*, April 1995, pp.23-4.
66. *Guidelines on Special Branch Work in Great Britain*, Home Office, London, July 1994.
67. McDonald, 1981, pp.414-7.
68. McDonald, 1981, pp.418-21.
69. McDonald, 1981, pp.753-76.
70. A.T. Turk, *Political Criminality: the defiance and defense of authority*, Sage, Beverley Hills, 1982, p.54.
71. McDonald, 1981, p.759.

72. Rimington, November 3, 1994.
73. 'The Fearful State,' *The Guardian*, March 7, 1995.
74. F. Donner, *Protectors of Privilege: Red Squads and Police Repression in Urban America*, University of California Press, Berkeley, 1990.
75. For example, Jean-Paul Brodeur accurately predicted that one consequence of the removal of the Security Service from the Canadian RCMP, while leaving it with responsibility for certain security offences, would lead to the RCMP developing its own intelligence unit. 'Criminal Justice and National Security,' in P. Hanks & J.D. McCamus, *National Security: surveillance and accountability in a democratic society*, Les Editions Yvon Blais, Cowansville, Quebec, 1989, p.66.
76. As has been argued was the case with some FBI programmes in the 1960s: W.W. Keller, *The Liberals and J. Edgar Hoover: the rise and fall of a domestic intelligence state*, Princeton UP, Princeton, 1989.
77. Gill, *Policing Politics*, pp.217–26 for detailed discussion.
78. L. Lustgarten, *The Governance of Police*, Sweet & Maxwell, 1986 provides a thorough critique of this notion of constabulary independence.
79. Gill, *Policing Politics*, pp.221–2.
80. Gill, *Policing Politics*, ch.9 discusses in more detail the issues surrounding any such inquiry.
81. K.G. Robertson, 'The Study of Intelligence in the US' in R. Godson (ed.) *Comparing Foreign Intelligence*, National Strategy Information Center, Washington DC, 1988, p.20; A. Shulsky, *Silent Warfare*, Brassey's, McLean Va, 1991, pp.152–6.
82. Turk, 1982, p.123.