

# Sawatsky's men in the shadows

by Mark McClung

This readable and thought-provoking book by focussing attention on the Royal Canadian Mounted Police (RCMP) Security Service raises two major questions to which Canadians, startled by the public disclosures from the Keable and McDonald Commissions, need to have thoughtful answers. First, the historical question: since security is not predominantly a matter of law enforcement but rather one of preserving the safety of the state, how did the RCMP get into the security business? The second question is critical or evaluative: how effective has the Security Service been? Former *Vancouver Sun* reporter John Sawatsky's concentration on the first of these questions to the neglect of the second greatly limits the usefulness of his book.

Sawatsky's historical accounts begin with the work of the RCMP in the whole field of subversive activities in Canada from the early 1920's on. By 1945, as the sole repository in Canada of information in this field, the Force was in a strong position to undertake the enquiries required by Soviet spy Igor Gouzenko's defection in 1945, although the results showed the almost total inadequacy of the Force's counter espionage work up to that time.

The second question is more complicated because it calls for an evaluative judgement based necessarily on as complete a mustering of matters of fact as circumstances permit. Sawatsky decided to work within the tradition of the investigative reporter who interviews relevant persons and to ignore almost completely the public records of the Keable and McDonald inquiries. The book's most serious flaws stem from this omission. However, Sawatsky's book does provide some exciting accounts of Security and Intelligence operations such as the highly successful surveillance by the Watcher Service and the surreptitious activities of Special Section E, a group of specialists in all surreptitious operations such as breaking, entering, wire-tapping, bugging and other intrusion methods.

The author also provides present useful accounts of the internal troubles to obtain independence from traditional police controls, problems in attracting and retaining suitable civilians, on operations reflecting police biases such as a witch hunt for homosexuals, and the many conflicts with the Department of External Affairs and other episodes and forces that shaped the present Security Service.

However, the serious limitations in Sawatsky's approach of ignoring the public records of the McDonald

Commission become evident in his superficial treatment of one of the most fundamental problems facing both the Security Service and the government, a problem still unresolved. It is known in official documents as the problem of inherent contradiction,

Briefly stated, the Mackenzie Royal Commission on Security observed that a security service will inevitably be involved in actions contravening the spirit if not the letter of the law. A police force, however, is under explicit oaths and obligations to enforce the law and to observe it at all times. Hence, there arises an inherent contradiction for Security Service personnel to reconcile the necessities of operations with their duty as RCMP officers to obey the law.

Morale in the entire force became low especially during and after the 1970 October crisis in Québec. Headquarters was aware of the growing concern by members who put themselves at risk of arrest, trial and punishment for performing acts they and their senior officers deemed essential to effective performance. In August 1970, a draft statement of policy on this matter was drawn up for then Commissioner Higgitt's signature. In substance it declared that a member acting with the express approval or direction by a superior officer or with the tacit approval of such an officer would be protected as far as possible from criminal or civil penalties. If the member acted without senior approval such protection would not be provided.

This book reproduces as an appendix a document to all Commanding Officers, CIB officers and Security and Intelligence branch officers entitled "RCMP Protection for Members Engaged in Sensitive or Secret Operations", apparently signed by Higgitt. Here the author's neglect of the testimony before the McDonald Commission led to an important error of fact. Higgitt, in his testimony of 24 October 1978, said that he did not sign the draft memorandum: he initialed it. In summary, he ordered that under no circumstance should anything in writing be circulated to members. Instead the policy should be disseminated orally at training classes for both criminal and security personnel at headquarters.

In the fall and winter of 1970, after the Québec situation had quietened down, the government expressed

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