

## NEWS



EIRNS/Stuart Lewis

# LaRouche Appeal Filed

On Nov. 17, 1992 Ramsey Clark and other attorneys for political prisoner Lyndon LaRouche filed an appeal of Judge Albert V. Bryan, Jr.'s denial, earlier in the year, of LaRouche's *habeas corpus* motion for freedom. That motion argued that the sentence against LaRouche and two of his co-defendants, William Wertz and Edward Spannaus, should be vacated, and LaRouche should be freed, on the grounds of new evidence which showed that "the prosecution conducted and participated in a conspiracy and concerted action with others to illegally and wrongfully convict him and his associates by engaging in outrageous misconduct, including financial warfare."

The appeal to the Fourth Circuit Court of Appeals charges that Bryan was "intractably biased" and should have recused himself from hearing LaRouche's new-evidence motion. Bryan's "bias was manifested in his actions at trial and attendant proceedings, and rearticulated with *shocking blindness and passion* in his response to

the recusal motion," the appeal argues [emphasis added]. The new fifty-page legal document, backed by an appendix of six volumes of new evidence, demands LaRouche's immediate freedom, that he and his co-defendants "are entitled to have their wrongful convictions set aside, be released from custody, and the charges dismissed."

Owing to Judge Bryan's prejudice, both in the original 1988 trial and in the appeal, LaRouche has now spent four years in federal prison for crimes which he did not commit.

### Bryan's Bias

The papers filed for LaRouche on Nov. 17 exhibit Judge Bryan's own statements as evidence of his bias. For example, according to the brief, "defending the Government from charges of politically motivated misconduct, Judge Bryan proclaimed 'this idea' that the prosecution was politically motivated as 'errant nonsense.' Further, he declared, '[t]he idea that this organization is a sufficient threat to anything, that would warrant the

### Imprisoned statesman Lyndon H. LaRouche, Jr.

Government bringing a prosecution to silence them, just defies human experience.' This shocking statement flew in the face of massive evidence to the contrary which was known to the Court."

After reviewing other outrageous statements from Judge Bryan, the appeal concludes: "Judge Bryan's fixed opinion was not about some collateral or irrelevant matter; it constituted a preconceived idea bearing on the heart of the case."

### New Evidence Keeps Coming

Since LaRouche's sentencing in 1989, there has been a steady stream of new evidence. Therefore, in the January 1992 motion, LaRouche argued for discovery and hearings to get all of the facts. All of this was ignored by the biased Bryan.

LaRouche's new evidence motion was filed on Jan. 22, 1992, and presented a detailed picture of prosecutorial misconduct and concealment, including the knowing use of perjured testimony at trial; the exploitation of this perjury in making closing arguments to the jury; the bad-faith filing of bankruptcy proceedings against defendants' companies which had taken all the loans listed in the indictment, as a means of destroying the ability to repay loans; the recruitment of prosecution witnesses through immunity agreements, rewards, threats of prosecution, and other inducements not disclosed to the defense; and the withholding of exculpatory and impeachment evidence specifically requested by the defense prior to trial.

The new appeal argues that the new evidence stream is overflowing with fresh new evidence each month:

"In August 1992, a former Stasi (East German spy service) official confessed that the Stasi mounted a massive disinformation campaign designed to blame the assassination of Olof Palme on persons associated with LaRouche. This demonstrates . . . that

the LaRouche movement was significant enough to prompt this bizarre and elaborate contrivance, which was coordinated with Soviet attacks on LaRouche and their demand that action be taken against him in the U.S. This vicious falsehood was broadcast by NBC and became a critical aspect of attempts to destroy movement finances at the very time the loans in question were coming due. In September 1992, Don Moore, an integral part of the prosecution team, was arrested and charged with conspiracy to kidnap and deprogram LaRouche associates. The facts surrounding this criminal plot call into further question the misconduct of the prosecution team. In October 1992, an FOIA release was received which indicates that Elizabeth Sexton, a critical Government witness, was acting as an agent of the Government during times relevant to this case, a fact she denied and the Government covered up at trial.”

### Ten Major Errors

The new appeal exhaustively documents ten major errors which Bryan made in his denial of the new-evidence motion, each of which is grounds to free the former presidential candidate. The errors range from Bryan’s failure to recuse himself, to his failure to either overturn LaRouche’s conviction or, in the alternative, to grant him discovery and hearings, on nine substantive issues backed by new evidence.

The topics these nine issues cover range from the bad-faith bankruptcy action which shut down the companies which owed the loans; to the illegal government-private “concert of action” of the Anti-Defamation League of B’nai B’rith (ADL), American Israel Public Affairs Committee (AIPAC), John Train, journalists, *et al.*, which plotted the prosecution; to the Ollie North-linked government “secret team” member who was foreman of LaRouche’s jury; to covert operations against LaRouche during the Reagan-Bush administration under Executive Order 12333 and other “national security” pretexts.

A decision on the appeal is expected early in 1993.



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*Helga Zepp-LaRouche (center) addresses the founding conference of the German “Civil Rights Movement Solidarity,” in Kiedrich, Germany.*

## Civil Rights Alliance Forged

At a conference held in Kiedrich, Germany, Nov. 21-22, 1992, the American Civil Rights movement and the movement associated with Lyndon LaRouche, took the historic step of joining their forces in a new international Civil Rights movement. The name of the new alliance in Germany is *Bürgerrechtsbewegung Solidarität* (Civil Rights Movement Solidarity).

The American leaders present at the founding conference of the new movement included leading personalities who fought with Dr. Martin Luther King, Jr. in the 1960’s, among them:

- **Rev. James Bevel**, founder of the Student Non-violent Co-ordinating Committee (SNCC) and Direct Action Coordinator for the Southern Christian leadership Conference (SCLC) and Dr. Martin Luther King, Jr.;
- **Rev. Wade Watts**, former State President of the Oklahoma

NAACP (1968-84);

- **Joe Dickson**, editor and publisher of the Birmingham World, the oldest and largest circulation African-American newspaper in Alabama;
- **Rev. Richard Boone**, Project Director for SCLC in Selma, Alabama and other locations under the personal leadership of Dr. Martin Luther King Jr.;
- **Hadaasha Maryum**, of Universal Human Rights for African People, Des Moines, Iowa.

Representatives of the LaRouche movement included Helga Zepp-LaRouche, founder of the Schiller Institute, as well as the national board and membership of the Patriots for Germany, which lent its institutional weight to the effort.

The decision to join forces, literally merging the two movements, was dictated by the urgency of the world strategic crisis, characterized by global