

AFTER TWO YEARS of investigating the Army's system of spying upon civilians, Senator Sam Ervin of North Carolina, chairman of a subcommittee on Constitutional Rights, has asked the U.S. Supreme Court to declare such military surveillance unconstitutional.

He has also discovered that he, himself, has been under such surveillance, along with numerous other members of Congress and political figures, and is the subject of a computerized and duly filed card which relates that he once gave a speech on civil rights. Much of what his investigation has revealed cannot be disclosed because it is classified, but he has disclosed enough to demonstrate the breadth, if not depth of military snooping. Reports on file deal with such national security threats as college students arrested for printing "dirty pictures," and three "hippie type males and one woman "dressed as a nun, who drove their car close to Fort Detrick, Maryland.

THOUGH THE ARMY HAS CURTAILED if not abandoned its domestic espionage network, Senator Ervin sticks by his year-long concern that the nation may be headed toward a society in which the government gives everybody a number and keeps a dossier on it. In the friend of the court brief he filed with the Supreme Court, he correctly notes that the mere collection and filing of information on a person suggests that he has earned official disapproval and opens him to suspicion that he has done something treasonous.

"It takes a brave man to voice unpopular ideas and face the anger of his neighbor and his government," the brief observes. "The First Amendment, however, was made for the timid as well as the brave."

Senator Ervin, a former judge, speaks not only from his experience in the law, but also from knowledge obtained in his committee's study of government practices. In a recent interview with U.S. News & World Report, he asserted that government agencies increasingly use data banks and computers to store information on individuals; that "freedom is always in danger," and that the process of creating a "dossier society" is being "accelerated virtually every day." He is worried about, as many other Americans are, the erosion of personal privacy.