setting up of another "Three Eyes" set-up which also happens to have a large number of "retirees" from the NSA and the "Get Hoffa Squad," International Intelligence, Incorporated, otherwise known as Intertel. Hougan notes:

> "The pattern emerges that from a study of Robert Kennedy's relationship to Hoffa, Spindel, the CIA, and the press is one in which illicit electronic eavesdropping and surveillance carried out by private apparatus is everywhere alleged. If there is any consistent thread running through it all, it is the Kennedy's reliance upon intelligence community veterans, most notably those from the National Security Agency (NSA). Robert Peloquin, Tom McKeon, and David Belisle, all of them top executives with International Intelligence, Incorporated (Intertel), are three such graduates. Walter Sheridan is a fourth NSA grad and considers himself a good friend of the others."

The source Sidney Goldberg used for his stories in the *Exchange* said that Walter Sheridan "disposed over the personnel and currency of whole units of the Central Intelligence Agency.... Wiretap tapes including ... 'voice profiles' made at the White House by the Secret Service ... were passed on to him and maintained in a separate facility."

In May 1964 Sheridan and his Terrible Twenty were designated Special Marshalls (giving them a concealed weapons capability). Along with John Doar they went to Mississippi as part of the Kennedy Justice Civil Rights' effort to push the FBI into the middle of the racial problems in the South. Sheridan and his unit were specifically assigned to deal with the Ku Klux Klan along with other white extremist groups. The KKK is notorious for its corrupt intelligence connections, and as such, has repeatedly been used, to the present day, for social disruptions. In July 1964 the FBI opened its first office in Jackson, Mississippi, staffed with 150 agents.

During Fall 1964, Sheridan left the Justice Department, at approximately the same time as did Bobby Kennedy. Sheridan maintained an office in the Washington, D.C. law firm of Miller, Cassidy, Larroca and Lewin. Jack Miller was Sheridan's Justice Department superior, the head of the Criminal Division. Cassidy was a member of the Labor and Racketeering Section, which worked in tandem with the Get Hoffa Squad.

Courtney Evans, also with the firm, was formerly an FBI agent who worked with the McClellan Committee. Evans had been the FBI liaison with the "Get Hoffa" squad.

To this day, Sheridan has maintained his "private networks" and carried on wrecking operations aimed in particular at the labor movement.

Law

Princeton and the Chris Schmid case

by Sanford Roberts

On Nov. 10, 1981, Princeton University, represented by the former U.S. Attorney General Nicholas de B. Katzenbach, asked the U.S. Supreme Court to make one of the most Orwellian interpretations of the First Amendment in its nearly two-hundred-year history. Katzenbach petitioned the Court to grant Princeton a First Amendment right to exclude Chris Schmid, a political organizer for the International Caucus of Labor Committees (ICLC), from its campus. Mr. Schmid's offense was to tell the truth about a nest of Muslim Brotherhood terrorist controllers given sanctuary by Princeton. Princeton's Supreme Court argument rested on the following remarkable claims: 1) its own First Amendment right to give a forum to any idea or individual it chooses had been violated by Schmid's distribution of charges against Professor Falk; but 2) under the First Amendment, it has the right to exclude any unwelcome person from the campus, although the area in which ICLC organizers were leafletting is traditionally open to the public.

The Falk question

The *New York Times* in a Nov. 17, 1981 feature article called the case "ironic" and "self-contradictory." However in typical *Times* fashion, the real irony is completely omitted. Chris Schmid was arrested for distributing leaflets attacking one of the puppetmasters of Ayatollah Khomeini, Prof. Richard Falk; now Princeton is invoking the First Amendment to protect its resident Khomeiniacs from public exposure, and ensure Princeton's continued role in shaping the Middle East policy of the United States along lines drafted by the British Foreign Office.

The Oct. 22, 1981 edition of the *New Scientist,* a British-intelligence outlet, lamented the substantial effects of the efforts of the ICLC and this publication (whose founder, Lyndon H. LaRouche, Jr. chairs the ICLC), to curtail the Brotherhood's activities. The successful ICLC campaign threatens to dismantle the terrorist Brotherhood, a political instrument which has been developed by British intelligence, with assistance

from elements in the Soviet KGB, over several decades. The *New Scientist* was particularly incensed about the ICLC's spotlighting of the links between the Muslim Brotherhood and population control think tanks like the Club of Rome and the Aspen Institute.

Princeton has been a major target of the ICLC's anti-Brotherhood mobilization. This campus harbors not only Falk, but also affords asylum for Prof. Bernard Lewis, Britain's public spokesman for the policy of turning the Middle East into an inferno of warring satrapies.

Princeton University has borne a particular grudge against the ICLC at least since LaRouche identified the treasonous activities of some of Princeton's most prominent graduates, in his 1977 *The Case of Walter Lippman.* There LaRouche emphasized Princeton's connections to enemies of the United States directly deployed by British intelligence. When the ICLC held a series of forums at Princeton University this past spring on the question of Plato versus Aristotle, a group of students was deployed to make trouble.

The court case

On April 5, 1978, Chris Schmid of the ICLC was arrested at Princeton for handing out leaflets that exposed the activities of the perfidious Professor Falk. Schmid was convicted in municipal court and fined $15. When the matter was brought before the New Jersey State Supreme Court on appeal, Princeton University and its counsel, Mr. Katzenbach (Class of '43), entered the case as intervenors. The New Jersey Supreme Court heard arguments on Feb. 4, 1980.

During the interval between argument and decision, the U.S. Supreme Court delivered an opinion which profoundly affects the Schmid case and free speech rights generally. In *Pruneyard Shopping Center v. Robins,* the Supreme Court ruled that the constitutions of the several states could establish free speech and assembly clauses with broader legal application than the First Amendment.

The *Pruneyard* doctrine was especially applicable in free-speech versus private-property cases where the First Amendment was held to be inadequate to protect free speech. In this type of litigation, the free-speech party might find the needed constitutional protection in the constitution of the jurisdictional state. The federal Constitution simply forbids Congress to pass laws abridging free speech, and private entities are therefore rarely charged under the First Amendment. Some state constitutions, however, specify more broadly that "the right of free speech shall not be abridged," and require no finding of "state action" for litigation to proceed.

The State of New Jersey and Princeton University counted heavily on a recent line of cases which found that Fifth Amendment property rights are superior to First Amendment free speech and assembly rights. The *Pruneyard* decision punctured this strategy. When the New Jersey Supreme Court finally reached its decision on Nov. 25, 1980, it held in favor of defendant Schmid, resting the verdict on the precedent supplied in *Pruneyard.* In essence, the New Jersey tribunal decided that although Schmid had no First Amendment rights to enter a private campus, the broader free-speech and assembly clauses of the New Jersey state constitution furnished sufficient legal protection.

The New Jersey decision flabbergasted the Princeton administration and the Muslim Brotherhood coterie on campus. Their subsequent appeal to the U.S. Supreme Court appears to have stemmed from sheer hysteria, as suggested by their shaky legal arguments.

Legal issues

There are both technical and constitutional issues at stake, and it will be important which ones the Supreme Court chooses to emphasize. First, Princeton University is a private party with dubious standing to appeal a criminal action. As Schmid's lawyer pointed out before the Court, the only real party that Princeton could possibly appeal the case against was the State of New Jersey, not Chris Schmid.

It was the State of New Jersey, acting through its highest court, who held that trespass laws could not be invoked to prohibit Schmid from engaging in political activity on campus. Defendant Schmid was certainly not an agent of the State of New Jersey. Even if Princeton's convoluted argument were true, i.e. that somehow its First Amendment rights were violated, Defendant Schmid could not have been the violator.

Another technical point working against Princeton is the issue of mootness. In the aftermath of the Schmid case, the university changed its rules to permit political outsiders on campus. Therefore, as Schmid's attorney argued, the Princeton case against Schmid is moot because there is no longer any controversy. Princeton's evasion of the mootness question certainly calls into question the genuineness of its new "liberal" regulations. If the university obtained a favorable decision from the Supreme Court, it would certainly move pell-mell to boot ICLC organizers from the campus.

On the substantive question of fundamental rights, Princeton clearly manufactured its argument. Knowing that under the *Pruneyard* precedent its Fifth Amendment argument would not stand a ghost of a chance, the university contrived an Orwellian construction of the First Amendment, arguing that academic freedom is the right to *exclude* every point of view the university disagrees with. Yet in their brief, Princeton also argues for the right to indoctrinate students "in virtually any set of beliefs."

The American Association of University Professors

submitted an amicus brief on the side of Schmid, arguing that Princeton confuses academic freedom with a private university's need for internal autonomy. The AAUP correctly notes that academic freedom is appropriate to individuals, not institutions.

For a private university to cloak its administrative functions in the garb of free speech is dangerous public policy and certainly not within the scope of the First Amendment. The private university may be afforded a relative degree of internal autonomy to carry out its functions, but this autonomy must not breach the inviolability which the U.S. Constitution establishes for free speech and associational activities.

To make a case for their absolute right to police their campus and indoctrinate the inhabitants, Princeton cynically misuses the famous *Dartmouth College* case (see box). Chief Justice John Marshall would scarcely recognize his Dartmouth ruling in the hands of Princeton's lawyers. The content of Marshall's opinion, which kept the state of New Hampshire from altering the charter of Dartmouth College because the charter embodied a manifestly public purpose, is totally gutted.

The greatest irony in the Schmid case is Princeton's use of the First Amendment, the constitutional provision guaranteeing America's republican citizenry the right to participate in any discussion of public policy, in order to bring down an iron curtain on its campus. The First Amendment was inspired by the most eloquent treatise on free speech ever written, John Milton's *Areopagitica*. (This impassioned defense of what we now regard as our precious First Amendment freedoms specifically denies legal protection to one category of persons; those who seek an end to civil society, a description appropriate to Khomeini partisans.)

Observers at the Supreme Court reported that Justice Byron White in particular was puzzled why a $15 trespass case was now in the lap of the U.S. Supreme Court. Justice White should have been tipped off when Princeton's attorney Katzenbach argued Princeton thought it had the First Amendment right to exclude "highly offensive" activity from the campus. The constitutional questions involved in the case are of great importance; from Princeton's point of view, the overriding question is political—whether the university can continue to harbor sponsors of the Iranian hostage-holders and their terrorist associates without challenge.

The Dartmouth case

Proponents of Princeton's position in the Chris Schmid case have hearkened back to the 1819 Supreme Court case *Trustees of Dartmouth College v. Woodward* to justify their arguments that a private university can operate independently of "the will of the state." *Dartmouth College* was one of the landmark cases which confirmed the Constitution's prohibition against the impairment of contracts by a state government. In the Princeton case, this is taken to mean that the State of New Jersey cannot "impose" a First-Amendment right on a "private" university.

This "laissez-faire" interpretation does not square at all with the reasoning presented by Chief Justice John Marshall in *Dartmouth College*. Marshall indeed holds that the state of New Hampshire could not revoke the original charter of the college, but he does so from the standpoint that the corporate charter of the college serves *public* purposes, and that this is why the government can create corporations: they are "instruments of government, created for its purposes. (4 Wheaton 518 [1819])."

The state grants a charter because the purposes of the corporation serve the interests of the state, and therefore
purposes by revoking or impairing the charter. The purpose of charters is to *protect* the objects of religious, charitable, and educational institutions.

"The framers of the constitution did not deem [these objects] unworthy of its care and protection. They have, through a different mode, manifested their respect for science, by reserving to the government of the Union the power 'to promote the progress of science and useful arts, by securing for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries.' They have so far withdrawn science, and the useful arts, from the action of the State governments. Why then should they be supposed so regardless of contracts made for the advancement of literature, as to intend to exclude them from provisions, made for the security of ordinary contracts between man and man? (4 Wheaton 646-47)."

The logic of Marshall's ruling in *Dartmouth College* is therefore that a state cannot impose purposes which *conflict* with the purposes of the institution. Princeton University's own stated purposes include "the maximum possible freedom of thought and expression for each individual student and faculty member." To claim that it can therefore restrict political speech is the height of hypocrisy.