

## LaRouche main appeal to be heard Oct. 6

The appeal of Lyndon LaRouche and six associates convicted in Alexandria federal court last December, has been set for oral argument on Oct. 6 in Richmond, Virginia. Former U.S. Attorney General Ramsey Clark will be arguing the case for LaRouche and his six associates: William Wertz, Ed Spannaus, Dennis Small, Mike Billington, Paul Greenberg, and Joyce Rubinstein.

Previously, Mr. Clark issued a statement identifying the fundamental constitutional issues at stake in the *U.S.A. v. LaRouche* appeal, especially the rush to force the case to trial in 34 days from indictment.

Clark and the other attorneys filing the appeal have asked the court for an extra 30 minutes—for a total of one hour—to argue the case. Their request states: “Given the magnitude of the case and the complexity of the underlying issues,” as well as “the merit of the appeal and the fact that the liberty of seven persons is at stake, it is critical that appellants have a full opportunity to present their . . . arguments to this court.” This motion for expanded time has been pending since mid-July.

The Fourth Circuit Court, which is hearing the appeal, still has not decided whether to accept a table of misstatements, filed *pro se* (by the defendants themselves, not by their attorneys). In this document, the defendants exposed the prosecution’s use of lies in its response to the appeal brief, as a classic prosecutorial tactic designed to take the court’s eye off the essential constitutional issues. Like the motion for expanded time to argue, this motion to file the table should be decided within the first two weeks of September.

In addition, 233 *amicus curiae* signators have been officially added to the *amicus* brief of attorney David Pembroke of Baltimore. This brings the total number of attorneys who have registered their outrage at the railroad of LaRouche and his associates, to 377. The Fourth Circuit Court of Appeals accepted the supplemental filing in mid-August.

### LaRouche’s health at risk

The Oct. 6 appeal date, ironically coming exactly three years after the incredible show of force in which over 400 FBI and state police officers descended on the small town of Leesburg, Virginia to raid the offices of various publications and companies of LaRouche’s associates on Oct. 6, 1986, is

seen around the world as a watershed for saving the life and contributions of an individual who has done more than any other to preserve the United States and its allies around the world, in these critical times.

Now incarcerated in a federal penitentiary in Rochester, Minnesota, LaRouche—whose 67th birthday falls on Sept. 8—is being subject to debilitating labor in the prison kitchen for seven hours a day, despite the fact that his case is under appeal and that Mr. LaRouche is well past retirement age.

Among the international jurists who have expressed outrage at this situation, is Miguel Angel Pinero Murguia, a lawyer from San Sebastian (Basque Provinces), Spain. He is a specialist in criminal law, and in particular, the fight against ETA terrorism.

His statement reads: “I am informed about the conditions under which Mr. Lyndon LaRouche is being detained. The way Mr. LaRouche is being treated could not happen in this country. First, it is highly unlikely, to say the least, that a man of that age would be imprisoned, assuming he is even guilty. Elderly persons are almost always given a suspended sentence, unless they are violent and dangerous, in which case they might be hospitalized. Second, in Spain, persons are not obliged to work in jails at all, though they might be put on work for one day as a punishment. Furthermore, I believe that the age of retirement is 65 years, also in the United States. From what I have heard, Mr. LaRouche is being held under a prison regime more severe than the prisoners belonging to the Basque guerrilla group called ETA.”

Maitre Jacques Stul of the Paris Bar has 30 years’ experience in the Paris Appeals Court, in particular in some of the most sensitive political and civil liberties cases of the time. His statement of Aug. 30 reads:

“I am apprised of the fact, that Mr. LaRouche has been obliged to do exhausting work in the new jail to which he was sent last month. I am told, that he is working seven hours a day in the kitchens of that jail. Such a decision, to put a man of 67 years to work, is all the more regrettable and even scandalous, in terms of the violation of human rights, when one takes into account these further facts:

“1) The decision to have Mr. LaRouche work, was taken after Mr. LaRouche spoke in favor of certain of his associates, who are defendants in a New York trial. It would thus appear, that Mr. LaRouche has been punished, simply for having accepted to be a witness, i.e., for having placed himself at the service of the American justice system.

“2) It is extremely rare, that a 67-year-old man be forced to do hard physical labor in an American prison. Indeed, it would appear, that the treatment presently meted out to Mr. LaRouche may in fact be the first such instance, or at least, the first which has become publicly known, in the United States.

“I believe that it is also often the case, that persons who have been convicted but who are elderly, are not sent to jail at all,” Stul concluded.