

When cops “go native”

policing revolution through sexual infiltration and
panopticonism

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This article argues that the use of sexual infiltration by police and criminal collaborators represents a strategic deployment of surveillance technology by the state with the aim of creating Foucault's "docile bodies" through the development of totalising omnipresence. The insertion of police into the private sphere of activists' sexual relationships - a site presumed to be outside of state gaze - serves to not only disrupt the target communities but also to reverberate throughout social networks and create inactivity. By exposing informants from within one's own "family", the state is able to collect intelligence, spread insecurity and display totalising disciplinary power to the social movement under observation.

Keywords: policing; surveillance; social movements; disciplinary power; panopticon

Introduction

Following the 9/11 attacks, policing strategies experienced a shift in the nature of their “defensive” operations (Hoffman [2002]; Scobell [2004]) aimed at uncovering, infiltrating, disrupting and prosecuting collectivities organising for political dissent. Most apparently this can be seen in the US wherein the post-9/11 security environment dealt with the prevention of acts of terrorism as a matter of national security not policing. Within this framing shift, politically-motivated actors witnessed a labelling transference where criminals acting against the state and economy became terrorists. The rhetoric of terrorism adopted post-9/11 allowed the US a variety of liberties such as the passage of the USA PATRIOT Act, the establishment of the Department of Homeland Security and Transportation Security Administration, and the broadened powers of pre-existing agencies including the Federal Bureau of Investigations (FBI) and National Security Agency (NSA). While such a history is key in understanding the development of counterterrorism policy in the years following the millennium, the targeting of radical social movements through clandestine methods has far older roots. Following the termination of the FBI’s infamous Counter Intelligence Program (COINTELPRO) of the 1950-1970s (Zinn [1995]; Churchill and Wall [2002]; Price [2004]; Boykoff [2007]; Williams [2007]), an institutional language shift occurred with radical dissidents such as the Black Panther Party no longer termed “agitators” or “extremists” and instead labelled “terrorists”, “guerillas” and “insurgents” (Churchill and Wall [2002], 306) within a post-policing, national security framework. This is not to argue that prior to 9/11, the infiltration of revolutionary politics was not central. In 1978, British Home Secretary Merlyn Rees stated that the aims of the police’s Special Branch - the entity that would later deploy sexual infiltrators - was to monitor “those who ... cause problems for the state” (Evans and Lewis[2013a], 22).

The following discussion will examine the roles played by police infiltrators who utilise sexuality as a mode of social network entry and sustained involvement. What explains the frequency of sexual relationships between undercover police agents and activist communities? What function does the deployment of such infiltrators serve in the observation and disruption of social movements built around networks of voluntary association and trust?

The role of undercover policing within a counterterrorism framework has recently been the topic of debate between scholars (Spalek and O’Rawe [2014]) and has included carefully contended, defensive argumentation from one former-officer-turned-scholar (Lambert [2014]) finding himself at the centre of the sexual infiltration debate. Spalek and O’Rawe ([2014]) as well as Lambert ([2014]) discuss the role of community trust

in counterterrorist-styled policing, and accordingly, the proceeding contribution seeks to examine the disciplinary function of undercover efforts anchored in sexual misrepresentation, and is precisely concerned with issues of “trust, credibility [and] legitimacy” (Spalek and O’Rawe [2014]). The case histories presented herein share a number of key characteristics. Chiefly, they illustrate targeting of leftists through counterterrorism strategies traditionally reserved for the investigation of violence-prone groups. Since the 1970s, the focus of many of these infiltrations - especially in Britain - was the animal rights movement. The chief target of these investigations, the Animal Liberation Front, has never killed a single person (Taylor [1998], 212; Leader and Probst [2003], 44; Borum and Tilby [2005], 3, 8), despite carrying out nearly 30,000 acts of property destruction since 1972 (Loadenthal [2010]). Of these attacks, 98% constitute misdemeanour acts of vandalism, sabotage, arson and/or the release of captive animals (Loadenthal [2010], 90-91).

What is unique about these incidents is that despite avoiding injuries and targeting property, they are investigated and prosecuted as acts of domestic terrorism. The frequency of these attacks, combined with their revolutionary politic, have earned them the attention of security forces, and within the US and UK, these movements have been a prime law enforcement target for decades. The case histories discussed herein (e.g., anarchist/animal liberationist/radical environmental) share not only a politically liberatory framework, but also tactical and strategic methods employing vandalism, sabotage and arson. While movements of the political right (e.g., anti-abortion, white supremacy/neo- Nazi, anti-immigration and militia/sovereign citizen) have also experienced police infiltration, the growing case history of sexual infiltration seems to have occurred more acutely elsewhere. In the flood of UK infiltration cases made public in 2011, all of the police agents exposed were targeting animal rights, environmental and/or otherwise leftist movements.

The dispatching of undercover police into leftist movements has carried with it a growing dossier of aggrieved individuals. While some have argued that sexual contact between undercover officers and activists occurred incidentally, it is equally imaginable that it was an intentional strategy adopted by police to manipulate trust. According to one activist organising amongst a targeted group: “A key part of [the] infiltration technique was to be chasing after women. By being in relationships with these women they gained a level of trust within the wider group, because of those people being trusted” (BBC [2013]). The expectedness of such sexual inroads has even made its way into popular media, including the recent Hollywood thriller, *The East* (Batmanglij [2013]), which follows a female undercover officer’s investigation of an “eco-terrorist” cell. In the film, when the protagonist is given the choice to engage in group sex with her subjects, her moral conflict is framed as a matter of sexual disloyalty to her boyfriend, not the unethical nature of gaining group trust through entering this private sphere. Given the increasing use and public awareness of strategies of sexual infiltration, this article seeks to explore the deployment of such techniques as efforts to create Foucault’s

“docile bodies” through the production of an expectation of covert surveillance, and its ramifications upon trust between activists.

From monarchical to panopticonal power

In attempting to develop a framework for analysing the strategy of infiltration for the purposes of “counter-terrorism”, this article turns to the theoretical contributions of Michel Foucault. Because of the structuring of leftist social movements - decentralised, horizontal networks of voluntary association - counterterrorism strategies based on destabilising trust and social networks are especially destructive because of the open, voluntary and inclusive nature of the left’s efforts. Such policing methods rely on activists’ awareness; in other words, the acknowledged regularity of infiltration serves to discourage illegal political activity by reminding activists of the potential for exposure. The deployment of undercover police, informants, provocateurs and other clandestine, activist-appearing agents constitute a disciplinary power encouraging a placid populace of self-regulating, inactive individuals. In his discussion of the fostering of collaborating agents, Foucault notes:

The political use of delinquents - as informers or agent provocateurs - was a fact well before the nineteenth century [and could] if necessary [become] a sort of parallel army... [a] mass of reserve labour constituted by the delinquents: a clandestine police force and standby army at the disposal of the state. (1977, 280)

Foucault also argued that such a “parallel army of delinquents” can serve to create a totalising venue of surveillance:

Delinquency, with the secret agents that it procures, but also with the generalized policing that it authorizes, constitutes a means of perpetual surveillance of the population: an apparatus that makes it possible to supervise, through the delinquents themselves, the whole social field. (1977, 281)

This sort of omnipresence is achieved when activists begin to seek out informants and clandestine observers not only in plain-clothes officers, but also in their friends, lovers and spouses.

One key way in which policing serves to chill dissent is through the perpetuation of an ideology of total surveillance.¹ This is performed in a number of ways such as boundless electronic eavesdropping, or to borrow from George Orwell, the prosecution of “thoughtcrime” or “precrime” - to borrow language from Philip K. Dick’s “The Minority Report”. In one such example, 24-year-old anarchist Sebastian Senakiewicz

¹ According to a recent study (PEN America [2013]), nearly 25% of writers surveyed avoided discussing certain topics due to presumed NSA surveillance.

was arrested and convicted of one felony count of making a terrorist threat (Lennard [2012]). What was Senakiewicz's crime? While in a bar, an undercover officer heard Senakiewicz falsely claim to possess an explosive device to be used in disrupting the 2012 Chicago NATO summit. After authorities raided Senakiewicz's home and found no explosive materials (or evidence of intent to acquire), it was discovered that the activist's "claim" to have hidden a bomb inside a Harry Potter book was inebriated bragging at best. With the defendant's successful prosecution, activists came to witness the omnipresence of state surveillance.

The deployment of informants and police spies is certainly not a new or novel feature. What appears to be relatively unique about the contemporary deployment of infiltrators - many of whom would form sexual relationships with target communities - is that agents were dispatched with the intention of long-term missions, living as activists within their communities. Rather than return to the station after their shift was over, police lived and worked within the communities they were sent to monitor. Investigations maintained their usage of overt, heavy-handed tactics for repression and simultaneously deployed clandestine methods aimed at creating a disciplinary society through maintaining a docile, selfregulating populace. In this duality, the heavy-handed nature of federal grand juries, Joint Terrorism Task Forces, militarised police raids and malicious legislation and judicial prosecution occupy what Foucault terms monarchical² power.

The use of monarchical power includes the extremely public projection of juridical violence (Foucault [1977], 130) as the governed are taught to link a crime to a punishment. It is a top-down deployment focused on enacting pain towards the physicality of the body. As Foucault writes:

Monarchical [...] punishment is a ceremonial of sovereignty; it uses ritual marks of the vengeance that it applies to the body of the condemned man; and it deploys before the eyes of the spectators an effect of terror [...] the physical presence of the sovereign and of his power. (1977, 130)

Such monarchical power can be seen in police raids and the physicality of arrest, detainment, trial and incarceration. In the venue of the police gaze, the courtroom and the prison, the offending body is disciplined and held up as an example to future, would- be dissidents. In this logic, punishment is performed in the utmost public form - through highly public investigations/arrests/trials, FBI "most wanted" listings, etc. - in order to provide a disincentive for others to rebel and act in a manner counter to the established order. The ultimate goal through such a manner of disciplining is that when an individual imagines a future crime (or otherwise anti-social behaviour), they have already internalised the ideology of punishment (Foucault [1977], 104) and therefore

² This is sometimes termed "sovereign" power yet Foucault often utilises the term "monarchical" in reference to power (see for example 1977, 80, 81, 88, 130, 215, 217, 225). Within Foucault's description, "monarchical" is "one of the three ways of organizing power to punish" (1977, 130), best exemplified by the guillotine of the late eighteenth century, the public execution of criminals by the monarch/sovereign.

fail to act. With ordered logic, the breach of law is rapidly followed by punishment, linking the two (Foucault [1977], 110) in subsequent offences and for future offenders.

Foucault (1977, 113) writes that such a predictable punishment will become part of “popular memory” and “reproduce in rumor the austere discourse of the law”. Drawing from Cesare Beccaria’s 1764 text “On Crimes and Punishments”, Foucault elaborates:

The ideal punishment would be transparent to the crime that it punishes; thus, for him who contemplates it, it will be infallibly the sign of the crime that it punishes; for him who dreams of the crime, the idea of the offence will be enough to arouse the sign of the punishment [...] the power that punishes is hidden. (1977, 104-105)

In this perfectly established disciplinary power, the perpetrator registers the violent consequence (e.g., arrest, incarceration and assault) simultaneous to the commission of the crime. Such disciplinary power is enacted successfully when an activist is dissuaded from engaging in acts of illegality out of fear of physical pain or of being marked with the public stigma of the terrorist label and its subsequent violence. In the post-9/11 environment, this process can best be seen through the usage of overt, easily interpretable acts of repression designed to spread fear and uncertainty throughout a target activist population.

In Foucault’s (1977) historicising of the development of forms of power he points out that while monarchical power serves to discipline the body, its public necessity decreases as new forms of “panopticonism” emerge and “the necessarily spectacular manifestations of power, were extinguished one by one in the daily exercise of surveillance, in a panopticonism in which the vigilance of intersecting gazes was soon to render [monarchical power] useless” (217). Such a shift occurred when it was deemed more efficient to surveil and discourage than mark the body via punishment. This shifting nature of power allows the sovereign to remove themselves from the centrality of the punishment, and instead rely on bureaucracy and abstraction.

The transition from the public execution, with its spectacular rituals, its art mingled with the ceremony of pain, to the penalties of prisons buried in architectural masses and guarded by the secrecy of administrations [...] is the transition from one punishing to another [...] a technical mutation. (Foucault [1977], 257)

Thus, the visceral violence of the monarch is deployed prior to more subterranean, clandestine methods designed to encourage self-policing. In separating out the forms of power, that of the monarch can be seen as top-down, centrally hierarchical and highly visible, while forms of power that proceed were bottom-up, dispersed and invisibly operating within life’s micro practices.

Foucault (1991, 2010, 2011b, 2011a) later argues, in his discussions of governmentality, that the development of this newly systematised power encourages “omnipresent government, a government which nothing escapes. manag[ing] civil society, the nation, society” (2010, 296). Governmentality speaks of the administrative power of the police, yet for Foucault, police are far more than simply the armed enforcers of law (Lemke [2002]) and comprise “all those measures that are directed towards state and citizen well being, from census taking to health policy to security to education” (May [2006], 154).

Within a Foucaultian genealogical chronology, *governmentality* - as a method of control and management - can be understood as a third form of power, growing first from that of the monarch, then onwards towards the panopticon. While monarchical power creates public spectacle, and panopticonal surveillance fosters docile self-regulating individuals, *governmentality* aims at a totalising form of control that reproduces citizens.³

³ This point is expanded upon by anthropologist Jennifer Grubbs (2011a, Grubbs and Loadenthal[2011b], 2011c, 2011d) in a series of talks co-presented and developed in conjunction this author.

“Anna”, Marie and Briana

However the disciplinary power focused upon oppositional social movements also relies on the rupturing of social bounds and the invasion of spaces presumed to be beyond state surveillance. There have been numerous cases of police-sponsored infiltration of activist movements and friendship circles. In these investigations, an effective method of generating actionable intelligence has been the exploitation of the social bond that accompanies sexual contact. In the 2007 prosecution of American environmental activist Eric McDavid, “Anna” - a pseudonym for a FBI informant¹ who monitored McDavid for 18 months - provided much of the evidence. McDavid, in collaboration with Lauren Weiner, Zachary Jenson and “Anna” conspired to sabotage environmentally-themed targets near Folsom, California.

Consistent throughout descriptions of McDavid and “Anna’s” relationship is the contention that she sexually manipulated the young activist, wearing recording devices in private venues and exploiting her target’s fondness for her (Van Bergen [2006]; Williams [2011], 4-5). She adopted unconventional methods of “flirting” to appeal to McDavid’s activist, subcultural norms (Todd [2008], 272). According to one interviewer, “[Anna] was aware of her effect on [McDavid]” and adopted an “asexual persona”, concluding that “it was partly her off-limits identity that continued to fuel McDavid’s interest” (Todd [2008], 272). McDavid described “Anna” as his “soul twin”, stating that he had changed due to her influence and perceived desires, describing his transformation as an attempt to “please” the female spy (Todd [2008], 272). McDavid emailed “Anna” declaring: “You’re never far from my thoughts or heart [...] I can still remember your voice, your smile, and that last embrace [...] Don’t mean to trip you out. It’s just the way I feel, and it feels good to get it out” (Todd [2008], 323). When “Anna” noted McDavid’s growing infatuation to her FBI handlers she was given a psychological manual and urged to remind him “[there was] time for romance later” (Todd [2008], 323).

McDavid’s lawyer, Mark Reichel, claims that “Anna” was a provocateur (Williams [2011], 5-7), describing her behaviour as “always pushing McDavid to do something criminal, taught the three how to make the bombs, supervised their activities, and repeatedly threatened to leave them if they didn’t start doing ‘something’” (Van Bergen [2006]). Reichel reviewed transcripts of “Anna’s” recorded conversations with McDavid after she was identified as a “confidential source” and concluded that “Anna’s forte [was] identifying ‘radical’ young men and women and ‘getting them’ to fall in love

¹ “Anna” acted as an informant for the FBI but unlike other informants, she was not coerced to do so after being linked to criminal activity. “Anna” offered her services to law enforcement on her own volition and yet while the FBI paid her, she was not an FBI agent.

with her” (Van Bergen [2006]). According to McDavid’s mother, her son reported that he was “in love” and dating two women (Todd [2008], 272), one of which being “Anna” - and was having trouble deciding between the two.

“Anna” played necessary logistical roles in McDavid’s cell, including purchasing materials with FBI funds and providing instructions to construct incendiary devices. It would be the purchasing of these materials that would lead to McDavid’s conviction despite “Anna’s” role in the pre-operational conspiracy. “Anna” arranged for the cell to carryout planning activities in a pre-wired and surveilled cabin (Van Bergen [2006]; Walsh [2007], 323; Todd [2008]) operated by the FBI. “Anna” was paid more than \$65,000 for her work (Walsh [2007]), and while McDavid’s co-defendants arranged cooperating plea deals, in deciding to not act as a state informant, McDavid was sentenced to nearly 20 years in prison.

Infiltrators that become the love interests of their subjects are a powerful representation of Panopticonal disciplinary power. While “Anna’s” intelligence has been reportedly used in 12 other “anarchist cases” (Van Bergen [2006]), her presence within the larger interactivist oral history is incalculably more powerful. Amongst anarchist, animal rights and environmental movements, Anna’s exposure led to division, distrust, “snitchjacketing”² and a host of other expected behaviours that mirror COINTELPRO activities (Boykoff [2007], 46). At the heart of this exploration is the result of this distrust and its effects on the selection of sexual partnerships and voluntary participation in political networks.

The “Anna”-McDavid case is utilised to argue that the use of sexual inroads into activist communities represents an intentional, disciplinary strategy akin to the panopticon. The collection of evidence by a sexual partner is exemplary of the panopticon, reaching invasively forward into the private sphere of social life. Prior to Foucault’s critical reading of the concept, Jeremy Bentham described the disciplinary logic and effects of the panopticon in the following terms:

The more constantly the persons to be inspected are under the eyes of the persons who should inspect them, the more perfectly will the purpose of the establishment have been attained. Ideal perfection [...] would require that each person should actually be in that predicament during every instant of time. This being impossible, the next thing wished for is, that, at every instant, seeing reason to believe as much, and not being able to satisfy himself to the contrary. (2011, 14)

Bentham’s logic posits that the more frequently an individual is surveilled - or the more often they believe themselves to be - the more likely they are to behave to the “purpose of the establishment”. Ideally, such a totalising surveillance would be constant, but since that is likely impossible, individuals perceive themselves to be under

² “Snitchjacketing”/“badjacketing” is the practice of intentionally generating suspicions among activists that certain individuals are undercover police or informants (Boykoff [2007], 116-120). This is used to disrupt social movements by creating distrust and internal conflict. This technique is a cornerstone of counter-revolutionary campaigns, and has been documented (Churchill and Wall [2002]) throughout the FBI’s COINTELPRO campaign 1956-1971.

constant surveillance yet cannot prove otherwise. This is the functional result of sexual infiltrators within social movements. To again borrow from Orwell, the presumption of surveillance provides incredible power as “there was of course no way of knowing whether you were being watched at any given moment [...] It was conceivable that they watched everybody all the time” (1983, 6).

In a telling example from 2009 of sexual infiltration as a panopticon technique, Marie Mason was convicted on 13 criminal counts and sentenced to 22 years in prison for crimes she committed in 1999-2000. During this time, Mason, along with her husband Frank Ambrose, carried out a series of attacks including two arsons in Michigan and the spiking of trees in Indiana. In 2007, Ambrose began cooperating with police after incriminating evidence was found in a dumpster linking him to the attacks (Royal [2012]). As a cooperating informant, Ambrose recorded 178 conversations between himself and activists - including his wife Marie Mason - over a one-year period (White [2008]). Ambrose divorced Mason on the day of her arrest. Because of his prosecutorial cooperation (also aiding in the prosecution of Jesse Waters), ex-wife Mason received 22 years while Ambrose received less than six (White [2012]). Revealingly, according to court documents Ambrose is linked to 13 attacks causing \$4,139,536 in damages (US District Court Western District MI [2012]), yet is only charged with one count of “conspiracy to commit arson”.

The Mason-Ambrose case, while shocking, is not unique. Similar deals have been struck with other “eco-terrorist” defendants such as Briana Waters, who in 2001 participated in an arson alongside her boyfriend Justin Solondz and three other individuals. After law enforcement identified the defendants, Waters pled not guilty and Solondz fled the country (Levin [2009]). In 2011, Solondz was extradited to the US (Carter [2011]) and Waters agreed to cooperate by pleading guilty (Egelko [2011]) and providing information in exchange for resentencing (US District Court Western District Tacoma, WA [2011], 7-8). It is reasonable to assume that Waters was granted privileged, candid access to Solondz because of their relationship status (Shapiro [2012]) - described in court documents as “on- again-off-again boyfriend” (US District Court Western District Tacoma, WA [2012], 2-3) - during the time the arsons were committed. Solondz allegedly had a sexual relationship with a second co-conspirator, Lacey Phillabaum, who was called an “unprincipled slut” (Shapiro [2012]) by Water’s attorney, further highlighting the role played by sexually intimate trust and betrayal in the cultivation of cooperating defendants.

Exposing British undercover officers¹

Through examining cases recently exposed in the UK, one can positively state that the use of sexual angles by undercover police is alarmingly common. While it remains a matter of conjecture whether McDavid's attraction to "Anna" led him to act in overly eager ways, when government agents date, have sexual contact, children and marriages with activists, the role of sex in the production of trust is unavoidable. In 2011, British press became aware of several undercover police agents² who were exposed after infiltrating protest movements throughout four decades. Of the seven undercover officers initially exposed, five were found to have had sexual relationships with women through misrepresentation (Evans and Lewis[2011g], 2011h). Subsequent investigation exposed 10 officers, nine of which had sexual relationships with activists (Evans and Lewis[2013a], 322). According to undercover officer Peter Black,³ involved in infiltrating activist circles in the 1990s,

sex was widely used as a technique to blend in and gather intelligence [... and] there was an informal code in the unit that the spies should not fall in love with the women - or allow the women to fall in love with them. (Evans and Lewis[2011g], 2011h)

Black even referred to police spies having sexual intercourse with activists as "part of their cover" (Evans and Lewis[2011e]). According to information provided by exposed spy Mark Kennedy, to his knowledge, he was one of "a dozen" police infiltrators (each costing £250,000) dispatched to spy on leftist protestors through the National Public Order Intelligence Unit (Evans and Lewis[2013a], 6). In October 2011, after one officer's sexual exploits were made public, The Guardian wrote:

So far, seven undercover police officers who infiltrated political groups have been exposed - and most [5 out of 7] have admitted or have been accused of sleeping with activists they were spying on. They have faced claims that they did so to glean intel-

¹ Discussion of specific individuals is derived from public source information (e.g., journalistic accounts, government documents) and is subject to pending legal action.

² It is important throughout to maintain the distinction between informants/cooperators - generated from the civilian realm, often activists linked to criminal activity - and undercover police who are officers misrepresenting themselves. This article argues that while these two modes of clandestine intelligence gathering are distinct, they operated within the same disciplinary logic and produce similar disruptions within the activist social networks.

³ Also known as Peter Francis (thought to be his real name), Officer A, Peter Daley and Pete Black.

ligence about the activists and the protests they were organising. A growing number of women say they have suffered terrible trauma and damage from the betrayal of having a relationship with a person they later found out was a fake. Police chiefs claim that undercover officers are forbidden from having sex with their targets “under any circumstances” as it is “unacceptable and unprofessional”. (Evans and Lewis[2011h])

Subsequent coverage established, asserted and reasserted that “undercover officers were forbidden from sleeping with activists to gather information”, and John Murphy, speaking for the Association of Chief Police Officers called such actions “absolutely not authorized [...] grossly unprofessional [...] morally wrong”, adding that it is “never acceptable for an undercover officer to behave in that way” (Evans and Lewis[2011c]).

Despite such a policy, the case histories show otherwise. It is now known that police officers Robert/Bob Lambert, Mark Kennedy, Jim Boyling, Mark Jacobs, John Dines and Mark Jenner all engaged in long-term sexual relationships with activists while undercover. In addition to the six male officers, a seventh female officer has been identified as Lynn Watson (Syal and Wainwright [2011]), and according to journalistic investigation (Evans and Lewis[2013a], 221) and activist reporting (Anarchist Black Cross Anarres [2011]), also had sexual relations with activists. In a larger investigation of the Metropolitan Police’s Special Demonstration Squad, of the 11 undercover officers identified, nine⁴ are said to have had sexual relationships with activists (Evans and Lewis[2013c]), most of which are described as “long term”. In two cases - those of Lambert and Boyling - the male officers fathered children (Evans and Lewis[2013a], 45-47, 194) with civilian members of target communities. In some cases, officers co-habitated (such as the cases of Jenner, Lambert and Dines) and even married (such as Boyling) activists whilst maintaining false identities. In other cases, officers were found to have played key logistical roles in protest actions (such as the case of Lambert, Kennedy, Boyling and Jacobs), blurring the line between maintaining cover identities and provocation. Other agents reportedly encouraged activists to drink alcohol, gossip and accuse each other of police collaboration (McCarthy [2011]; Cardiff Anarchist Network [2011]). As of 2013, at least 11 women have come forward and stated that they had sexual relationships with men now known to be undercover UK police (Lucas [2012], 98WH; Evans and Lewis[2013a], 323), with five officers⁵ named in Parliamentary testimony (Lucas [2012], 100WH). Frequent evidence indicates that agents’ superiors were aware of their sexual exploits. Kennedy claims his sexual actions were “sanctioned”

⁴ As these cases are given great attention in Paul Lewis and Rob Evans’s recent book (2013a) and journalism (Evans and Lewis[2011a], 2011b, 2011c, 2011d, 2011e, 2011f, 2011g, 2011h, 2012a, 2012b, 2013b, 2013c, 2013d, 2013e, 2013f, 2013g; Evans et al. [2011]; Evan, Davis, and Lewis [2011]a, 2011b), a detailed account of the UK cases is excluded. Additional journalist/activist accounts were consulted including Adetnji ([2011]), Allen ([2011]), Anarchist Black Cross Anarres ([2011]), Cardiff Anarchist Network ([2011]), Fitwatch ([2011]), Malone ([2011a], 2011b), McCarthy ([2011]), McDonald ([2011]), Walker and Syal ([2011]), Syal and Wainwright ([2011]), Townsend and Thompson ([2011]), Van der Zee ([2011]), Anonymous ([2012]), Harper ([2012]), Badger ([2012]), Beckford ([2012]), Kushner ([2012]), Martin ([2013]) and Martin and Bentley ([2013]).

⁵ Bob Lambert, Mark Kennedy, Jim Boyling, John Barker, Mark Cassidy.

(Lewis [2011], Evans and Lewis[2011b]), and Boyling's ex-wife stated to The Guardian that superiors were knowledgeable:

Jim [Boyling] complained one day that his superiors said there was to be no more sexual relations with activists anymore - the implicit suggestion was that they were fully aware of this before and that it hadn't been restricted in the past. [Jim] was scoffing at it saying that it was impossible not to expect people to have sexual relations. [He] claimed it was a necessary tool in maintaining cover. (Evans, Davis, and Lewis[2011a])

Boyling went as far as to inform his superiors of his relationship in 2005, after marrying an activist he was tasked with monitoring (Evans, Davis, and Lewis[2011b]). Furthermore, recruiting strategies for Special Demonstration Squad undercover officers facilitated sexual liaisons by, for a time, recruiting only married/partnered men, and encouraging contraception whilst avoiding love (Evans and Lewis[2013a], 176). Such anecdotal evidence has been key in mapping command chains, yet a great deal is still unknown regarding the scope and scale of these operations.

Sexual infiltration as panopticonal power

As the dust settled on the UK exposures, investigations have sought to establish official policy on the issues in question, most notably, the legality of sexual relationships by undercover officers. Parliamentarian Nick Herbert stated that if the police banned sexual contact between undercover officers and activists, such a ruling could be utilised as a screening process; a sexual litmus test to ascertain if an individual was an officer:

To ban such actions would provide a ready-made test for the targeted criminal group to find out whether an undercover officer was deployed among them. Specifically forbidding the action would put the issue in the public domain and such groups would know that it could be tested. (Beckford [2012])

Herbert argued for not establishing a strict ruling on the matter, but urged undercover officers to be monitored more closely. Activists seem to disagree with such a statement, as 35 protestors demonstrated at the New Scotland Yard's London office with signs reading "You told me the handcuffs were kinky" and "Keep your truncheon in your trousers" (Van der Zee [2011]). Comments such as Herbert's seem closer to actual UK policy as reports emerge stating that undercover agents:

Routinely adopted tactics of "promiscuity" with the blessing of senior commanders [...] sexual relationships with activists were sanctioned for both men and women officers infiltrating anarchist, leftwing and environmental groups [...] Sex was used as a tool to help officers blend in, and was used as a technique to glean intelligence.sex with a large number of partners [was viewed] as "part of the job". (Townsend and Thompson [2011])

The previous cases display a willingness to exploit the sanctity of sexual relationships and marital privacy for the collection of criminal evidence.

The collection of intelligence by a misrepresented sexual partner demonstrates the surveillance logic of Bentham's panopticon, as undercover law enforcement agents and police-aligned informants invasively insert themselves into the private lives of targets. The betrayal of secrets between lovers is commonly understood, as one officer explains: "When you are using the tool of sex to maintain your cover or maybe to glean more intelligence - because they certainly talk a lot more, pillow talk - you would be ready to move on if you felt an attachment growing" (Townsend and Thompson [2011]). Those seeking to glean intelligence from social movement participants can exploit the role of the "confession" within the bonds of sexual intimacy. As Foucault explains:

The confession... plays a part in justice... and love relations, it is the most ordinary affairs of everyday life, and in the most solemn rites; one confesses one's crimes, one's sin's, one's thoughts and desires. one goes about telling, with the greatest precision, whatever is most difficult to tell. (1990, 59)

In this regard, the transparency of married/sexual life is exploited as a site for the collection of facts and figures and the disciplining of the body through total surveillance. As only an intimate partner could, after establishing the motivation to do so, police collaborators are able to collect troves of intelligence from specific conspiratorial plans to the mundane data of when and where targeted individuals travel.

In this sense, without one's knowledge, the activist is thrust into the outer ring of the panopticon, and with informants and undercover officers in the central tower, the state is able to see all and record completely whilst remaining unseen. In his discussion of the prison as a site of observation, Foucault provides insight that is reflective of the Mason- Ambrose/McDavid-"Anna"/Waters-Solondz home. If one's partner/spouse is a secretive agent, the site of the home can function similarly to the site of the prison; both acting as venues of observation and data collection:

It must be possible to hold the prisoner under permanent observation; every report that can be made about him must be recorded and computed. The theme of the Panopticon - at once surveillance and observation, security and knowledge, individualization and totalization, isolation and transparency - found in the prison and its privileged locus of realization. (Foucault [1977], 249)

In the private sphere of the home, within the confines of the bonds of marital/sexual trust, an individual must assume to be outside of police gaze, but by exposing informants from within one's own family, the state accomplishes a variety of goals from the collection of intelligence, the spreading of insecurity amongst a targeted community, and finally, the display of a totalising disciplinary power to the social movement under observation. This display of panopticonism is crucial as it aims to increase the self-policing by those presumed to be under observation.

The effects upon infiltrated subjects attest to the horror and self-policing results of the panopticon display. Writing about the discovery of such sexual infiltrations within the UK, one journalist wrote:

It must be a horrifying experience to discover that your partner is not the person they say they are; that they may have been relaying information provided in confidence "on the pillow", to the state; and that the fundamentals of the relationship were lies. Many have described the sense of violation they feel. (Allen [2011])

Such betrayals test the bounds of sexual consent, and could be judged as acts of rape under the logic that a partners' misrepresentation is tantamount to coercion through deception. Such "rape-by-fraud/deception" laws already exist in at least five US states¹ (McCartney [2010]; Kaiser [2012]) and Israel (NBC [2010]). According to legal scholar Sherry Colb ([2013]): "'Rape by deception' has sometimes been interpreted to include

¹ Massachusetts, California, Tennessee, Alabama, Michigan.

sexual intercourse that follows a material misrepresentation by one of the parties - an important lie that one of the parties tells the other to obtain consent to sex". Colb goes on to argue that even if such deceptions fail to constitute "rape" in the traditional sense, "it does represent a victimization of a different sort" (2013). Others have argued that such deception does constitute rape as one is unable to provide legal consent if one is deceived (Rubinfeld [2013], 1376). Alongside such legalistic arguments, one female activist from the UK, formerly involved with Lambert, contended that her experience was akin to being "raped by the State" (Lewis, Evans, and Pollak [2013]).

Beyond altering the nature of social bonds amongst communities, the exposure of informants has a ripple effect throughout networked movements. Through the sowing of insecurity amongst a targeted community, police further atomise movements that are built upon the bonds of voluntary association, mutual aid and social networks of affinity. Since law enforcement must understand that within a long enough timeline their efforts will be exposed, the resulting consequence of that exposure must be understood as integral part of a forward thinking, multi-decade, security-centric strategy. After their exposure, the awareness of infiltration amongst broad-based movements provides an incentive for activists to move from participation in large, popular movements towards more networked cells (Sofer [2011]), and finally onto individual acts. The tendency towards leaderless resistance, lone wolf and other autonomous, decentralised, ideologically linked movements has been advocated by radical political actors for decades (Beam [1992]; al-Malahem Media, and Inspire Magazine [2013]; Metzger n.d.) and has received consistent media (Gartenstein-Ross [2006]; Shane [2013]; Harel [2013]) and academic (Kaplan [1997]; Joosse [2007]; Pantucci [2011]; Stewart [2011]; Phillips and Pohl [2012]; McCauley, Moskalenko, and Benjamin [2013]) attention. From the perspective of political conspirators, regardless of their political affiliations, there is an acknowledgement that by limiting the number of individuals involved, one limits the number of possible infiltrators. Consistent throughout inter-activist literature and practical guides² is attention paid to security in this regard (including one (Cooney [2006]) specifically addressing sexual infiltration) with the vast majority of such materials including some mention of counter-infiltration tactics. One site which hosts a repository for information on undercover police concludes:

Open structures and groups are necessary low-threshold points of reference for politically interested people. Nonetheless, it is necessary, now even more so than before, to instigate discussions within the organized left about the risks of open structures and to work towards a security concept beyond blind paranoia. (Infiltrators [2011])

This push towards smaller and smaller groupings allows populist movements to increasingly be framed within a logic of individualistic and lone wolf (counter) terrorism. When activists shift from broad-based movements towards decentralised, networks, they are more readily framed within the lens of national security, labelled as "cells",

² For example Haywood ([1985]), Anonymous (n.d), Activistsecurity.org ([2009]) and Bite Back ([2005], 2010).

and their actions reported as “plots”. Furthermore, when activists move towards individual action, they are more easily portrayed as lone wolves, special interest/single issue terrorists, “bad apples” and so on. This atomisation of networks and movements not only ghettoises activist efforts and severs social bonds, it serves the portrayal of individuals as radical extremists amongst a larger political milieu. In all likelihood, the public expose of informants drives some activists further into either illegality or inactivity. The exposure of sexual infiltration serves a further purpose of discrediting (female) activists who invited in and vouched for the (male) police informant. Since little is known as fact, and knowledge is spread via innuendo, theory, rumour and gossip, the presence of police spies takes on a mythically ubiquitous character - a folklore of caution. Activists become unsure of how to fact check, and therefore are more amenable to believe even unsubstantiated accusations of other activists accused of police collaboration. Furthermore, this detracts activists’ attention away from political campaigning, and towards the prevention of infiltration and the perpetration of “security culture” (Robinson [2008]) amongst their networks.

Conclusion

Emboldened by the attacks of 9/11, the newfound enemy of “terrorism” was used to frame selected social movements within a terrorist-tinged context. These movements were chosen for the challenge they presented to proscribed methods of protest and the “liberal parliamentary consensus” (Žižek [2002], 544). The strategy of repression deployed to counter the left has been a combination of public defamation and private policing. Through the public sphere of Foucault’s monarchical power, movements are reframed within a terrorist terminology and individuals portrayed as domestic terrorists. Within the sphere of the panopticonal and private, police have attempted to force activists to self-police through the insertion of police agents and the production of cooperating defendants within activist communities. To produce an atmosphere of totalising surveillance, police have integrated such spies within the private sphere relationships of activists, including their friendship/dating circles, sexual encounters and marriages. The development of cooperating informants from within activists’ intimate circles is an attempt to increase suspicion, distrust and confusion amongst movements.

Finally, by seeking to understand the intentionality of sexual infiltration, one must ask the question: if the awareness of sexual infiltration is a precursor to activist self-policing, how can such a strategy occur through the strategy of clandestine, undercover means? In other words, since disciplinary power requires the potential offender to be acutely aware of their surveillance, why would police pursue such a practice through the use of undercover officers? One theory is that the nature of the strategy has shifted over time. Perhaps in the 1980s the intent was to secretly infiltrate radical movements unbeknownst to the participants, yet in later decades when knowledge of such infiltrations became commonplace, strategy shifted to capitalise on the disruptive effects of presumed surveillance. As it is established that officials were aware of undercover officers forming sexual relationships within target communities, it must be assumed that such actions were understood as aiding their larger goals. It is also entirely possible that the police agencies responsible for dispatching undercover officers became aware that knowledge of their embedded presence would serve to destabilise communities, and thus facilitated (or failed to stop) leaks of information that would lead to such a strategy being exposed. The production of the expectation of surveillance may serve to be a more valuable feature than the actual surveillance, in the same way that the anticipated guillotine serves a more efficient disciplinary power than its public usage.

The methods of political repression will continue to be developed, field-tested, refined and institutionalised. While the COINTELPRO-styled tactics of the 1960s and 1970s appear commonplace in a modern era marked by NSA domestic-global surveil-

lance, such counter-intelligence programmes have increased their sophistication since the dismantling of the Weather Underground and Black Panthers. From this era, police learned of the regressive effects of boldly assassinating movement leaders such as Fred Hampton, and recalibrated efforts to disrupt without such spectacular, monarchical bloodshed. The quiet arrest and public prosecution of individuals seen as counter-state is easier to present to the citizenry than the violent outburst of state versus non-state violence as shown in the 1973 shootout with the American Indian Movement at Wounded Knee, the 1974 firefight with the Symbionese Liberation Army or the 1985 siege of the MOVE organisation in Philadelphia. These scars upon American policing are often unearthed by activists to mobilise revolutionary anger and thus serve to perpetuate counter-state violence. Thus, with measured foresight, the state has sought to develop methods that avoid direct confrontation, bloodshed and the display of physical dominance, and instead rely on the spreading of fear and insecurity amongst a potentially disruptive population. While the deaths of revolutionary leaders undeniably serve to aid recruitment and radicalisation, the arrest, prosecution and incarceration of activists have a disincentivising effect. This can be understood as the culmination of decades of trial and error. While tactic and strategies will continue to change and advance, the trend appears to be away from the public and violent, and towards the subterranean and disciplinary, in the hopes of creating a docile populace for whom the deployment of bullets and bombs is no longer necessary.

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Notes

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