

Marshall Rules FBI Free to Infiltrate Convention

By John P. MacKenzie
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Supreme Court Justice Thurgood Marshall yesterday refused to block the FBI's plans to send agents and informants to the national convention of the Young Socialist Alliance, the youth affiliate of the Socialist Workers Party, which opens today in St. Louis.

Our abhorrence for abuses of governmental investigative authority cannot be permitted to lead to an indiscriminate willingness to enjoin undercover investigation of any nature whenever a countervailing First Amendment claim is raised," Marshall said.

Marshall refused to set aside a ruling by the Second U.S. Circuit Court of Appeals, which in turn had reversed an injunction by U.S. District Court Judge Thomas P. Grisesa in Manhattan. A similar request was made to Justice Lewis F. Powell Jr. and was rejected.

is being sued by the Socialist Workers for alleged disruptive "dirty tricks" and surveillance over the years, had shown "absolutely nothing" to warrant bureau monitoring of the lawfully assembled party.

The court of appeals reversal came on the FBI's complaint that obedience to the injunction would blow the cover of informants planted within the party because their nonattendance at the five-day convention would make them easily identifiable.

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He said that to require tipsters who have become active party members "to remain silent throughout the convention would render them as readily identifiable in some cases as an order excluding them."

Marshall, like the lower court judges, emphasized that he was not ruling on the ultimate legal issues in the Socialist Workers' lawsuit against the FBI, the CIA and other intelligence-gathering agencies.

Leonard B. Boudin, representing the party, said the lawsuit could become another vehicle for smoking out evidence of alleged CIA involvement in domestic surveillance.

Marshall's six-page opinion gave the Socialist Workers one small victory that could give them long-run help in their lawsuit. He rejected the Justice Department's argument that the party's fears of injury to their First Amendment rights were not serious enough to warrant court attention to the merits of the dispute.

Marshall said he was reluctant to reinstate the injunction on the eve of the convention because that would amount to outright reversal of the court of appeals.

Like the court of appeals, Marshall laid down the condition that the FBI not transmit any information to the U.S. Civil Service Commission and not engage in any "disruptive activity" at the convention. He added that the bureau was not to convey any intelligence matter to "nongovernmental entities such as schools or employers."

Socialist Workers Announce Candidates

ST. LOUIS, Dec. 27 (UPI)—A long-time anti-war activist and a black woman were named today to head the Socialist Workers Party's national ticket for the 1976 election.

The selection of Peter Carajo of Boston as candidate for President and Willie Mae Reid of Chicago for Vice President was announced at a news conference. The party's national committee chose the two at an October meeting in New York.

The announcement came as a prelude to the five-day national convention of the party's youth affiliate, the Young Socialist Alliance.

Miss Reid said the national ticket was chosen earlier than usual to give the party a chance to try to get on the ballot in most states.

The party, which was on the ballot in 23 states in 1972, received about 100,000 votes in the last presidential election, she said. The Socialist workers have fielded a national ticket since 1948.

The party espouses the Marxist philosophy of Leon Trotsky, the Soviet leader who was exiled and killed by an agent of Joseph Stalin in 1940.