

Institute for Policy Research



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Corporate and police spying on activists
undermines democracy

About this research

The exposure of undercover policeman Mark Kennedy, in the environmental direct action movement, revealed how the state monitors political campaigns. The research of Dr Eveline Lubbers, University of Bath, reported in her book *'Secret Manoeuvres in the Dark'*, examines a related grave threat to our political freedoms – undercover activities by corporations. Based on exclusive access to previously confidential sources, this research shows how companies such as Nestlé, Shell and McDonald's use covert methods to gather intelligence on activist groups, counter criticism of their strategies and practices, and evade accountability. Corporate intelligence gathering has shifted from being reactive to proactive, with important implications for democracy itself. Cooperation between the government and corporate intelligence in such secret operations is a seriously neglected field of research.

Situating the research – the political and policy relevance of corporate spying on activists

Spying on activist groups by the police has received significant media coverage recently. In early 2011, Mark Kennedy was exposed as a police spy, having infiltrated environmental groups for a period of seven years. His was just the beginning of a series of public exposures; most being the result of investigations by the people involved, supported by the work of two reporters of the Guardian. The operations brought to light so far span a period of at least three decades. The apparent lack of supervision and oversight of undercover police operations has led to more than a dozen official inquiries, most of which are internal and confidential. The convictions of campaigners have been overturned, and declared unsafe because undercover police officers had withheld exculpatory evidence, and it is highly likely that further convictions will be challenged. The complaint of a group of women tricked into intimate relationships with undercover agents (with children as a result in a few cases) has been referred to a secret tribunal. Hearings in Parliament questioned the more extreme methods employed, such as the use of death certificates of children that died to provide a false identity for the spies involved, and using Parliamentary Privilege, Green MP Caroline Lucas has accused one spy of being an agent provocateur, committing arson as a member of the Animal Liberation Front.

The exposure of undercover officers and their activities raises a range of questions, only some of which are being addressed at the moment. Each of the on-going investigations focuses on a specific aspect of the issue, restricted by tomorrow's newspaper headlines, legal boundaries, Parliamentary privilege, or cultures of confidentiality. There are, however, important wider issues that have not been addressed in the current media frenzy.

While many of the activist groups spied upon campaign against TNCs such as power companies, the involvement of private spies has not been investigated. Likewise, the fundamental question of why the state would want to counter action on climate and defend vested business interests, and the implications of such for protest in a democratic society, needs to be answered.

Key findings

The research found that:

- The police spy on activists, but they are not the only ones. Large transnational corporations (TNCs) faced with political or consumer campaigns have a long history of countering criticism with dirty tricks, including: spying on activists and infiltrating their groups; using sophisticated 'divide and rule' tactics to attempt to break up coalitions of opposition to business strategies and practices; and undermining campaigns via their funders.
- Nowadays, business intelligence includes the assessment of the risk to become the target of campaigners. Publicly available information is not sufficient for this task. Inside knowledge about the working of the groups, their networks and strategies, is invaluable and achieved by spying or other covert practices.
- A corporation does not spy on its critics just to know what is going on, it does so to be prepared and to defend itself. Understanding the connection between surveillance and the gathering of intelligence on the one hand, and subsequent corporate strategy on the other, is crucial to explaining what is happening and why.
- The corporate security agencies and private spies involved in collecting and analysing activist intelligence - and in the subsequent (covert) actions - tend to see their background in the police or the secret service as a selling point and do not hesitate to use connections with former colleagues or friends. The result is an informal and mostly invisible circuit of information exchange through what used to be called the old boy network, (male and female today).
- The force of former police and intelligence staff now working for big business is a pertinent example of why labels such as 'conflict of interests' no longer suffice. Operating on both sides of the public-private revolving door, they work to further a shared agenda. Their goals, as well as the political networks involved, urgently need to be mapped out and made transparent.
- Undermining campaigners is essentially undermining democracy. The examples of corporate spying and strategising in *Secret Manoeuvres* raise concerns about the 'engineering of consent.' The case studies detail multiple means TNCs have at their disposition to manipulate public debates and to exclude the voices of their critics. Deliberative democracy requires the participation of civil society, but if activists and campaigns are sabotaged then the terms on which political and policy decisions are made is called into question.

The research presented in *Secret Manoeuvres* offers the necessary background to understand the context of spying on activists, and the secrecy surrounding the subsequent official inquiries. The case studies reveal close cooperation between police infiltration and corporate countering of campaigners.

Secret Manoeuvres is an investigation into intelligence gathering on activist groups and the covert strategy that TNCs use to undermine criticism. The case studies illustrate unwillingness among TNCs to change damaging business policies and give an indication of the lengths to which companies under attack are prepared to go to evade public protest. They point to a general intolerance for dissent, and a refusal to allow public scrutiny.

The underlying question is how such counterstrategies function in safeguarding the interests of TNCs in the context of a globalising world, and the implications for democratic accountability of business agendas and practices. Consequently, research into this aspect of corporate power needs to be situated within the wider context of globalisation, governance and democracy.

Policy implications of the research

Secret Manoeuvres addresses the worrying trend of conjunctions between the state and the corporate world, aimed at suppressing critical voices that are indispensable in democratic society. Dr Lubbers seeks to raise awareness of these little-known practices amongst activists, the responsible authorities, academics and the wider public, in order to achieve:

1) Civil society engagement

- Support civil society to challenge the issue of corporate and police spying on activists and campaigning groups:
 - engage the people subject to infiltration to empower them, and
 - help activists coping with the personal experience of betrayal by understanding it in a political context of targeted abuse and corporate strategy.
- Assist NGOs, campaigning groups and activists in understanding the reasons for infiltration, and how they can manage the threat in the most effective way.

2) Policy engagement

- Assist in preparing the right questions for proper public investigations into the wrongdoings of police and others.
- Engage in the debate on regulation of private spies, by bringing up the question: how can we police the unseen?

3) Media engagement

- Provide media with the necessary evidence and context to analyse the findings of investigative reporting.
- Address the need for academic research on other secret manoeuvres, such as:
 - detailed case studies on the current affairs of corporate spies, including independent reconstructions of the activities of the infiltrators and their supervisors; and
 - mapping of the network of police units, corporate intelligence and security personnel behind the infiltration operations.

4) Academic engagement

- Develop activist intelligence and covert corporate strategy as a field of research and build a growing collection of detailed and evidence-based case studies.
- Organise round tables to address difficulties like discovery of proof and dealing with data from confidential sources.



Methodology

Secret Manoeuvres in the Dark brings together a set of case studies examining corporate espionage. Exclusive access to previously confidential documented sources - notes taken by spies after each undercover operation, surveillance reports and communication between private intelligence agencies and their clients - provides an extraordinary insider look at the methods and routines of private spies. Each story is systematically unravelled to map the different aspects of the spying process. Detailing chronology, agents and strategy, each case is analysed as an actual intelligence operation, creating a new perspective on the events. Research also showed how the intelligence gathered is used by TNCs to counter perceived threats.

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Blog: <http://SecretManoeuvres.org> about the book and events around it, current affairs and future research.
Twitter: [@EvelineLubbers](https://twitter.com/EvelineLubbers)

More on this research:

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Lubbers, E. (ed.) (2002) *Battling big business. Countering greenwash, infiltration and other forms of corporate bullying*, Totnes: Greenbooks



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