



Mounties on the Loose

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According to a recent publication of the U.S. State Department, "The Canadian record in protection of human rights is one of the finest in the world." Although President Carter has frequently spoken about threats to human rights in Communist and Third World countries, he has seemingly endorsed the State Department view by not saying a word about problems in Canada. Carter's silence has been largely

matched by that of the American press, with the result that few Americans know that within the last year Canada has been rocked by a continuing scandal in which it has been revealed that the Royal Canadian Mounted Police (RCMP—yes, the "Mounties") has for decades been systematically and secretly opening mail, breaking into homes and offices, and obtaining confidential tax, unemployment, and medical records, and checking into

The sorry state of civil liberties in Canada

all candidates for political office. During the early Seventies, following an outbreak of separatist-inspired terrorist incidents in Quebec, RCMP operations descended into what bordered on thuggery, featuring the use of such techniques as theft, blackmail, arson, forgery, and kidnapping.

That many of these techniques paralleled those of American intelligence agencies is no coincidence, since in this field too Canadians and Americans have cooperated closely for many years. Thus, the CIA trained Canadian officials in mail interception techniques, according to Canadian newspapers, and in at least one confirmed case the FBI turned over an American informer to the RCMP so he could spy on militant black groups in Canada. According to Victor Marchetti, a former CIA employee and author of *The CIA and the Cult of Intelligence*, among material the U.S. Government succeeded in suppressing from the book, at the request of Canada, was information detailing "very close ties" between the CIA and the RCMP. "Your people are in very tight with us," Marchetti told a Canadian journalist. "We trained them. When we get booted out from some place, the Canadians are always Mr. Nice Guy. There are just a few of them wandering around and they stay and take over certain CIA functions."

As distressing as revelations about RCMP abuses, at least from the standpoint of those who have viewed Canada as a stronghold of tolerance and liberty, has been the response of Canadian Premier Pierre Trudeau, once thought to be a civil libertarian. Trudeau and his spokesmen have said, in essence, that they didn't know about any of these events when they occurred, that it isn't clear any of them were crimes because the RCMP had no criminal intent, and that if the Mounties did such things they must have been necessary. The government has further suggested that Canadian laws should be changed to legalize such activities. Already it has introduced a bill to legalize mail opening solely on the order of the solicitor general, without any reference to an independent judicial body (at present the solicitor general can order electronic surveillance and searches in "national security" cases without reference to the courts).

The Trudeau government has also succeeded, at least temporarily, in having the Canadian courts declare unconstitutional an investigation of the RCMP conducted by the province of Quebec, where most of the worst RCMP abuses occurred, on the ground that the Quebec inquiry was invading the prerogatives of the federal government and violating Canada's draconian Official Secrets Act. The shutting down of the Quebec inquiry (Quebec, with the support of six of Canada's other nine provinces, is presently appealing the case before the Canadian Supreme Court) came after a long stream of highly embarrassing revelations by the inquiry and after former Solicitor General Francis Fox had

refused to hand over subpoenaed documents. He invoked the seldom-used device of "absolute privilege," under which Canada's Federal Courts Act gives the solicitor general the right to refuse documents to any court or inquiry without any appeal procedures.

The government has also, under the Official Secrets Act, initiated the first prosecution in Canadian history of a newspaper for publication of alleged sensitive information. The Act provides up to fourteen-year prison sentences and secret trials at the request of the prosecution and with the consent of the judge for activities as vaguely stated as handling documents "for any purpose prejudicial to the safety and interests of the state." In one case a former Canadian employee of NATO has just received a two-year jail term after a secret trial for alleged violation of the Official Secrets Act. The only aspect of the case that has been made public is the sentence itself and the formal charge of failing to take "reasonable care" of secret documents allegedly retained illegally after the ending of the man's NATO employment.

The position of the Trudeau government has led many to speculate that the RCMP may be forcing Trudeau's hand because of potentially embarrassing information that the Mounties are thought to maintain on all leading political figures. Adding to these suspicions was the forced resignation in late January of Solicitor General Fox, when it was suddenly revealed under still mysterious circumstances that several years earlier he had forged a signature to a hospital admitting form to allow a woman with whom he had been having an affair to get an abortion. Trudeau has responded to reports that the RCMP has a file on him by saying, "So what, I didn't do anything."

Shortly after Fox resigned, the government announced with great fanfare a major attempt by Soviet diplomats to penetrate the RCMP and expelled eleven Russian officials. While it is easy to believe the truth of these charges, the expulsions came at an extraordinarily convenient time for the government and the RCMP, especially since the alleged espionage operation had been penetrated by the RCMP a year earlier.

In the background throughout the entire RCMP affair has been the question of governmental knowledge of Mountie activities. Thus far there has been no clear evidence that any prime minister or cabinet official had knowledge of dubious RCMP activities, yet Trudeau has refused to make public the directives he admits he gave to the RCMP in 1970. It is known that they called for a step-up in intelligence activities, and they were clearly followed by some of the worst abuses. Several RCMP officials have stated that the RCMP deliberately withheld information from cabinet officials. Thus, former RCMP Staff Sergeant Donald McCleery said it was the "biggest cover-up since the blanket was invented," while RCMP Superintendent Donald Cobb said illegal RCMP activities were "so commonplace that they were no longer thought of as illegal." Assistant RCMP Commissioner Thomas Verner, however, noted that cabinet ministers "are not

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anxious to be overly informed on details of names and cases."

Among long-standing RCMP abuses that have come to light in recent months are that the Mounties have been obtaining tax, unemployment compensation, and medical records that, under Canadian law, were supposed to be confidential and have been opening the mail without warrants for about forty years with cooperation of postal officials. Assistant RCMP Commissioner Murray Sexsmith has stated that the mail opening was terminated in 1976, largely because in the wake of American intelligence revelations "you could already see the storm clouds on the horizon" and because the Canadian news media "were convinced there was a Watergate and were desperately looking for one." It has also been revealed that for at least thirty-five years the RCMP has been systematically checking the names of political candidates against intelligence files and has conducted surveillance of candidates deemed of "security interest." It has further been admitted that the RCMP carried out intensive general intelligence investigations into the Parti Québécois, now the ruling party of Quebec, and into the socialist-inclined New Democratic party, which now controls the government of Saskatchewan and formerly controlled the provincial governments of Manitoba and British Columbia.

In addition to these activities, for twenty years the Mounties have been conducting warrantless break-ins into homes and offices. In some cases the break-ins were to install electronic surveillance equipment (over a thousand from 1963 to 1974), while in others they were simply to gather general political intelligence where there was not enough evidence to obtain a search warrant (over four hundred since 1970).

The most bizarre activities that have surfaced thus far were conducted after Trudeau's still-secret directives issued in the wake of the 1970 "October crisis." An outbreak of separatist-inspired bombings in Quebec climaxed with the kidnapping of a British diplomat and the kidnap-murder of a member of the Quebec provincial cabinet. Civil liberties were essentially suspended in Quebec under the extraordinary discretionary executive powers of the War Measures Act, troops were sent in, and 439 people were arrested in warrantless raids on 1,500 homes and offices. Only sixty of those arrested were ever charged, and none was convicted.

In one of the most outlandish RCMP activities admitted by Fox shortly before his forced resignation, the RCMP composed and issued in December, 1971, a bloodthirsty communiqué under the name of a Quebec separatist group that had been moderating its position. The communiqué was replete with extremist rhetoric, denouncing the "fascists in authority," calling for "complete liberation from the imperialists' yoke," and adding that "he who says struggle says sacrifice, and death is a frequent occurrence." In May, 1972, the RCMP stole dynamite from a Montreal construction firm and then, anonymously, led the Quebec provincial police to the place at which it was later abandoned, in the hope of implicating Quebec terrorists. In another incident, the RCMP burned down a barn in Quebec to prevent a suspected meeting between Canadian and American

extremists, after unsuccessfully trying to "bug" the barn. Former RCMP Staff Sergeant Donald McCleery explained: "The idea was that if we burned the barn, they would have to move somewhere else where we'd have a better chance of monitoring them. I didn't think we had any alternative but to burn the barn." He added: "Don't get the idea we were a bunch of hoodlums running around and burning barns. I was in the security service for twenty years and there was only one barn burnt."

Other RCMP activities included a 1971 program to use "disruption, coercion and compromise" to recruit informants from and to disrupt alleged subversive groups. According to an RCMP document dated June 11, 1971, the Mounties were to use "disruptive tactics," including "making use of sophisticated and well-researched plans built around existing situations such as power struggles, love affairs, fraudulent use of funds, information on drug abuse, etc., to cause dissension and splintering of the separatist and terrorist groups." RCMP Superintendent Patrick Banning said the use of such disruptive tactics was as old as the Bible: "We are the second oldest profession. Delilah used a bit of disruptive tactic against Samson."

In a number of cases RCMP efforts to recruit informants involved literal kidnapping of suspects and night-long interrogation, coupled with blackmail threats based on confidential information gathered about them. RCMP Superintendent Cobb said such efforts involved "making them an offer they couldn't refuse." In one such case three unmarked RCMP cars forced a man off a road and then questioned him, without legal counsel or arrest warrant, for fifteen hours in a motel.

The two best documented cases of RCMP abuses involve break-ins and thefts in Quebec. In October, 1972, following intensive planning, the RCMP, in cooperation with Quebec provincial and Montreal city police, broke into a Montreal building housing the Agence de Presse Libre du Québec (APLQ) and the Mouvement pour la Défense des Prisonniers Politiques de Québec (MDPPQ), two groups sympathetic to Quebec separatists. During the break-in police carted away over a thousand pounds of files in hockey bags in an unmarked truck and then stored them in the basement of an RCMP officer's house, fearing discovery of the theft by other police if the documents were stored in police custody. RCMP officials microfilmed the documents and eventually destroyed them, after discarding the original plan of planting them with a rival left-wing group to try to stir up trouble. While stored in the basement for four weeks, the documents were watched over by the officer's wife and dog ("I have a very aggressive woman and she has an aggressive Doberman," the officer stated); the wife was paid \$35 per week for her help, which she acknowledged by signing a false name to a receipt. After the break-in was first exposed in March, 1976 (thereby setting off the chain of later revelations), the RCMP claimed that its purpose was to uncover terrorist links to the APLQ and MDPPQ.

Subsequent evidence revealed, however, that the real purpose of the pilfering was to stir up trouble between rival left-wing groups by planting the stolen files and to cause the "disintegration" of the APLQ and MDPPQ. While the planting operation was eventually abandoned, RCMP documents report that the operation succeeded in delivering the "coup de grace" to the MDPPQ, which "can no longer enter into contact with members for appeals for financial support," and it disorganized APLQ activities "to such an extent that it was very difficult for them to operate for a long period of time," since the theft caused the "loss of research which took them a year and a half to build up." RCMP documents revealed that at the time of the theft the APLQ consisted of about ten persons who were living on government grants and charging their phone calls to the federal government. After the raid the RCMP compiled a list of APLQ "sympathizers," apparently based on subscribers to the APLQ newsletter, which included the Canadian Broadcasting Corporation, the library of the Quebec national assembly, two universities, a leading Quebec newspaper, and ten labor organizations.

A second RCMP break-in and theft that has been thoroughly explored was the January, 1973, burglary of a Montreal office containing the financial and membership records of the Parti Québécois—a legal party, which even then had seven seats in the provincial legislature. The records were copied and then secretly returned. The burglary took place after five months of

elaborate planning, which involved three dress rehearsal break-ins and three aborted attempts. The Mounties obtained keys to the outer doors by telling the building owner they were investigating a pornography ring, and they manufactured keys to inside locks that could not be picked. Although the alleged reason for the break-in—first advanced *after* it was revealed in September, 1977—was to trace terrorist links to the P.Q., no such links were found, and subsequent evidence suggests it was really designed to identify proseparatists who had obtained government employment, whether or not they were engaged in illegal activities. After the P.Q. theft had been completed, RCMP headquarters in Ottawa congratulated field operatives in Montreal for a "successful conclusion" to this "delicate operation," noting that it was realized that "considerable research and study were necessary in setting up the operation in order to make it as swift, efficient, and secure as possible."

One of the most disturbing aspects of the RCMP scandal has been the general apathy—or even support for the RCMP—displayed by the Canadian public. RCMP Commissioner Robert Simmons has said that his reading of public reaction suggests "there is very strong support for us, and in fact the image of the organization has not been particularly damaged." Just to help along, ex-RCMP members have been distributing buttons throughout Canada with the bilingual message, "Thank God we have the RCMP."

Facts of Life—Here and There

"On the mail question, Mr. Beavis [a security officer in the Privy Council Office from 1960 to 1972] said that 'I'd have been astounded if, in fact, it had not been happening....It was part of an on-going process. I think anybody who was inclined enough to be in the business, the whole business of security and intelligence, would simply accept it as being one of the methods that might possibly be of use to keep us from being discovered by the jolly people of Charlotte Street (former location of the Soviet Embassy).

"...It was a fact of life. It was there. You either knew the details or suspected that it might be there. And if you didn't have to use it in the course of your work,

what the hell. You know, just be thankful that you weren't involved in it any more deeply.'"

"...The Mounties' suspicion of Government people was such that civil servants had to develop their own sources in the RCMP because they feared that at the formal level of communication they were not always being told the truth.

"The RCMP had a system whereby it rated its sources on a reliability scale, starting from a source of unknown reliability and working up notches to sources totally reliable. The best Government security officials ever did was to make it to the second from the bottom."

—Lawrence Martin in the
Toronto Globe and Mail, June 5