

14 Charles Lane
New York, New York 10014

June 9, 1973

TO ALL ORGANIZERS AND NATIONAL COMMITTEE MEMBERS

Dear Comrades,

The SWP National Office is considering legal action against the federal government in connection with harassment, surveillance, intimidation and sabotage directed against the Socialist Workers Party, its electoral campaigns and its supporters. Such action could have great potential in the midst of the Watergate revelations, and could result in some important victories for our right to function free from government interference.

In this connection, we need as complete a compilation as possible of all federal government activities directed against the SWP or its supporters. Branch organizers should take responsibility for accumulating all such information available to comrades in their branch, even if it pertains to branches in which members were previously active. Information should be as specific as possible, with names, dates, badge numbers, possible sources of even more details about the incident, copies of relevant documents and so on. If the details of an incident are somewhat vague, send us the information anyway because it may be possible to track down details elsewhere.

Some of the types of information that would be especially useful are: what federal agents specifically said such as any characterizations of the SWP; visits by FBI or other agents to parents, landlords, employers, etc.; information about government activities tied to our electoral campaigns such as visits to candidates or campaign supporters; information on unexplained break-ins, thefts, bombings, etc.; any evidence of bugging or mail tampering; any attempts to recruit members or former members to become agents; any instances of known agents in or around the SWP or YSA; information about any pattern to the visits by agents. Comrades will undoubtedly think of other categories of hostile government activities. Anything that might remotely be useful to a civil liberties campaign in association with the SWP should be included. Don't forget that local police agencies work with federal agencies and thus shouldn't necessarily be excluded from reports.

This information is needed quickly so that a legal suit can be prepared. We would like to receive initial reports from all the branches within a week. Letters and inquiries should be directed to Syd Stapleton and Janice Lynn, who will be working in the national office to compile this information.

Enclosed is an informational report on this undertaking given to the Young Socialist Alliance National Committee Plenum by Syd Stapleton.

Comradely,


Lew Jones
National Office

REPORT ON WATERGATE LEGAL ACTION

(Note: This is an unedited transcript of an informational report on Watergate Legal Action by Syd Stapleton, given to the June 9, 1973 session of the Young Socialist Alliance National Committee Plenum.)

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As revolutionary socialists we have always faced a problem of explaining to people that behind the democratic facade of the American government lies a class dictatorship that is ruthless, amoral and treacherous. The Watergate revelations are making it much easier for us to make this point.

The Watergate development occurs in a period of time when people are already suspicious of just about everything, from cyclamates to TV commercials to polished rice to just about anything that affects your life -- medical care, public transportation. And the logical conclusion of the Watergate development is that now you can't trust the government either.

Vietnam began this process of stripping aside the liberal and democratic facade of American capitalism. It made it clear for millions of people that the United States government was trying to cram a capitalist state down the throats of the Vietnamese, regardless of the expense. The Watergate revelations carry that process even further....

We know that the Dean plan was never scrapped as Nixon claims, and that aspects, if not all, were put into effect from the tailing of Martin Luther King, to bombings, buggings, theft, burglaries, agents, wiretaps, provocations, and infiltration.

Sam Ervin, who's no radical, has called this whole process-- the development of the Dean plan -- as the development of an American gestapo. It's not really that much of an exaggeration....

Watergate has turned the "credibility gap" into a crater. This, and the illegal character of the Nixon-Huston-Dean "internal security" plan gives us an opportunity to instigate legal action that can reinforce the legal position of the SWP. The SWP is a legal organization which runs candidates, and is on the ballot in many elections. However, in many respects the government simply disregards our legal, constitutional rights. The SWP has, for example, been unconstitutionally placed on the Attorney General's "subversive list." We also know that phones are tapped, the party kept under surveillance, and our members and supporters often harassed by agencies of the federal government. There are a number of other illegal actions that the government has taken against us.

But now many of the illegal actions of the federal government are becoming a matter of public record. This is a very favorable context for action to gain our full constitutional rights -- and to enjoin the government from further violations.

We've been in some discussions with Leonard Boudin, who's one of the foremost constitutional lawyers in the country and who has also been Ellsberg's attorney. We've been discussing launching a suit

against the government for an injunction against all forms of surveillance, sabotage, infiltration, provocation, and so forth, directed against the Socialist Workers Party, its campaigns, and its campaign supporters, including the Young Socialist Alliance.

We're under no illusion that if we win this suit the government is actually going to stop bugging and infiltrating and sabotaging our organization. But if we win, we can make it specifically illegal for them to do those things and we can add an important buttress to our right to exist.

In order to do this suit we need evidence. Anybody who knows of any actions by the federal government affecting our right to function, either comrades in this meeting or anywhere around the country, should immediately write up a statement on the incident involved and send it to the YSA national office or the SWP national office. The kinds of things that we need are names, dates, places, specific information about incidents of this kind. Anything: visits by the FBI, any evidence of bugging, visits by any federal agency to parents, or employers, or landlords, or any kinds of activities of intimidation of that kind; any unexplained burglaries or bombings or shootings or any other kind of sabotage; any mail tampering; anyone who's been approached to become an agent; any denials of facilities by university campuses as the result of red-baiting by some government agency; any kind of civil service or selective service action based on a person's political views, especially cases where there's detailed statements that you are being rejected for this job because of the fact that you attended the following 87 meetings, and so on, the kinds of things that indicate that we're under surveillance.

I'm sure there are categories of activity by federal agencies that are not included in this list. Comrades should use their imagination. Feel free. But think about the different ways that the federal government activity in opposition to socialist ideas has affected our ability to function and grow.

This shouldn't exclude activities by local police agencies, because in many cases they work directly with the federal government and are part of the "intelligence gathering apparatus" of the federal government.

If you don't remember everything about a specific incident tell us about it anyway and if it becomes something that is an important type of incident or case, then we can research the facts on it and try to develop the thing with more factual data. The more written statements that we collect, the more quickly, the better. We want to get this off the ground very fast and we'll need the rapid cooperation of the comrades in the process of this.

Aside from the legal details of the suit, there are other important aspects to this as a campaign. One is that we want to conduct this suit in conjunction with a campaign in defense of our legal and civil liberties in a very large way.

This is not a case where some of our comrades have been victimized and we're responding to some offensive action by the government. We are taking an offensive against the unconstitutional and undemocratic action of the federal government. It's not only a legal question, but a major political one as well.

The case will be conducted under the auspices of the Committee for Democratic Election Laws (CoDEL). We can be sure it will have a very broad appeal. That appeal is going to make it possible for us to get many endorsers and to raise money for the case.

As the suit develops every area will want to plan some kind of public meeting or press conference to protest government harassment of those it disagrees with and to build support for this suit, with SWP and YSA spokespeople, civil libertarians, representatives of other minority parties and so forth.

One other aspect of this case is that we can accompany both the legal and civil liberties activities of the case with a propaganda offensive directed against the reactionary nature and potential of the capitalist government. From the point of view of socialist propaganda, this campaign has a tremendous amount of potential. The Militant, the Young Socialist and other materials can be used to explain the precise nature of the capitalist state, the relationship of ultraleftism, police agency, provocation, and so forth.

In addition to forums and publications, our election campaigns -- both campus campaigns of the YSA and the campaigns of the Socialist Workers Party -- can be a crucial weapon in this fight. In that connection, we hope to have as many past, present and future candidates as possible as co-plaintiffs in this suit. One aspect of the whole government operation against the Socialist Workers Party has been that we are an electoral party. We run candidates and get them on the ballot. And that whole aspect of our activity, as a party that's contesting for power in the United States is an important part of the basis upon which we can make this suit.

This legal offensive takes place within the context of the situation and the political mentality created by the antiwar movement, the Watergate revelations, and the radicalization. We will be able to involve a broad layer of people in the activities of the case. We can also expect that for thousands of people who sat around and watched the Senate hearings, felt angry and frustrated, and wanted some way to respond to it, this case has the potential of mobilizing that sentiment, of appealing to those people, and of being another major step in their political education. You can bet that as this battle shapes up, there are going to be a lot of people cheering for our side.