Censorship in the Information Age

How the British government failed to suppress list of MI6 agents

Mike Ingram
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The speed with which a list of purported MI6 agents spread across the Internet last week confirmed the worst fears of the powers-that-be regarding the development of the Internet as a medium of mass communication.

All the established channels of state censorship proved inadequate to suppress the list of 115 names, despite the fullest co-operation between national governments, security services and traditional media outlets.

Much has been said regarding the issuing of a Defence Advisory Notice, the so-called “D-Notice”, on May 12, instructing the British media not to publicise the list or where it could be found. What was more important for the British government and security services was the self-censorship of the press in not reporting the events leading up to the publication of the list.

The response of the Labour government to the list becoming known was to insist that this was the work of former MI6 Officer Richard Tomlinson, a fact he has denied.

British intelligence had been engaged in a concerted campaign to prevent Tomlinson from using the Internet to make his grievances against his former employer known. Tomlinson set up a site with IPworldcom in Switzerland, where he posted information relating to his dismissal from MI6; a notice threatening the publication of the synopsis of his planned book on the British security services, and a threat to publish an MI6 directory giving details of MI6 officers in various countries. The only names actually carried on his site were those attached to an affidavit Tomlinson gave to French investigators of the car crash that killed Princess Diana in 1997. All of these names were already in the public domain.

On April 30 this year, within a couple of hours of the site going live, the British government obtained an injunction in Switzerland and had the site shut down. On May 4 another injunction was served against Tomlinson. He opened a mirror-site in America with Geocities, but this too was closed down on May 6, when the British government complained to the provider. Tomlinson then opened a second site with the same provider, which was closed down on May 12.

Throughout this time the press in Britain and abroad remained silent. No D-Notice had yet been issued and nothing other than self-censorship prevented them from reporting the actions of the government in shutting down Tomlinson's sites.

While attention was focused on closing down Tomlinson's site, a bigger problem was in the making. A message was being posted in thousands of Newsgroups (Internet discussion forums), drawing attention to an article published in Executive Intelligence Review (EIR) entitled “The ‘MI6 Factor' in the murder of Princess Diana”. The text of the article states, “Recently, EIR was one of several news organisations that received an unsolicited e-mail transmission, identifying senior officials of MI6, the British foreign intelligence service, including individuals who are accused of having been involved in the August 31, 1997 deaths of Princess Diana, Dodi Fayed, and Henri Paul.” The article then reproduces the “unsolicited email transmission” which contains the 115 names of MI6 agents.

The conspiracy theories of EIR are of little interest here. It is published by Lyndon LaRouche, a deranged

American right-winger and cult leader who believes that the British Royal Family are at the heart of a sinister world conspiracy. What is of interest is the speed with which the list spread, and the inability of the British government to prevent this.

In the past, little was known of agencies such as MI5 and MI6. The British government could more or less control the publication of what they considered damaging information with little protest from the media. In the period of the Cold War, with the Soviet Union as a ready-made bogeyman, the secret society of the security forces was easily justified.

By the 1990s, with the collapse of the Stalinist regimes, this justification had become somewhat threadbare. A series of former agents provided chilling details of illegal operations by the security services. With each successive revelation, attempts by the government to silence the critics proved futile.

In 1986, former MI5 officer Peter Wright published the book *Spycatcher*, which detailed "black bag" operations against the Labour government of Harold Wilson in the 1960s and 1970s.

Attempts by the British authorities to prevent publication were thwarted when the book appeared in the US, published by Viking, and smuggled copies arrived in Britain. Attempts to ban it in Australia, where Wright was living, also failed and the floodgates were opened for its distribution internationally.

More recently, Britain failed to secure the extradition from France last year of former MI5 agent David Shayler. Allegations made by Shayler included details of a bungled assassination attempt against Libyan leader Colonel Muammar Gaddafi, leading to the killing of innocent civilians. In rejecting the demand for extradition, the French court ruled, in effect, that the action by the British government against Shayler was politically motivated.

Significantly, in the case of Tomlinson, even with the collaboration of security services and governments abroad, the British authorities have been unable to prevent his voice being heard.

This has raised predictable demands for increased control of the Internet, but here they run up against a fundamental problem. The network now known as the Internet was originally developed for the US Department of Defense. The remit given to the designers of its precursor, the Arpanet as it was then known, was to develop a network of linked computers around the world that could withstand a nuclear attack. Having diligently worked to this requirement, the creators of the Arpanet, and its public successor the Internet, have created a truly formidable communications medium.

While individual web sites or discussion groups can be closed down, this in itself cannot prevent the spread of information.

It is now possible in Britain, for example, to walk into an Internet cafe, set up a web site with one of the myriad companies offering free web space, and leave no trace as to the identity of the site's author. Any injunction taken out against the provider to have the offending site removed simply means a minor inconvenience of relocating it onto yet another free host. The Usenet discussion area provides an ideal medium for making the new location known.

The new medium also raises legal questions not posed by the more traditional printed and broadcast media. There is such a thing as the right to publish information considered to be already "in the public domain". However, whether the Internet can be counted as part of the "public domain" is a grey area as yet undefined in British law.