

The statement to the International Strategy Information Center under the auspices of National Security Studies of Georgetown University and the Institute of Sino-Soviet Studies of George Washington University (reproduced on pages 122-139, was an up-date of a statement first made by James Goldsmith on January 21, 1981 to the Media Committees of the Conservative Party in the House of Commons, London. It was reproduced in NOW! magazine.

In that statement, James Goldsmith said: 'General Sejna, the high-ranking Czech intelligence defector, admitted that the campaign by the German news magazine Der Spiegel to discredit Franz Joseph Strauss was orchestrated by the KGB.' As a result, Der Spiegel sued James Goldsmith for libel in the British courts. The statement in Washington omitted the precise wording included in the original statement because the matter was still sub judice. The action was withdrawn by Der Spiegel on October 8, 1984 with the following statement being made in the High Court in London.

SPIEGEL v. NOW! MAGAZINE AUGSTEIN v. GOLDSMITH

Plaintiffs
Spiegel Verlag Rudolf
Augstein GmbH & Co KG
Rudolf Augstein

&

Defendants
Sir James Goldsmith
Cavenham
Communications Limited
Anthony Shrimley

In the High Court of Justice, Queen's Bench Division, on October 8, 1984, the following agreed statement was read out:

Mr John Wilmers QC - Counsel for the Plaintiffs

My Lord, I with my Learned friends Mr Charles Gray and Mr Andrew Monson represent the Plaintiffs who are the owners and publisher of the West German weekly magazine Der Spiegel. My Learned friends Lord Rawlinson, Mr Andrew Bateson, Mr James Price and Mr Mark Warby represent the Defendants Sir James Goldsmith, Cavenham Communications Limited and Mr Anthony Shrimley.

On the 21st day of January, 1981, Sir James Goldsmith delivered a speech to the Media Committee of the Conservative Party in the House of Commons which was subsequently published, inter alia, in NOW! magazine, edited by Anthony Shrimley.

This speech dealt with Soviet propaganda and the systematic manipulation of the Western media by certain organs of the Communist Party of the Soviet Union. Sir James went on to describe the three major organisations used for this purpose and which report to the Politburo in Moscow: the International Department headed by Boris Ponomarev; the International Information Department headed by Leonid Zamiatin and the

KGB controlled Soviet propaganda organisation called Service A which is part of the KGB's First Chief Directorate. Service A plans, coordinates and supports secret operations which are designed to back up overt Soviet propaganda.

As an example, Sir James made reference to information provided by General Jan Sejna, a former high official to the Czechoslovak government, and former Secretary of the Czechoslovak ruling party's Defence Committee, who defected in 1968. Sir James stated 'General Sejna, the high-ranking Czech intelligence defector, admitted that the campaign by the German news magazine Der Spiegel to discredit Franz Josef Strauss was orchestrated by the KGB'.

It is to this reference that the Plaintiffs have taken exception in that they felt that it implied that the magazine was under the control of the KGB, knowingly employs journalists who are Communist intelligence agents and in fact is a KGB front organisation. My clients were concerned to refute and deny any such suggestions and to ensure that their journalistic and editorial independence is not in question.

Lord Rawlinson QC - Counsel for the Defendants

Sir James' position is that in pursuance of their policies, the Soviets conduct massive and continuous propaganda campaigns both overt and covert - the former through overtly controlled Communist media throughout the world, the latter consisting of the dissemination and planting of stories, many of which are based on forgeries and deliberate falsehoods known as 'disinformation'.

The ultimate object of the campaigns is the undermining of free Western societies and political systems. In particular they aim to promote ideas, individuals and governments helpful to Soviet strategy and conversely to discredit those hostile to the interests of Communism.

In pursuance of their aims the Soviets make use of unwitting Western media. In addition to the overtly controlled communist press - the value of which is limited since the sources are publicly known - there is a major and continuous effort to plant propaganda covertly through well placed agents of influence who themselves may be either conscious or unconscious of the role that they are playing. The media thus used are not intended to realise that they are participating in KGB orchestrated campaigns.

It is Sir James' position that in pursuance of these policies, the Soviets made a conscious decision to seek to discredit the West German politician Dr Franz Josef Strauss and mounted a campaign of defamation, disinformation and provocation against him. Franz Josef Strauss was Minister of Defence in Chancellor Adenauer's government when he made a speech in the Bundestag calling for the deployment on German soil of US controlled nuclear weapons so as to counterbalance the growing Soviet threat. It is Sir James' position that against that background the Soviets decided to make use in that campaign of the fact that Der Spiegel was well known as opposing Dr Strauss' political views and, regularly published articles expressing that opposition.

In support of his case Sir James had arranged to call witnesses from this country, the USA and West Germany who would have testified as to Soviet policy in general and to the special role and organisational structure of Soviet covert propaganda. In addition Sir James would have called high level Soviet and Soviet bloc defectors, who in their former capacity as officers of the KGB or satellite intelligence services, had themselves been involved in disinformation and penetration of Western media including the recruitment of Western agents of influence, among them journalists.

They would have given evidence of a number of instances of Soviet 'active measures'. More specifically certain of these high level officials (who have since defected to the West) would have given evidence of meetings at which plans were approved to seek to discredit Dr Strauss and to use Del' Spiegel in the manner I have indicated.

Such witnesses would have testified to the fact that the vast majority of the Western media which are used do not know that they are being so used and further that an important part of the planning of such operations is to ensure that the publications remain unaware of the source of the material which is supplied to them and that most of the individuals concerned do not know that they are ultimately serving Soviet purposes.

Finally, Sir James would have called General Sejna who has sworn an affidavit confirming that he made the statements quoted by Sir James and to which the Plaintiffs have objected. It was and remains Sir James' position that many Western publications were and are unwittingly used by the Soviets in their campaigns conducted by the KGB and other Soviet

organisations. So in Sir James' view, Der Spiegel, in common with other Western publications, can themselves fairly be described as victims of KGB propaganda techniques.

I am happy to state publicly on behalf of all the Defendants, as was indicated before these proceedings began, that it was never intended by Sir James to imply that the Plaintiffs or their paper were controlled by, or cooperated, with Soviet Intelligence, or knowingly employed any journalist who was a KGB agent.

Mr John Wilmers QC - Counsel for the Plaintiffs

My Lord, in the result my clients now take the view that it is unnecessary for them to proceed any further with this action. They have of course not seen any of the Defendants' evidence, but they fully accept that broadly speaking Soviet Intelligence seeks to operate in the way stated by my Learned friend, although they themselves are not conscious of having been used in the manner mentioned by Sir James Goldsmith. My clients are conscious of the dangers to press freedom posed by Soviet covert propaganda.

I am happy to say that the parties, upon the basis of this agreed statement, have agreed that the action should be withdrawn.

In the circumstances all that remains is for me to ask your Lordship for leave to withdraw the record.

James Goldsmith's personal Declaration on the steps of the law courts:

Although the agreed Statement (quoted in full above) speaks for itself, within limits, its full public significance requires further background and comment.

The allegation that the 'Spiegel Affair' - that cause celebre of the 1960s - was orchestrated by the KGB was of course made by others before me, notably by the high-ranking Czechoslovak defector, General Jan Sejna, who was the original source, and by the American publisher, writer and television personality, William F. Buckley, Jr., in his widely syndicated column. These statements had all gone unchallenged. It was only when I repeated the charge in my speech of January 21, 1981, that Herr Rudolf Augstein, publisher of Der Spiegel, took action, by issuing a writ for defamation against myself, Cavenham Communications Limited, and Anthony Shrimmsley, at that time Editor of NOW! magazine, which had carried the full text of my speech.

Having good grounds to believe that the charge was well founded, I decided to contest the action. Over the intervening years, I sponsored a massive international research effort, designed not only to prove that the allegation was true but moreover to establish that the use of Spiegel magazine by the KGB and other arms of the Soviet State was only one among a vast number of similar examples the world over.

It was never my intention to imply that Der Spiegel was at any time aware that it was being used by the KGB. Indeed the whole point of Soviet manipulation of Western media is that the publications so used should be unaware of the source of the material fed to them. I was therefore happy to make this matter clear in the agreed Statement.

In so doing, however, I made no concessions whatever on the substance of my 1981 speech namely, the methods used by the Soviets to manipulate the Western media. Also, it should be noted that:

- the proposal that the issue should be settled out of court came from the plaintiffs, not the defendants.

- had the proposal not been made, or had it proved impossible to reach agreement on a joint Statement, we would have produced evidence to prove that a decision was indeed taken in Moscow to use Der Spiegel in 1962 as part of a campaign to discredit the then

German Defence Minister, Dr Franz Josef Strauss and thus rule out any chance that he might succeed Dr Adenauer as West Germany's Chancellor.

- we would also have produced specialists of world renown to place the particular case of the 'Spiegel Affair' in the context of the huge and continuing Soviet campaign to subvert Western societies by covert propaganda and disinformation.

What happens next? The Affidavits and research papers assembled for the trial which in the event never took place are too important to consign to what Khrushchev called 'the dustbin of history'. In due course, they will be published, with a mass of documentary supporting material, in permanent book form.

The agreed Statement of October 8, 1984 is a famous victory for the defence of the West against its main enemy, Soviet imperialism.