

JUDGE CURBS F.B.I. ON SURVEILLANCE

He Bars Any Monitoring of
Young Socialist Parley as
Breach of Free Speech

By ARNOLD H. LUBASCH

A Federal judge has ordered the F.B.I. not to conduct any surveillance of a national convention of the Young Socialist Alliance.

Judge Thomas P. Griesa issued the order in Federal District Court here as a result of a complaint by the alliance, a left-wing political group, which said that the Government's surveillance inhibited people from attending its meetings and exercising their freedom of speech.

The judge's order, which was signed Friday night and filed yesterday, bars the Federal Bureau of Investigation from "attending, surveilling, listening to, watching or otherwise monitoring" the alliance's 14th national convention beginning Dec. 28 in St. Louis.

Leonard Boudin, a lawyer for the socialist group, said that the order marked "the first time in American history that a Federal court has prohibited F.B.I. surveillance of any political organization." He added that it was "a legal consequence of Supreme Court decisions protecting the right of association."

Justification Denied

The F.B.I. declined to comment on the order, which the Government may appeal to the United States Court of Appeals for the Second Circuit.

Judge Griesa said after a two day hearing that he was issuing the order to the bureau because "the proposed surveillance threatens a substantial impairment of First Amendment rights" without justification by the Government.

For many years, the judge said, the F.B.I. has apparently carried on surveillance of meetings of the Socialist Workers Party and its Young Socialist Alliance because they were considered "Marxist revolutionary organizations whose purpose is the illegal overthrow of the United States Government."

He observed that information obtained in this surveillance as kept in files, supplied to other agencies and used to question party members who sought Government jobs.

Major 'Deterrent'

The F.B.I. planned to send confidential informants to the Dec. 28 convention to find out who attended the meetings and what they discussed. Judge Griesa said, adding that such surveillance was a "substantial deterrent" to attendance by the Young Socialists.

"As a matter of policy," the judge said, "it seems to me that the healthy thing for our society to do is to permit this group to freely have their discussions of the issues which concern them and of their theories."

The judge stressed that the Government had provided "absolutely nothing" to indicate any violent or illegal activity by the Socialist groups.

Herbert Jordan, who argued their case at the hearing, submitted affidavits by Socialist leaders asserting that they did not "advocate violence or any other illegal activity."

The surveillance complaint was part of a continuing lawsuit by the Socialist groups seeking an injunction and damages for alleged harassment by the Government.