Private Eyes and Public Order: Policing and Surveillance in the Suppression of Animal Rights Activists in Canada

Kevin Walby a & Jeffrey Monaghan b

a Department of Sociology and Anthropology, Carleton University, Ottawa, ON, Canada
b Department of Law, Carleton University, Ottawa, ON, Canada

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Private Eyes and Public Order: Policing and Surveillance in the Suppression of Animal Rights Activists in Canada

KEVIN WALBY* & JEFFREY MONAGHAN**

*Department of Sociology and Anthropology, Carleton University, Ottawa, ON, Canada, **Department of Law, Carleton University, Ottawa, ON, Canada

ABSTRACT This article examines how policing, security, and intelligence agencies have networked with private agents in a campaign targeting Stop Huntingdon Animal Cruelty (SHAC) in Canada. SHAC is a network of autonomous groups that coordinate an international campaign to disrupt the animal testing corporation, Huntingdon Life Sciences. Unlike in the USA and the UK, where SHAC groups have been targeted by a series of extraordinary legislative initiatives that are coordinated at a national level, the campaign directed at SHAC-Canada has its root in the work of private detectives. Drawing from the results of Access to Information Act requests and interviews with SHAC members, we discuss how the preliminary surveillance conducted by private detectives facilitated a multi-scalar policing effort that includes a network of municipal, provincial, national, and international police—intelligence agencies. To enrich existing typologies of social movement repression, we emphasize the role that private security plays in monitoring activists and in providing information to public police. Our research suggests that public and private agencies involved in regulation of SHAC are networked through surveillance, engaging in information sharing that casts a wider net of suppression.

KEY WORDS: Surveillance, policing, private security, animal rights, social movement repression

Stop Huntingdon Animal Cruelty (SHAC) is a group that formed in 1999 with one explicit goal: to halt the operations of the animal testing firm, Huntingdon Life Sciences (HLS). HLS is one of the world’s largest animal testing firms, performing up to 500 vivisections a day. Having thousands of active members, solid funding, and an on-the-ground presence in several Western countries, SHAC has been one of the most resourceful and effective networks in animal rights activism to date. HLS and affiliated companies have lobbied for the enactment of legislation targeting animal rights activism in the USA and the UK. While extraordinary legal sanctions have been used against SHAC elsewhere,¹ the story concerning suppression and surveillance of SHAC-Canada is markedly different.

The SHAC campaign has developed numerous creative strategies to confront HLS.² One of these strategies involves pressuring secondary and tertiary companies, such as drug providers, drug developer clients, insurers, transport firms, and equipment providers,
to drop HLS as a business partner. In Canada, SHAC targets HLS customers through a diversity of tactics, including pickets, public outreach events, fax/phone jams, and the more militant strategy of home demonstrations. ‘Home demos’ are loud, disruptive actions that occur at the home of a corporate CEO, used to bring public attention to the cruelties of animal testing. SHAC’s sidewalk actions do not involve trespassing or property destruction, so what makes the suppression of SHAC-Canada noteworthy is that its tactics are legal according to Canadian criminal law. Yet, because home demos disrupt the personal lives of the targeted corporate executives, elites have galvanized a response.

The regulatory response to SHAC-Canada has drawn upon a mixed economy of policing, including private security. We use the term private security to refer to a range of agents, including private security firms (e.g. Securicor, Securitas), as well as private detectives contracted out by individuals and corporations. With SHAC in Montréal, attempts at suppression began after complaints of Westmount elites concerning their property, but came to involve surveillance by a medical research firm security group, private detectives, the City of Westmount and their public security forces, and the Montréal police. It later involved national security and intelligence agencies who labeled SHAC members as ‘animal rights extremists.’ Global pharmaceutical corporations and business partners of HLS have been integral in efforts to counter-SHAC campaigns. Novartis and AstraZeneca are two corporations targeted by SHAC-Canada. Private detectives employed by these corporations have joined the policing network, mixing public and private agents.

This article focuses on private security related to public order policing and social movement repression. Cunningham (2004) argued that scholarship on social movement repression does not account for the multiple scales of police involved in repression. Private repression remains an understudied field (Earl, 2004). We explore how typologies of social movement repression can be enriched by incorporating what has been identified by sociologists of policing as the rise of private security agents in public order maintenance. We emphasize the role of private agents in providing information to public police and the role of surveillance in coordinating policing projects that span from the local to the national scale. If social movement scholars drew more from the sociology of policing, three changes to existing typologies of social movement repression would result. First, scholars would investigate the direction of influence between private and public agents instead of assuming that state agencies are principally involved. Municipal and state police today are highly dependent on the information produced by private security (Lippert & O’Connor, 2006). Second, scholars would focus on the means of repression, not dwelling so much on one-off coercive events but instead accounting for protracted surveillance projects carried out by public and private agents. Third, scholars would focus on the scale of repression, and how private agents act as conduits for policing and intelligence agencies to operate across conventional boundaries.

Drawing from material obtained under the Access to Information Act and from interviews with SHAC-Canada members, we examine how agents representing multiple scales of policing have converged to suppress SHAC-Canada. First, we discuss the literature on repression of social movements, placing emphasis on the role of private security. We follow Boykoff (2007b), who argued that ‘suppression’ offers a nuanced conceptualization of public and private repression. Second, we offer a note on our research method. Third, we discuss the suppression of SHAC in Montréal, detailing the involvement of private security and public police. We emphasize that private agents are not always acting at the behest of
state agencies. We also discuss how the scale of suppression shifted, coming to involve national security agencies such as the Canadian Security Intelligence Service (CSIS) and the Royal Canadian Mounted Police (RCMP). Finally, with reference to the role of private eyes in public order policing, we discuss how our case study supplements Earl’s (2003) and Boykoff’s (2007b) typologies of repression and suppression. Our aim below is to enrich these typologies by focusing on how private security agents are catalysts in the policing and repression of social movements, particularly movements that confront dominant corporate actors and/or interests.

Keeping Track of Social Movements: Repression, Public Police, and Private Eyes

What would happen to typologies of social movement repression if they incorporated what sociologists of policing have written about the role of private security agents in public order maintenance? Before answering the question, we must review some key contributions to understanding social movement repression.

The literature concerning repression of social movements has hosted numerous debates as it regards cops, courts, and corrections. Marx (1979) contends that surveillance is the chief activity that police undertake. Barkan (2006) points to how criminal prosecution depletes resources and how police surveillance practices frame evidentiary submissions. For Meyer & Staggenborg (1996), regulation of social movement groups can emerge when an activist campaign shows signs of success, as well as when the campaign’s goals threaten dominant political and economic interests. Other authors note that, despite the influence of national security agencies, local police are central to repressive responses (see Donner, 1990; Earl & Soule, 2006). de Lint & Hall (2009) have recently argued that intelligence from the national scale is increasingly used at the local scale of policing.

Though these contributions have been useful for studies of movement repression, numerous authors have called for further theoretical development. Cunningham (2003, p. 210) argued that the literature on social movement repression has been limited by a ‘predominant focus on overt policing of large public demonstrations.’ Similarly, Davenport (1995) argued that scholars interested in movement repression have mistakenly assumed that frequency of public protest is the most important factor influencing state repression. Earl (2006) and Ferree (2004) argued that the repression of social movements literature is state-centric.

Earl (2004) accounted for the role of private security. Focusing on private repression such as vigilantism, grassroots regulation, and elite-driven countermovements, Earl (2004) argued that the term ‘social control of protest’ can be used to account for the range of public and private agents involved in repression. However, in a broad sense, the literature on repression of social movements focuses too much on politics as bound by sovereign states, too much on mass movements at the expense of affinity group organizing, and too much on public police. To address these limitations, Boykoff (2007a) argues that we should conceptualize regulatory actions as suppression. In Boykoff’s typology, suppression is defined as ‘a process through which the preconditions for dissident action, mobilization, and collective organization are inhibited by either raising their costs or minimizing their benefits’ (p. 12). State agencies are one set of agencies among many, operating on a particular scale. Scale refers to how people organize social space. National, regional, and local scales are not simply imagined, but provide a space for organizing relations, and a way of organizing surveillance and suppression (Boykoff, 2007c). The concept of ‘repression’
is too close to what Snyder (1976) called ‘governmental coercion.’ Compared to ‘covert repression,’ the term ‘suppression’ highlights multi-scalar combinations of agencies that cooperate in attempts to neutralize activists.

Boykoff’s (2007a) typology involves 4 social mechanisms as well as and 10 action modes. The action modes, which include use of direct force, prosecutions, surveillance, infiltration, harassment arrests, exceptional laws, mass media framing, and more, can lead to various mechanisms of suppression such as resource depletion, stigmatization, division, and intimidation. While the use of exceptional laws has been pivotal in the policing of SHAC in other countries (such as the Serious Organized Crime and Police Act, 2005, in the UK and the Animal Enterprise Terrorism Act, 2006, in the USA), Canada has not enacted specific laws to criminalize animal rights activism. Nevertheless, suppression of SHAC-Canada does involve elements of Boykoff’s (2007a) typology such as harassment arrests and surveillance.

Below we emphasize the pivotal role played by private security agents in supplying information to local police. Private security agents often provide initial reports about activists to public police. Hoogenboom (2006) used the idea of ‘grey intelligence’ when referring to information swapped between public and private agencies. Information collected by a private security firm, which is communicated to municipal or state police, and then operationalized as intelligence, is an example of ‘grey intelligence.’ Grey intelligence practices are exemplified by CEOs in Montréal hiring private detectives to monitor SHAC activists and to pass on information to local police. Private security agents are now the largest provider of intelligence to municipal and state police in the Canadian province of Ontario (Lippert & O’Connor, 2006), a trend evident in other Canadian provinces as well.

Highlighting the role of private security in public order maintenance, we draw from the sociology of policing to expand existing explanations regarding private repression. In the sociology of policing literature, ‘policing’ is not defined as the actions of municipal or state officers, but as any organizational attempt to maintain a semblance of security. This conceptualization moves beyond definitions that pin policing on public agencies alone or that tend to focus only on the local scale. As numerous authors (Shearing & Stenning, 1983; Johnston, 1992; Wakefield, 2008) have argued, there is an increasing differentiation of ‘police’ themselves. Loader (2000, p. 323) described this process as the ‘pluralization of policing,’ where the delivery of policing, security services, and technologies are increasingly fragmented. Pluralization of policing, where public policing agencies come to cooperate with a host of private policing agents, raises issues of accountability and transparency (Loader, 2000; Newburn, 2001; Schönteich et al., 2004). A second related point is that public police cooperate with private security agents in ways that blur the line between public and private. The repression of social movements literature has tended to operate with an understanding of ‘policing’ that focuses strictly on municipal or state officers.

The array of private security agents who are increasingly involved in repression has not received due attention. As Scott & McPherson (1971, p. 267) have argued, private security agents are overlooked in social science generally, because they ‘have not operated in the full light of publicity.’ The tasks that private security agents perform are similar to those carried out by local police (Brown & Lippert, 2007), and the nexus between public police and private security is well established in many countries (Trevaskes, 2007). The line between these agencies can be thin, as private security follows various protocols
established by local police and vice versa (de Lint & Hall, 2009; Walby & Monaghan, 2010).

Sociologists of policing (Button, 2002; Lippert & O’Connor, 2006) claim that private security has increasingly assumed many of the functions of municipal and state police. Existing typologies of social movement repression need to be adjusted to place additional emphasis on how private agents are involved in public order policing. The issue is one of directionality, whereas the repression of social movements literature suggests that private security is activated through contracts and outsourcing by local police, we contend that private security is often contracted by other private agents (e.g. economic elites) and that local police are reliant on the grey intelligence that private security produces about activists.

We emphasize the instrumental role played by private agents in producing initial information reports that are communicated through networks of surveillance. Private policing informs subsequent interventions by other agencies. Our focus on this private dimension of public order maintenance combines literature on the repression of social movements with the sociology of policing to enhance existing typologies of social movement repression.

Note on Method

Several authors (see Koopmans, 1997; Davenport, 2005; Earl, 2006; Oliver, 2008) have called for context-specific, qualitative case studies to supplement broader typologies of social movement repression. As Earl (2009) notes, however, it is difficult to do research regarding policing agencies. Access is often closed off, especially since 11 September 2001. We were unsatisfied with the extent of information available in our initial web site and newspaper searches. We pursued access to information (ATI) requests, despite the numerous barriers involved in trying to access police planning documents and municipal government internal correspondence. In Canada, the Access to Information Act allows individuals to request information from public institutions that would not otherwise be made public. These requests have been used by researchers to examine national security and immigration detention (Larsen & Piché, 2009), the staging and regulation of prison and jail tours (Piché & Walby, 2010), policing of park sex by conservation officers (Walby, 2009), and militarization of rural police agencies vis-à-vis nuclear response forces (Walby & Monaghan, 2010). With these access requests, we have attempted to get at some of what Marx (1984) calls ‘dirty data’ produced behind closed doors in undercover policing. Beyond the theoretical contribution we make regarding private eyes and public order, we contribute to the development of ATI as a methodological field, with its emphasis on revealing government actions, decisions, and, in our case, relationships that public police have with private security.

Information was exempted from the results of our requests with reference to various sections of the Access to Information Act. Many reasons for exemption were predictable (e.g. personal information, ongoing lawful investigation). Some of the reasons, however, are telling. For instance, the Department of Justice exempted information using Sections 13(1)(a) and 15(1) of the Act. The former has to do with ‘information obtained in confidence from the government of a foreign state’ and the latter regards ‘international affairs and defense.’ Although the requests did not bare operational data, these references to inter-state coordination have substantiated our claims that this is an internationally
coordinated preemptive policing effort developed in response to the SHAC campaign. We also conducted interviews with activist core members of SHAC-Canada. The interviews were helpful to pinpoint what kinds of texts to request through ATI, but also shed light on how activists experience (and sometimes try to counter) surveillance and suppression.

Suppressing SHAC: Private Security in Montréal

The primary targets of SHAC-Canada campaign were CEOs from Novartis and AstraZeneca. Novartis and AstraZeneca, producers of pharmaceutical drugs, hire HLS to test their products on animals. SHAC-Canada organized several home demos at the private residences of these CEOs on Roslyn and Victoria avenues in Westmount, a wealthy municipality carved into the middle of Montréal, Québec. Westmount boasts one of the highest per capita incomes of any residential area in Canada. On 22 September 2006, Karin Marks, Mayor of Westmount, distributed a leaflet to residents of the streets where the HLS-affiliated CEOs resided. The communiqué stated as follows:

over the past few months, there have been many demonstrations on our streets ... I appreciate that this has been unsettling to many of you, based on the number of calls that have been received at my office and the local police station.8

An information session followed in which Mayor Marks, the director of Public Security of Westmount, the Station 12 Police Commandant, and the District Councilors all met with the residents of the community. The purpose of the session was to ‘share with (Westmount residents) what we know about the cause of these demonstrations and what we can (and cannot) do to prevent and/or control them’ (Westmount communiqué). The ‘and cannot’ addition refers to how protests are legally protected under the Canadian Charter of Rights and Freedoms and could not simply be dispersed because of the discomforts of wealthy locals.

The SHAC demonstrations in Westmount were alarming to many residents, who were not accustomed to public gatherings and certainly not the black-clad aesthetics of a SHAC mobilization. As an article in the Westmount Examiner noted, ‘Demonstrators mask their faces and leaders shout out through bullhorns. There have also been reports of intimidating phone calls being made to the targeted individuals and that a home was vandalized with graffiti’ (Barry, 2006). This article lamented the fact that SHAC actions were protected under the Canadian Charter and also noted that ‘the City of Westmount is currently considering what legal options can be used to restore tranquility on the streets.’ A letter to the editor in the Westmount Examiner9 summed up anxious public sentiment:

Imagine a horde of angry people running amok in front of your home, protesting a situation over which you have no control. Not only can this be very unsettling for children, but the mob mentality can be a dangerous thing – all it takes is one carelessly uttered word to set off a violent spree (Larsen, 2006).

The location of social movement repression is key in terms of the resources that can be organized against dissent (Donner, 1990). In this case, private detectives were hired by local residents to trail the activists after demonstrations. Montréal police from Station 12 and Westmount Public Security officers were put on full-time alert. Several police and
public security vehicles patrolled Roslyn and Victoria avenues when an action was suspected.

As sociologists of policing point out, private security collect information for public police and have assumed many of the public order maintenance duties of municipal and state officers (see Shearing & Stenning, 1983; Johnston, 1992; Rigakos, 2005; Lippert & O’Connor, 2006). The case of SHAC-Canada illustrates how private security agents become involved in repression processes as intelligence gatherers for public police. As mentioned, the targets of SHAC home demonstrations were the CEOs of AstraZeneca and Novartis, global pharmaceutical corporations with a close connection to HLS. In Westmount, a private security agency representing the vivisection industry was influential in suppressing SHAC. On 18 October 2006, the office of the pharmaceutical company AstraZeneca sent a fax to the director of Public Security of Westmount, Richard Blondin. The fax cover letter states that ‘as a follow up to our phone conversation in the afternoon,’ the representative of AstraZeneca had been provided information by their ‘security officer’ regarding a SHAC action planned for Halloween outside the house of the Novartis president in Westmount. The fax included a SHAC flyer discussing the Halloween action. Also on 18 October 2006, an email sent by an unidentified person was distributed to City of Westmount officials. It speaks of a ‘pharma security managers group [. . .] recently created (I’m a part of) to keep us inform[ed] on animal activists activities.’ Information about the Halloween action was gathered by the pharma security group, but information ‘that the target could be the house of the Novartis president who lives in Westmount’ came from ‘the Montreal Police department (Security Intelligence section).’ Here, we see ‘grey intelligence’ (Hoogenboom, 2006) shared between private and public policing agents. It is not only public police involved in the regulation of activists but it was also private detectives hired by Westmount residents and security clusters formed by target companies.

Davenport (2005) argued that culturally condemned tactics often generate a regulatory response. Despite their nonviolent orientation, the tactics of SHAC were not viewed as an acceptable use of public space by Westmount elites. Westmount Mayor Marks said residents were becoming distressed and police response was needed. ‘Many of these people (in Westmount) have young children,’ said Marks. The Mayor also noted that ‘Sometimes the protesters have masks and are shouting slogans’ (Morrison, 2006). Another Westmount resident said, ‘They use foul language, which deters people from taking them seriously,’ adding ‘there is a lot of noise and anger.’ Eventually, Westmount residents got their wish – several SHAC members were arrested preemptively before the commencement of a public demonstration. Municipal police were waiting for SHAC on the day of the arrests; officers were on hand when the group assembled at the Guy-Concordia metro station, although it is not certain whether the intelligence for this sting was prepared by public police or private security. The private security agency and the private detectives were not hired out by a state agency, but by the elites of Westmount, especially the pharmaceutical corporate executives, who galvanized an array of public and private agencies representing multiple scales of policing to engage in suppression of SHAC.

**The Shifting Scale of Suppression: From Home Demos to National Security Threat**

Radical groups are often linked to violence in ways that misrepresent their tactics and goals (see Scarce, 1990; Churchill, 2004). SHAC has tailored its tactics according to the letter of Canadian law, largely because of recent attacks on SHAC in the UK and the USA,
which were coordinated using an array of legal and exceptional displays of state power (see Munro, 2005; Amster, 2006; Monaghan & Walby, 2008). Despite these legal framing efforts on the part of SHAC-Canada, the surveillance project initiated by Westmount elites created an institutional relationship between the local CEOs, private security, politicians, and public police.

The efforts directed against SHAC-Canada involved many traditional information-gathering methods used by public policing agencies highlighted by Marx (1979). These include infiltration, photo and video monitoring, wire and phone taps, and background checks with international intelligence and security agencies. Montréal police knew when and where protest actions would take place, because they had infiltrated the group and had undertaken a year-long surveillance operation that included home, car, and cellphone taps, as well as stake-outs. SHAC members became aware of the surveillance project when it was introduced as evidence in a court case against them.11 Marx (1979) noted how longer-term surveillance programs are central aspects of attempts at social movement repression. Surveillance extends beyond policing of public demonstrations to bring the entire movement, including the daily activities of organizers and internal communications, into view (see also Davenport, 2005).

Overt forms of suppression that rely on harassment were components of this case. Police presence at home demos routinely included more than 50 officers (some in riot gear), police cruisers, and riot squad trucks.12 Although protest is protected under the Canadian Charter, Section 2, concerning freedom of peaceful assembly, police began to block access into Westmount, take photos of activists and film at demos, break up their actions through force (e.g. hitting activists with car doors), and trail SHAC activists home. In addition to the home demos, SHAC regularly recruited, raised funds, and distributed educational materials at tabling sessions in downtown Montréal. Police targeted the tabling sessions, depleting SHAC resources and inhibiting recruitment efforts. Although early actions included hundreds of people, the result of this intense surveillance and targeting of resources meant that SHAC-Canada was soon reduced to a small number of core members.

The criminal justice system is often utilized to initiate onerous depletion of social movement resources (see Barkan, 2006). In late November 2006, Montréal police arrested and charged 13 people with breach of the peace after a protest outside a home in Westmount, one of the dozens of protests that had taken place over a 20-month period. The police used home and car raids to seize possessions having to do with animal rights, including flyers, clothing, magazines, as well as campaign materials such as bullhorns, posters, cameras, and money. Bail conditions included banishment from a 20 square mile area of Montréal, including downtown (where most of the activists tabled) and Westmount.

As the example of banishment indicates, legal sanctions were used to suppress SHAC. Of the dozens of charges laid against SHAC members, most have been dismissed. Only two court cases continue, which target key organizers who are facing multi-year prison terms. Contributing to what Fernandez (2008) called the ‘chilling out’ of dissent, these charges have enabled police to deploy techniques of post-arrest control that have depleted resources and warranted continuation of surveillance (see also Barkan, 2006). Here, we see a slippage in the law that criminalizes SHAC-Canada members and their ostensibly ‘legal’ home demo strategies, substantiating claims that criminal law is used in social movement policing for preventative security, not only for criminal prosecution (see Ericson & Doyle, 1999).
SHAC-Canada members were routinely subjected to extra-legal interventions. One example of extra-legal intervention concerns police destruction and confiscation of SHAC tabling materials on Montréal streets and in SHAC members’ homes. Harassment arrests selectively target and criminalize group leaders for activities for which other citizens would not be arrested (Boykoff, 2007b). Without warrants, police entered homes of key figures in the group and destroyed and/or confiscated pamphlets and other educational and recruiting materials. Police continue to monitor SHAC in Montréal, handing out tickets at every tabling session that occurs and arresting activists for breach of bail conditions when they do attend animal rights rallies. When the group of SHAC-Canada activists moved to Vancouver, British Columbia, after police suppression in Montréal, this confiscation activity was continued by West Vancouver Police. As one SHAC-Canada member put it:

We thought Montréal was bad … first the Vancouver police confiscated all our material for our SHAC stall. We do tabling stalls downtown where we inform people about animal rights, gather petitions to shut down HLS and people can give us donations. [Police] seized the stall stating a bylaw. So we built a new one, which cost us $1500 … they seized it a few days later. According to our lawyers the police are infringing our freedom of speech, but police do it so we have a harder time getting money. A day later we went to do a full day of home demos like we always do and Vancouver police seized all our demo stuff (the camcorder, banners, posters, megaphones, flyers), arrested all of us and ticketed us for mischief. They said ‘this is how it’s going to be until you get out of BC!’

West Vancouver Police and the RCMP were waiting for the SHAC activists the day they arrived in Vancouver, some 3000 km from Montréal. In their operational plan for policing animal rights activism, West Vancouver Police included detailed write-ups concerning the SHAC activists likely provided by private security and public police in Montréal. These write-ups included names and addresses, close-up pictures, dates of birth, vehicle types, and details of the individual’s involvement with SHAC. These files were also organized as a slide show in PowerPoint, indicating that this information was used as a briefing material for investigators and officers.

The suppression of SHAC in Montréal was generated by local elites and was responded to by an array of private security and public policing agents. Private security provided the initial intelligence reports about the size, strategies, and location of SHAC. Yet, national security and intelligence agencies have also aligned with private security and public police to monitor SHAC in Canada. With the move of activists from Montréal to Vancouver and the development of a multi-scalar policing network, discourses of ‘extremism’ were used by state security agencies to categorize the group. Our ATI request with Canada’s national spy agency, the CSIS, procured a secret 2006 file entitled ‘Recent Incidents Related to Animal Rights and Environmental Extremism.’ The introduction states that ‘animal rights and environmental extremists […] unlike activists not prone to extremism, organize violent, direct-action campaigns or engage in illegal, often violent, acts, which range from vandalism, to arson and death threats.’ In a direct reference to SHAC, the document states ‘Montreal-region activists are motivated by international animal-rights campaigns.’ It adds that executives of pharmaceutical companies are ‘victims of noisy demonstrations at their homes’ and warns that ‘in the case of animal rights extremism, the incidents are increasingly frequent and more violent.’ CSIS document conflates public
demonstrations with illegal violence while clearly stating that the SHAC activists engaged only in noisy home demonstrations. In the USA, SHAC is often categorized with groups like the Animal Liberation Front (ALF), the Earth First! and the Earth Liberation Front (ELF) (for an example of this conflation, see Liddick, 2006). Intelligence agents draw associations between these groups because they are organized non-hierarchically and embrace tactics of public demonstration.

Our broader point is that multiple scales of policing consolidate to suppress SHAC activists. The scale of this intelligence network now spans from private eyes on the ground to the Canadian government’s national security and intelligence agencies. This CSIS document shows how animal rights activism in Canada is increasingly framed as ‘extremism.’ The involvement of CSIS in communicating intelligence concerning SHAC-Canada partially substantiates claims made by Earl (2009) that the regulation of social movements has been brought under the rubric of counterterrorism policing post 11 September 2001.14

The Discourse of Domestic Terrorism and the Role of International Intelligence

The project against SHAC started in the local site of disruption, literally on the streetfronts of the targeted CEOs. The elites of Westmount first turned to private security. Wealthy communities readily draw on private agents to address security concerns (see Isin, 2004; Brown & Lippert, 2007). Yet, the scale of suppression shifted, coming to involve numerous public police and eventually national security agencies. We discuss below how the scale of suppression targeting SHAC has shifted further to include international intelligence agencies and discourses of so-called domestic terrorism.

Discussing the violent assault on the MOVE house in Philadelphia, Wagner-Pacifici (1994) demonstrated how discourses of terrorism are used to justify repression of social movements. Only during the subsequent court cases has animal rights activism in Canada become framed as ‘Eco-Terrorism.’ When the juridical discourse of ‘Eco-Terror’ entered the picture, the SHAC-Canada group was framed as a ‘terrorist’ organization, legitimating police actions and intensive surveillance post hoc. During one court case, the prosecution showed videos of scorched cars and physical assaults, though these are tactics foreign to SHAC. The footage had no connection with any alleged actions in Montréal. Such legal fictions allow police the power of unaccountability in suppressing animal rights groups (see Amster, 2006).

Application of this domestic terrorism discourse to SHAC-Canada demonstrates that policing of groups with any conceivable link to the animal/earth liberation movements – the ALF and ELF in particular – is increasingly influenced by the Green Scare politics from the USA. Like the Red Scare during early periods of the Cold War, the term Green Scare refers to a period in the USA beginning in the 1990s, where elements of the animal and environmental justice movement have been the target of hypervigilant policing, disproportionate criminal sentencing, and several antiterror inspired legislative initiatives (see Amster, 2006). The Federal Bureau of Investigation (FBI) has been central in this project and has publicly noted an interest in widening the policing net to include Canadian activists involved with SHAC-Canada. Eco-Terrorism ‘expert’ John E. Lewis, of the FBI Counterterrorism Division, noted in 2006, at the International Conference on Public Safety: Technology and Counterterrorism, that the ‘eco-terrorist movement’ has ‘become the most active criminal extremist element in the United States.’ Lewis added, ‘by way of example, today we are working with our Canadian counterparts and authorities in England.
to monitor SHAC’s activities, both here and abroad.’ The FBI as well as CSIS has classified SHAC as an ‘extremist’ element of the animal rights movement.

International intelligence risk designations trickle back down to the local scale of policing. For instance, the FBI works with a RCMP Integrated National Security Enforcement Team (INSET), created after 11 September 2001, specifically to police, so-called ‘terrorism.’ INSET was created to coordinate antiterrorism intelligence among various agencies at the national and international levels. ATI requests from the West Vancouver Police Department indicates that Sgt Dennis Didyk, leader of the RCMP’s ‘animal rights extremism’ INSET team, was assigned to investigate SHAC in Vancouver during April 2007, immediately after the SHAC group moved to Vancouver following their banishment from Montréal. When these police greeted protestors at home demos, they knew the names of SHAC activists from the information acquired by private security or from reading CSIS or Interpol files, demonstrating the transnational aspects of policing animal rights activism (see also Sheptycki, 1997). The addition of INSET to the multiscalar policing network partially substantiates the claim of de Lint & Hall (2009) that intelligence from the national scale is now used in local policing.

Discussion: Repression, Suppression, and Surveillance of Social Movements

We have placed emphasis on the role that private security played in suppressing SHAC-Canada. Information was routinely swapped between the private pharmaceutical security group, private detectives, Westmount security, and Montréal police. Information collected by private eyes, we argue, feeds into public order policing. Information sharing leads to further networking, shifting the scale of suppression to a level of national security, which includes international intelligence agencies. Our analysis of SHAC-Canada adds to existing typologies of social movement repression by presenting a qualitative case study of unobserved suppression. This suppression was conducted by state agencies in conjunction with private agents, relying on resource depletion, arrests, and surveillance.

We have relied on the typologies provided by Earl (2003) and Boykoff (2007a) to frame our discussion, and we suggest that our analysis supplements their important typologies in four ways. First, Earl’s typology frames movements in terms of mass mobilization, whereas many groups today organize in affinity groups that do not seek broad-scale collective action or public resonance per se. SHAC is only concerned with targeted economic disruptions, using local home demos as one of its tactics. Earl et al. (2003) framed movement ‘strength’ and ‘weakness’ in terms of access to government officials and post-protest juridical routes to redress. But not all social movement groups organize in terms of government and juridical access – many reject such associations. Repression targeting groups not framed in terms of mass mobilization can be harsher, since these groups are not organized through institutionalized structures (see Gamson, 1975; Andrews, 2002). The character of the repressive actions taken against affinity groups has not yet been explored in a manner consistent with Earl’s (2003) typology.

Second, although Earl (2004) has accounted for the role of private security in repression, her broader typology (Earl, 2003) places less emphasis on the private security agents who provide intelligence information to public police. Likewise, Boykoff (2007b, p. 12) used the term ‘outsourced suppression’ to identify suppression carried out by private individuals or groups. What we emphasize is that private agents are not always
acting at the behest of state agencies. Sometimes this relation between state and private agencies is inverted. The issue is directionality: private security agents are not simply activated by state agencies. In fact, the operations of state agencies rely heavily on the grey intelligence produced by private security. In the case of SHAC-Canada, multiple agencies were involved in ways that blurred traditional dichotomies of policing (e.g. private vs. public, domestic vs. international). National and international policing and security agencies later became involved, but the integral role played by the elite community of Westmount in spurring the response to SHAC cannot be understated. We have used the language of ‘suppression’ since ‘covert repression’ continues to denote state violence, neglecting multi-scalar combinations of agencies that can blur the line between public and private.

Third, Earl (2003) did not fully explain how crucial surveillance is to the regulation of social movements. All agencies involved in the regulation of SHAC-Canada are networked through surveillance. They engage in information gathering and sharing to cast a wider net of suppression. Surveillance not only captures information but also creates policing networks. For instance, the pharmaceutical security managers group was an informant for Westmount security, who, in turn, alerted Montréal police to make disruptions, arrests, searches, and seizures. Information generated by private agents was utilized by Vancouver police and within CSIS reports. Likewise, information from other state intelligence agencies was combed into CSIS and RCMP-INSET reports, flowing down into local police practices. Intelligence moves across the state/non-state divide, up and down the multiple scales of policing.

Fourth, Earl (2003) discussed the role of national political elites and their proximity to policing and security agencies, but we place greater emphasis on the role of economic elites (such as the medical research executives targeted by SHAC) in galvanizing public police and private security responses. It is not only events involving political elites and internationally protected people that draw together policing and security agencies. It is not only heads of state that galvanize intervention into dissident groups. We also witness policing of dissent when movements threaten highly profitable enterprises and the expectations of comfort that are held by residents in an exclusive and wealthy community.

Conclusion

Suppression of SHAC-Canada has not involved mass round-ups of activists, multi-million dollar prosecutions, or political legislation tailored to the demands of the medical research lobby, as it has in the UK and the USA. In contrast, movement suppression took place through modest and coordinated efforts of policing entities to disrupt the day-to-day activities of the group. SHAC-Canada activists were thrown into jail, harassed, intimidated, and made subject to resource depletion, all for the purpose of incapacitation. For Humphrey & Stears (2006, p. 41), animal rights activism today:

is associated with a whole series of political devices that appear to hover on the boundary of acceptability. Theirs is a politics of direct action, protest, even intimidation, in an age when those devices are increasingly critically received by political leaders concerned more with order and security than with dissent and political dynamism.
In the case of SHAC-Canada, the ‘boundaries of acceptability’ have been demarcated by an affluent community with the material and political resources to galvanize private security and public police. Certainly, this is a product of SHAC’s home demo tactics. SHAC has been targeted in the anticipation of future actions (see also Oliver, 2008), which is consistent with broader trends toward precautionary policing and cooperation of public police with private security (see Button, 2003; Lippert & O’Connor, 2006). This case also illustrates that, when private surveillance and intimidation fail to induce demobilization, contentious activism can be framed as ‘terrorism’ and dragged through the courts.

We have shown that ATI requests can be used to collect the ‘dirty data’ that policing agencies produce as it regards suppression of social movements. In fact, using ATI requests as a methodological tool is a corrective to research in social movement studies, surveillance studies, critical criminology, and the sociology of policing, which continues to rely primarily on the official discourse of police as well as easily accessible media articles. Social movement scholars should test how well ATI and freedom of information requests can be used in other countries to conduct research on policing, security, intelligence, and surveillance.

We have also supplemented existing typologies of social movement repression by demonstrating how the information produced by the surveillance practices of private security and detectives becomes actionable intelligence for local police and travels further up the policing network. Private security agents are often more involved in projects of suppression than first meets the eye. Public police and private security are contiguous insofar as they use both surveillance and resource depletion as methods of incapacitating movement participants.

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Notes

1. In May 2007, Operation Achilles targeted SHAC-UK, involving several 100 police officers and the arrest of 32 SHAC members. The leadership of SHAC-UK faced numerous charges and was sentenced to multi-year prison terms. In March of 2006, six SHAC-USA members were charged under the Animal Enterprise Protection Act. The SHAC 7 activists are not only accused of having personally engaged in threatening acts but also of communications and organizing various promotions. The SHAC 7 activists faced multi-year prison terms. There have also been disproportionate sentences handed down to Eric McDavid, Rod Coronado, Jeffrey Luers, Peter Young, arrestees in ‘Operation Backfire’, among others. Operation Backfire was the largest round-up of eco-activists in American history. Repercussions of the arrests are ongoing. The FBI-led efforts include infiltrations, paid informants, and present indications of other COINTELPRO-like tactics (Churchill & Vander Wall, 1988).

2. SHAC works in small affinity groups. Although there is a small central group based in the UK that coordinates the general direction of SHAC, geographic dispersion allows SHAC groups to organize autonomously. Each affinity group contains roughly a dozen people who act together (McDonald, 2002).

3. SHAC activists arrive to home demos and yell chants like ‘puppy killers’ into megaphones. They hold posters depicting dead animals ripped open by vivisection. SHAC activists wear ski masks to remain anonymous and also to symbolize the executive’s lack of accountability.

4. Goldstein’s (1975) classic definition of repression focuses only on state violence and ‘government action.’

5. Crafted at the behest of the well-funded animal research lobby, the Animal Enterprise Terrorism Act (AETA) was signed into law by President Bush on 27 November 2006. Like the Patriot Act, the AETA expands pre-emptive criminal law prohibitions against activities deemed suspicious by enforcement agencies. Section A
of this legislation explicitly targets activities against any person or business with any ‘connection to an animal enterprise.’

6. Originally, we requested information from the following federal departments: Canada Border Services Agency; Canadian Security Intelligence Service; Department of Justice Canada; Foreign Affairs and International Trade; Royal Canadian Mounted Police; and Public Safety and Emergency Preparedness Canada. When we realized that the policing of SHAC Montreal had more to do with the City of Westmount, we submitted a request to the City of Westmount in English and French. We filed similar requests with Montreal and West Vancouver Police (when SHAC was banned from Montreal they moved to Vancouver). We include below the request numbers for each request; using these request numbers, researchers can obtain the same information we did.

7. Department of Justice material was produced through request #A-2007-00089, received 17 August 2007.

8. All materials concerning the City of Westmount and Montreal police were produced through request #602-01-2007-047, received 24 September 2007. In a separate request to Montreal police, #07-2408, all information was withheld according to the ongoing investigation clause.

9. Marx’s (1979) comment creation of an unfavorable public image as repression does not apply in the case of SHAC-Canada, since the goal of the group is to operate surreptitiously. While there was coverage in the Westmount Examiner, there was neither mass media coverage nor SHAC-Canada pursuing a media messaging campaign. The media are not a factor with this case or with many other examples of affinity group repression because neither the activists nor the police sought a media campaign to bolster their case.

10. Another connection between surveillance and private participation in public order policing has to do with ATI. Part way through our research, the City of Westmont hired a lawyer from a large private firm to take over as City Clerk and become the Access to Information Coordinator. Soon after, all sources of information about the case dried up (for a comparable case in the USA, see Earl, 2009).

11. At one trial, the prosecution used a 600-page document produced by Montreal police. The document reports in a detailed manner the comings and goings of SHAC members as chronicled by Montreal police. Within these police files, there is also data provided from private detectives hired by Westmount residents.

12. SHAC activists have attempted to counter police surveillance. At home demos, some members bring recording devices to capture police abuses in ways previously referred to as ‘countersurveillance’ (see Huey et al., 2006).

13. All materials from CSIS were produced through request #117-2007-32, received 24 September 2007.

14. A whole array of activities from nonviolent demonstrations to labor organizing has been subject to counterterrorism policing in the past several years, though this is not entirely new. Canadian scholars have provided excellent accounts of government surveillance campaigns as it regards the queer liberation movement (see Kinsman & Gentile, 2009) and socialist organizations during the Cold War (see McKay, 2005).

15. Material on the Vancouver Police was produced through request #07-2056A, received 3 December 2007.

16. Davenport (2007) argued that most literature on social movement repression has tended to portray movements as having a national orientation or a mass mobilization objective.

References


Kevin Walby is Postdoctoral fellow, Centre of Criminology, University of Toronto and Assistant Professor, Department of Sociology, University of Victoria (as of 1 July 2011). Peer reviewed articles include *Antipode* (2011, with R. Lippert), *International Sociology* (2011, with S. Hier), *Punishment & Society* (2011, with J. Piché), *Qualitative Research* (2010), the *British Journal of Criminology* (2010, with J. Piché), and *Criminology and Criminal Justice* (2010, with N. Carrier). He is co-editor of *Emotions Matter* with A. Hunt

**Jeffrey Monaghan** is an MA candidate in the Department of Law at Carleton University. His research interests include social movement studies, the sociology of policing, and the sociology of law. He has published in the *Canadian Journal of Criminology and Criminal Justice* (2010, with K. Walby) as well as *Upping the Anti* (2008, with K. Walby). He is a member of The Exile Infoshop collective and Books2Prisoners Ottawa.