

LaRouche calls Fourth Circuit rehearing denial a 'day of infamy'

The Fourth U.S. Circuit Court of Appeals sitting in Richmond, Virginia certified their commitment to the implementation of judicial fascism with its denial of a motion on Feb. 16 for a rehearing filed by Lyndon LaRouche and his co-defendants on Feb. 5.

The motion sought to have all six judges of the Fourth Circuit rehear the case which three of their colleagues dismissed out-of-hand in January, in an opinion which denied the LaRouche Seven's appeal. The motion raised substantive issues of law including the rush to trial, the decimation of the defense by an *in limine* order 11 days before the trial, and the "perfunctory jury selection process in a case involving one of the most controversial public figures of the past decade," an issue which the three-judge opinion evaded altogether.

Demonstrating that no judge on the court had the least bit of concern for the constitutional issues raised, the order reads:

As no member of this Court or the panel requested a poll on the suggestion for rehearing *en banc*, and

As the panel considered the petition for rehearing and is of the opinion that it should be denied,

It is ordered that the petition for rehearing and suggestion for rehearing *en banc* are denied.

Entered at the direction of Judge Murnaghan with the concurrence of Judge Hall and Judge Butzner.

LaRouche's comments

Upon hearing of the Fourth Circuit Court action from his jail cell in Rochester, Minnesota, LaRouche had the following response:

Today is the 20th of February. I have just received the information that as of Feb. 16, the U.S. Fourth Circuit Court of Appeals had turned down, summarily, a motion for reconsideration of the previous denial of relief from the conviction of me and of six associates in December 1988 before Judge Albert Bryan. This is a sad day, virtually a day of infamy, for the Fourth Circuit.

The denial of the appeal, issued by Judge Murnaghan on behalf of the panel, was full of outright lies, in defiance of the evidence in the record placed before him. And plain evidence it was.

For such an atrocity to be upheld virtually or implicitly *en banc* by the entire Fourth Circuit, certifies the Fourth Circuit for the moment, at least, to have ranked itself behind Nazi and Soviet justice in its contempt for all principles of reason and natural law. This is an unnatural act in fact by the Fourth Circuit, implicitly *en banc*.

Now we shall see whether the Supreme Court remedies this or not. We shall see, thus, whether there is any justice, in principle, left in the United States. We shall have to wait and find out.

It was said by the great poet, philosopher, and historian Friedrich Schiller, through the voices of the characters in his drama *Wilhelm Tell*, "There is a limit to a tyrant's power." Events are sweeping across the world, in which the United States itself will be judged. It will be judged whether the United States has become so far distanced from that state which it was committed to be at its founding, that history says this state must be removed from the planet as a warning to all who come after never to betray a cause in such soiled fashion as the United States has betrayed the principles of constitutional law, in many respects, thus far today.

We are swept on this planet by a great economic crisis, topped by an impending financial catastrophe. The catastrophe is rushing onward very rapidly, and may well hit the United States with rather extensive if not yet full force, before the middle of April of this year. Those who have framed me and condemned me within the federal administration, with the consent of parts of the federal court system, are the authors of this economic catastrophe, and the stubborn authors of the looming financial catastrophe. They are about to be buried in an avalanche of contempt, in the eyes of the American people and the world.

Perhaps, in this way, there is a coincidence between the false judgment rendered upon me and my associates, and the true judgment to be rendered upon the administration and its accomplices in the federal courts who hold us unfairly, unjustly, captive. I remember the prophetic words of Schiller's drama *Wilhelm Tell*: "There is a limit to a tyrant's power," and the means by which the Creator defines those limits, and brings a tyrant to heel, are sometimes awesome.

Those are my philosophical speculations on the monstrous travesty, the enormity of the conduct, implicitly, of the Fourth Circuit *en banc*.