

# Mounties Attacked Over Surveillance

By JAY WALZ MAY 17 1971

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OTTAWA, May 16—For the first time in nearly a hundred years Canadians have begun to speak harshly of the tactics and the motives of the venerable Royal Canadian Mounted Police.

Such terms as "surveillance" and "bugging," "undercover agent" and "secret dossiers" had seemed until recently to be alien to Canada's relatively free and relaxed way of life. Now the epithets, so common across the border in the United States, have filtered in along with other unwanted foreign attitudes to assail the ears of the once-unassailable Mountie.

A scarlet-coated symbol of relentless but open police pursuit, the Mountie traditionally tracked down murderers in the Canadian wilds, always getting his man. In his brilliant uniform, standing out in the forest or in the city crowd, he was always courteous and approachable.

Today's Mountie is less distinguishable from the man in the street. No longer a trooper sitting tall on his horse, he is often a plainclothesman dis-

guised as a hippie. Bearded and beaded, he infiltrates communes and rock-music festivals. In hot pursuit of drug traffickers, he may use the historic writ of assistance to search and question without warrant, day or night, to the astonishment of many Canadians who did not know the power still existed.

Students and teachers complain that Mounties invade the campus "fishing for political dissidents" while ostensibly tracking down narcotics peddlers.

The renowned 8,500-man civil police force came under fire most recently when several members charged in the House of Commons that surveillance had overtaken not only Marxists, Maoists, drug addicts and United States military deserters but also Members of Parliament.

David MacDonald, Conservative member from Prince Edward Island, complained that Mounties "surveilled" a meeting held in the province to pro-

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A Mountie

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test the new provincial Public Order Act. The hastily enacted legislation, drafted by Premier Alexander Campbell, was aimed at heading off rock festivals and other hippie get-togethers deemed injurious to the island's regular—and lucrative—tourist trade.

Mr. MacDonald asserted in the Commons that the Mounties' surveillance tended to intimidate Members of Parliament. (Mr. Campbell, a Liberal, was quoted in the press and in the Commons as having said that all Cabinet officials, federal and provincial, had been "bugged," but he later denied having made the allegation.)

The Solicitor General, Jean-Pierre Goyer, the Cabinet Minister who supervises the Mounties and speaks for them, rejected Mr. MacDonald's general accusation as irresponsible. Repeatedly pressed for assurances to the contrary, Mr. Goyer would not deny that they had files on Members of Parliament. While he repeated several times that members were never investigated as such as far as he knew, he refused either to look into the matter or to order an investigation.

"All citizens are equal in front of justice," Mr. Goyer said, adding that federal deputies had "no privileged status in society" and that electronic bugging was legal.

## But He Would Not Specify

Similarly, Police Chief Harold Adamson of Toronto said recently that "there are methods of surveillance that you use other than hooking things onto somebody's telephone." He would not specify what they were.

John Diefenbaker, former Conservative Prime Minister, was among those to voice strong fears. Without "the fullest investigation to establish if members are subject to R.C.M.P. dossiers," he declared, Canada has taken "the first step toward dictatorship."

Prime Minister Pierre Elliott Trudeau, the Government's most outspoken champion of the right of privacy—not least his own—remained silent during the controversy, though he has spoken out on the subject of investigation on campuses.

"Surveillance" is a sensitive word in parliamentary parlance just now. In the Commons, J. J. Greene, Minister of Energy, Mines and Resources, was asked if the Government was considering environmental issues in the transportation of Arctic oil. "To the best of my knowledge no such consideration is under surveillance at the present time," he replied. Titters were heard and another Opposition member, half in jest, asked the Minister if, in saying "surveillance," he had meant that "he is afraid of being bugged, too."

The disquiet over the idiom of surveillance took a different turn in the courts. An Ottawa magistrate is reported to have found it hard to believe his ears when a constable testified in the lingo of hippies.

## On-the-Job Training

"Where did you get all those expressions," the magistrate asked. The constable said he had picked up such phrases as "pot," "dime bags," "cool guys" and "being tuned in" while working as an undercover agent in hippie meeting places.

In a case arousing widespread controversy, the Royal Canadian Mounted Police became involved a year ago—"unlawfully," according to an official investigator—in the arrest and return to the United States of three military deserters. The incident, in British Columbia, was widely publicized and debated in Canada, where deserters and draft resisters generally have received friendly treatment.

Judge E. J. C. Stewart, who investigated for the Justice Department after several protests in the Commons, attributed what he termed an unlawful act to a rookie constable. Because of inexperience, the judge said the officer was unaware of something a Mountie "should certainly have realized—that no one is subject to arrest in Canada for desertion from the United States armed forces."

The judge emphasized that no Canadian official could rightly be a party to an arrangement with the United States Federal Bureau of Investigation or any other American authority. Nonetheless, the impression among many Canadians is that cooperation, if not "arrangements," with the United States authorities exist.

There is no question that when the F.B.I. asks for it, the Mounties cooperate in tracking down suspects in American criminal cases—it notably did so two years ago in the case of James Earl Ray, later convicted of the killing of Dr. Martin Luther King Jr.—but the extent of the cooperation is not known because the Mounties are as tight with information about their activities as is the F.B.I.

#### Legislation Is Promised

To overcome some of the public anxieties over surveillance and bugging, the Government has promised legislation soon to prescribe bounds for wiretapping and computerized data banks and dossiers. An informed source suggested that the statute might require the police to get judicial or governmental approval before using electronic listening devices.

Restrictive legislation would be in keeping with statements on the sanctity of privacy by both the Justice Minister, John Turner, and Prime Minister Trudeau. Yet Mr. Trudeau, in a recent television interview, had this to say about changing

times requiring a change of police tactics even on college campuses:

"It's apparent that if the revolution and the revolts are going to begin on campuses, if the instigators of violent dissent are going to find their natural milieu there, there can be no more exception for the intellectual part of the community in the name of academic freedom than there can be for you and me in the name of other freedoms."

The Royal Canadian Mounted Police came into being 98 years ago as a federal civil force, called then the Northwest Mounted Police, to bring law and order to a largely wilderness country.

A detachment of 150 scarlet-uniformed men under Col. James F. MacLeod made a forced march across the plains in 1874 to subjugate a fur-trading post in the Rocky Mountain foothills. Colonel MacLeod not only chased some dealers in illicit whisky back to the United States but also began an honorable police tradition for Canada.

"The force," records John Peter Turner in an official history, went out "to introduce Indians and freebooters alike to civilized procedure and authority." Its success, most historians agree, may be noted in the fact that there was never a Custer's Last Stand in Canada.

As a result of the Mounties' tradition, "law and order" does not have the cynical connotation in Canada that it has acquired recently in the United States. Even the most radical young Canadians are revolted nowadays at the mere thought of a Mountie's stooping to undercover work.

Protests against the Mounties' activities have grown with

the spreading use of drugs, and students and teachers are beginning to complain that the police, in the name of narcotics control, go on "fishing expeditions" for "campus extremists and conspirators."

The Mounties have long held certain unusual powers. Last summer, when the new "no-knock" law in Washington, D. C., aroused much controversy, it was noted here that Mounties carrying writs of assistance may enter anyone's house to enforce customs, excise, drug and narcotics-control laws without knocking or presenting a warrant.

Constables carrying the writs—formal certificates on bond paper the size of legal sheets—may enter any building "or other place" by night or by day, the law says, to "break open any door, window, lock, fastener, floor, wall, ceiling, compartment, plumbing fixture, box, container or any other thing."

#### Protest by University Head

Last year John Deutsch, principal of Queens University at Kingston, Ontario, registered a formal complaint that two officers engaged in an unrelated investigation questioned the head of a faculty department about the Marxist leanings of a student. The incident, described by Dr. Deutsch as "a direct and obvious threat to academic freedom," was not denied by the then Solicitor General, George McIlraith.

The Canadian press followed up the complaint with a survey disclosing widespread apprehension and skepticism over the Government's stated policy of keeping policemen off college grounds except when the were specifically looking for suspects.

At Memorial University in St. John's, Newfoundland, Dr. J. D. Eaton, dean of student affairs,

said it would be naive to think that the Mounties were not "already on campus." Student leaders there and elsewhere voiced similar views.

Alwyn Berland, executive secretary of the Canadian Association of University Teachers, said: "We've never denied that the R.C.M.P. had a legitimate place on campus if following a criminal case or charged to do a security check."

However, he said, the teachers' organization, which helped force it off the campuses during a controversy in the nineteen-sixties, objects to "fishing expeditions" in which plainclothesmen questioned people at random or used informers.

The criticism of the Royal Canadian Mounted Police seldom produces dramatic news. The principal reason seems to be that a Canadian, in the words of an Ottawa politician, "has no J. Edgar Hoover to shoot down."

The Commissioner of the R.C.M.P., William Leonard Higgitt, a name perhaps unknown to most Canadians, is in the tradition of quiet-spoken, approachable but tough head men who hardly ever, by word or deed, draw attention to themselves.

His men, by agreement with several of the provinces, are responsible for enforcing provincial as well as federal laws and police many cities and towns. In Fort McLeod, Alberta, for example, the Mountie is the only police officer to be seen, directing traffic and tracking down speeders and burglars.

"The only change out here since early times," a townsman informed a visitor, "is the conveyance. The Mountie has dismounted. Now he rides a scout car instead of a horse."

A profile of Commissioner Higgitt appears on Page 16.