U.N. gets LaRouche rights case

The extraordinary case of the unjustified political prosecutions of Lyndon LaRouche and associates is now before the United Nations. Part II of a series.

The Paris-based Commission to Investigate Human Rights Violations and Helga Zepp-LaRouche, wife of political prisoner Lyndon LaRouche, filed a second petition to the Commission on Human Rights of the United Nations in Geneva, Switzerland on Feb. 2, 1990, seeking U.N. action against human rights abuses committed against Lyndon LaRouche and his political movement by federal, state, and court authorities in the United States. A first petition had been submitted at the end of May 1989, but has yet to be deliberated upon.

In Part I of this series, the petition took up the 20-year history of FBI "dirty tricks" against organizations associated with LaRouche, and the more recent political frameup of LaRouche conducted by the Justice Department under the auspices of Executive Order 12333.

The section that follows describes the unsuccessful attempts to overturn the unjust verdict in the Alexandria, Virginia federal prosecution of LaRouche and six associates. Although this appeal was supported by the highest authorities in the legal science from all over the world, the Appeals Court decided to uphold the verdict and order the "LaRouche Seven" to remain in jail. Also described are the circumstances surrounding the government's move to place three companies associated with the defendants into "involuntary bankruptcy," making it impossible for them to repay loans.

B. Violations of Articles 10 and 11 of the Universal Declaration of Human Rights

1. The Alexandria prosecution

Lyndon LaRouche, William Wertz, Edward Spannaus, Michael Billington, Dennis Small, Paul Greenberg and Joyce Rubinstein (hereinafter called "the defendants") were tried during November and December 1988 in the United States District Court for the Eastern District of Virginia, Alexandria Division, by a federal jury and presiding Judge Albert V. Bryan, Jr. This trial was conducted under violation of the most essential provisions for fair trial procedures. After only four weeks of trial, all defendants were convicted as charged on Dec. 16, 1988, and on Jan. 27, 1989, sentenced to terms of imprisonment. Judge Bryan ordered that defendants be immediately detained, denying each defendant's application for bail pending appeal. Since that time they have been held in prison. Appeals for release on bond pending appeal have been denied by Judge Butzner of the Fourth Circuit Court of Appeals, by a three-judge panel at the same court and by the Supreme Court.

On Jan. 22, 1990, the Fourth Circuit Court of Appeals upheld the District Court's ruling.

The Alexandria trial represents the culmination of the decades-long persecution of Mr. LaRouche and his associates. It was described in our earlier communication as one of the most telling examples of disregard for constitutional rights in politically motivated cases in the United States.

A. THE APPEAL

In face of the important constitutional issues involved in the LaRouche case, former U.S. Attorney General Ramsey Clark joined the team of defense lawyers and argued the appeal for Mr. LaRouche and his co-defendants. In submissions to U.S. courts in this case Ramsey Clark said:

> The U.S. government has engaged in flagrant constitutional violations to convict and confine Lyndon H. LaRouche, Jr., whom they perceive as a political enemy.
>
> The fundamental constitutional rights of LaRouche and his associates to a fair trial and to the effective representation of counsel were violated by forcing them to trial within 38 days of indictment in an exceedingly complex case involving millions of documents, many witnesses, and a myriad of complex and novel issues.
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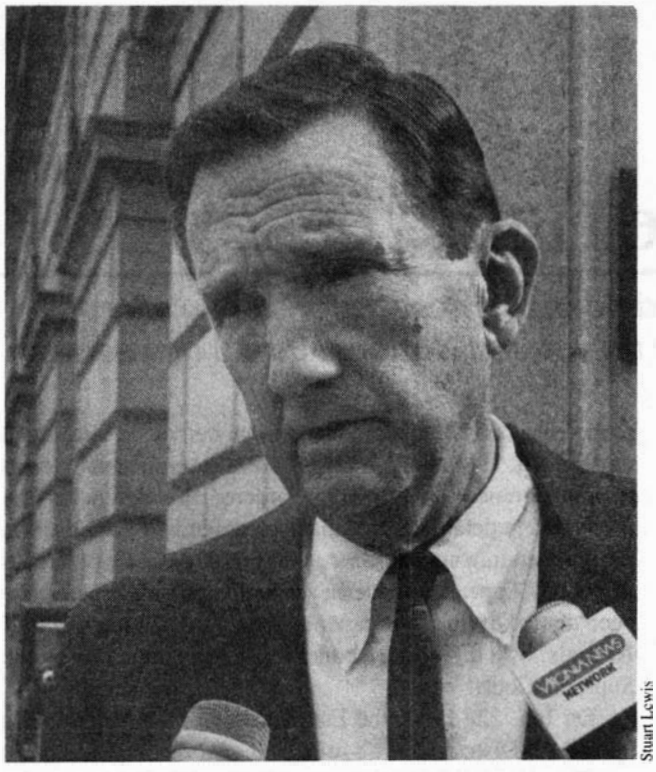
> The fundamental and constitutional right of LaRouche and his associates to present their defense to a jury was violated by prohibiting them from introducing admittedly relevant evidence concerning the role of the government and others in waging financial warfare against LaRouche and his political organiza-



Stuart Lewis

Former Attorney General Ramsey Clark told the press after he argued the appeal, that the LaRouche case "asks whether the American judicial system is capable of giving a fair trial in an extremely controversial situation. . . . The trial here was not fair."

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LaRouche's right to a jury trial was violated by denying the defense the ability to conduct a meaningfully probing selection of jury (*voir dire*), when LaRouche and his political organization had been portrayed historically by the media in prejudicial and inflammatory terms and when prospective jurors could very well have had personal encounters with his political associates.

The imposition of a 15-year sentence by the trial judge on LaRouche was impermissibly harsh.

This case is an outgrowth of a many-year program of a national multi-agency "Get LaRouche task force."

In a statement attorney Clark gave to the press after he had argued the appeal before the Fourth Circuit Court in Richmond, Virginia, on Oct. 6, 1989, he also said that the LaRouche case "asks whether the American judicial system is capable of giving a fair trial in an extremely controversial situation. . . . The trial here was not fair. . . ."

Accordingly, the appeal brief cites the constitutional violations committed during the Alexandria trial which are so numerous, that the defendants were not even granted the semblance of a fair trial. The circumstances which should have compelled the Appeals Court to order a new trial are described in our earlier communication:

- The arbitrary choice of venue and rush to judgment.
- The District Court denied the defendants the right to be tried by a fair and impartial jury, because there was no valid *voir dire* examination; the actual *voir dire* was constitutionally inadequate and unconstitutionally general; the trial judge relied on jurors' subjective perceptions and failed to probe outside influences on jurors; defendants were precluded from making effective use of their peremptories.
- By denying defendants' motion for exculpatory material and granting the government's pre-trial Motion *in Limine*, the court deprived defendants of their constitutional right to present their case to a fair and impartial jury.
- The government's Motion *in Limine* denied defendants' right to present crucial evidence to the jury.
- The District Court erred when it refused to grant defendants' motion for continuance and forced counsel to trial without affording them adequate time to prepare their defense. By rushing the defendants to trial, and by denying defendants' motions for continuance, the court left defense counsel unprepared for trial and ineffective in addressing and rebutting many of the government's contentions against the defendants.

B. LEADING INTERNATIONAL JURISTS JOIN THE APPEAL

When attorneys for Lyndon LaRouche and his co-defendants filed an appeal before the Fourth Circuit of the U.S. Court of Appeals in Richmond, Virginia last May, that appeal was accompanied by a series of *amicus curiae* briefs from all over the world. During May 1989, Assistant U.S. Attorney Kent Robinson, prosecutor in the Alexandria trial, contacted each and every of the 144 attorneys who signed the *amicus curiae* brief submitted by Baltimore attorney David R. Pembroke. Robinson told Mr. Pembroke, that he thinks that the attorneys who signed the brief, a collection of some of the nation's most prominent legal personalities, were not well enough informed to legitimately sign the brief. On July 5, the court accepted the brief over the objections of Assistant U.S. Attorney Robinson.

The Department of Justice did also oppose the *amicus curiae* brief written by attorney Edwin Vieira, which especially exposed the fact, that Buster Horton, foreman of the jury that convicted Lyndon LaRouche and his six co-defendants in Alexandria, is tied to the "secret government" apparatus which is responsible for the Iran-Contra operations and directed operations against Mr. LaRouche, as well as tied to outspoken political enemies of Mr. LaRouche.

On July 27, 1989, attorney Pembroke went back to the U.S. Court of Appeals for the Fourth Circuit and filed a Motion for Leave to file a supplement to his brief. The proposed supplement added 233 additional *amici* to the original brief, bringing its total signers to 377. On Sept. 13,

1989, Pembroke filed a second Motion for Leave, asking to add the signatures of more than 400 additional jurists to his brief, bringing the total amount of supporters to well over 800.

Among the signers are some of the most prominent American attorneys and legal scholars: one dozen professors of constitutional and interational law from eight of some of the most prestigious U.S. law schools, the deans of three law schools, the presidents of seven regional Bar Associations and two minority Bar Associations, the director of the California Young Lawyers Association, two presidents of state chapters of the American Trial Lawyers Association, two presidents of state chapters of the National Association of Criminal Defense Lawyers, a past president of California Attorneys for Criminal Justice, a former Attorney General of Colorado, civil rights attorneys and functionaries from organizations including the ACLU, Common Cause, the NAACP, and the National Council of Public Auditors, two former U.S. Attorneys, six former district attorneys, five retired Superior Court judges, along with a wide array of nationally prominent criminal law specialists and authors.

A section from the "Summary of the argument" of the original brief says about the Alexandria trial:

> The trial judge denied any semblance of a fair trial to the Appellants in this case. The trial court rushed the appellants to trial without adequate time to prepare their defense, denied them the right to a fair and impartial jury, and excluded essential areas of evidence which were critical to the defense case.
>
> If these convictions are allowed to stand, no defendant in the Eastern District of Virginia or any other district in the Fourth Circuit can be assured of a fair trial. . . . Furthermore, such a precedent would be a potential threat to the rights of any accused anywhere in the United States, and would represent a dangerous erosion of the fundamental rights guaranteed by our Constitution and Bill of Rights.

On Sept. 28, 1989, James E. Mann, a former U.S. congressional representative, who served as a leading Democratic member of the House Judiciary Committee during his tenure in Washington, D.C., filed three motions before the court in Richmond seeking permission to add almost 50 additional signatures to a series of European *amicus curiae* briefs in the LaRouche appeal. The court had accepted on June 19, 1989 five briefs sponsored by Mann and authored by six leading European law professors and prominent attorneys from Austria, West Germany, France, and Sweden, among them a former justice minister of Austria. All of the briefs expressed grave concern about the violations of accepted standards of international law and human rights which occurred in the conviction and subsequent imprisonment of Mr. LaRouche and his associates.

C. GOVERNMENT CONTINUES UNFAIR TACTIC

The government's response to the defendants' appeal brief, which raised compelling constitutional questions, confirms the political animus behind the prosecution. The government's opposition brief, which was filed beginning of July, 1989, contains exactly 148 lies and misstatements packed into the 70-page memorandum. Observers characterized the government brief as a transparent effort by the prosecution team to overwhelm the legal issues and drive the court to the conclusion that the evidence of guilt was so great that the compelling constitutional arguments made in the LaRouche appeal could be ignored.

The lies and misstatements included:

- false statements by the government for which there is no support in the record whatsoever, and which are contrary to fact;
- statements or assertions contrary to fact which are based on false testimony which was contradicted or rebutted by other testimony or evidence in the record;
- statements or assertions contrary to fact based on false testimony, which was not rebutted because of court orders limiting evidence, preparations for trial and cross-examination.

The court accepted an unusual *Pro Se* Motion and "Table of Misstatements of Fact in the Government Brief" filed by the Appellants to rebut these falsehoods.

One of the classic examples of the government's tactics is the stipulation: ". . . it was articulated policy and practice of the defendants not to repay loans." Yet at trial at least four government witnesses testified that there was no such policy not to repay loans!

D. THE FIGHT FOR EXCULPATORY MATERIAL

As stated above, one of the constitutional grounds the appeal rested on was the fact, that by denying the request for exculpatory material and granting the government's pre-trial Motion *in Limine*, the District Court deprived defendants of their constitutional right to present their case.

One of defendants' most important pre-trial motions was their Motion for Disclosure of Exculpatory Evidence, which was a specific and detailed motion containing numerous separate requests for particular categories of exculpatory material. Despite the specificity of the requests and their articulated basis, the court denied all of defendants' requests for Brady material without hearing argument on a single request. Many requests were based on documents which were previously disclosed to defendants through Freedom of Information Act requests or discovery in other cases, and which clearly indicated the existence of the types of documents or information set forth in the request.

The pre-trial defense motion sought documents showing:

- government interference with fundraising efforts by associates of LaRouche, including attempts to harass and intimidate contributors;

- government contacts with banks and other financial institutions for purposes of interfering with fundraising and financial affairs of organizations identified with LaRouche;
- efforts by political enemies of LaRouche to discredit him within the Reagan administration and the intelligence community; and
- the role of government agencies in coordinating or aiding news media attacks on LaRouche, including the instigation of slanderous news coverage and illegal leaks of false and derogatory information to the news media.

Simultaneous with papers opposing defendants' motions, the government filed a Motion *in Limine*, seeking to preclude the defense from introducing any evidence, or cross-examining any government witnesses, with respect to: (1) prior FBI investigations, infiltrations, and use of informants; (2) defendants' claims that the government, through the FBI, CIA, and others, had engaged in a pattern of harassment and persecution of defendant LaRouche and his associates; (3) defendants' claim that their inability to repay the loans they were charged with having fraudulently obtained was largely due to the government's "financial warfare"; and (4) the fact that the involuntary bankruptcies against defendants' organizations were initiated by the government.

The court granted this motion in all significant respects and in so doing prevented defendants from raising their fundamental defenses. Please see our earlier communication for a detailed explanation of "evidence of government harassment and interference," which was central to the defense on the loan fraud charges, in that such actions by the government contributed to the organizations' inability to meet the financial obligations at issue in the indictment.

One of the objectives of the appeal against the Alexandria convictions was to obtain an order for a new trial, in which evidence proving the innocence of the accused could be fully presented. It is self-evident, that in a fair trial a defendant in a criminal case is entitled to see and confront all the evidence and witnesses used against him. He is also entitled to see any evidence which is "exculpatory," i.e., which would tend to show he is innocent of the charges against him.

As the defense argued in Alexandria and as was confirmed again after trial, there existed massive amounts of classified documents and information that were relevant and material to the defense case. But the Reagan and Bush administrations had reason to fear the political consequences of disclosure of classified documents into the public domain, and sought to prevent it. As already in the Boston trial and then in the Alexandria trial, the government withheld almost all classified documents from the defense, never even allowing the defendants to see the information in the withheld documents. The government's stonewalling over classified documents even before the Alexandria trial was exemplified by the following:

- In LaRouche's first trial in Boston, prosecutors ridiculed defense assertions about covert operations and classified information, yet were forced to disclose the existence of hitherto secret files throughout the course of the trial. The prosecutors had agreed to conduct an "all-agency" search for documents pertaining to the defendants. Time and time again, as the trial proceeded, documents would surface from a government agency, which would then assert that no further documents existed only to have additional documents appear a few weeks later.
- On March 7, 1988, one of the defendants independently obtained a declassified document found in Lt. Col. Oliver North's office. The telex, from Richard Secord to North, contained the critical passage: "Our man here says Lewis has collected info against LaRouche." Shortly thereafter, a second FBI document suggested that U.S. government intelligence agencies had been conducting infiltration and disruption operations against LaRouche and his associates.
- At one point the Boston case against LaRouche was almost dismissed over the government's refusal to declassify secret information which had been found to be relevant.
- During that trial, the judge ordered a search of the White House files of then-Vice President George Bush.

The judge and prosecutors read through thousands of pages of classified documents which the defendants were never allowed to see. Instead the government filed admissions as substitute for the withheld information. These admissions stipulated *inter alia* that a key government witness had been a paid FBI informant for many years on both criminal and national security matters. Prosecutor Markham later told one of the defense attorneys that, had Judge Robert Keeton of Boston not accepted the government's final proposal for substitute admissions, the government would have allowed the case to be dismissed rather than release any more classified information to the defendants.

- On Aug. 10, 1988, in a "Memorandum and Order," Judge Keeton found that around the questions of production of evidence involving intelligence agency areas the government had engaged in "institutional and [systemic] prosecutorial misconduct." Keeton's order concerned the evidentiary hearing concerning intelligence community operative Ryan Quade Emerson which in fact had led the case to mistrial in May 1988.
- The DOJ dropped the Boston LaRouche case and reindicted LaRouche in Alexandria, counting on the fact that the judge there would suppress all classified exculpatory evidence. It was clear that LaRouche and his co-defendants were likely to win in any retrial in Boston. To prevent any recurrence of the Boston events, the LaRouche case was transferred to the Eastern District of Virginia. It was known that Chief Judge Albert V. Bryan, Jr. of the federal court in Alexandria could be counted on to suppress any issues of classified information and government misconduct. Bryan's "rocket docket" court is known for routinely denying virtually all pre-trial motions submitted by defendants, especially all discovery motions. Plus, having sat on the super-secret

special court created by the Foreign Intelligence Surveillance Act (the "FISA court"), Bryan could be presumed to be intimately familiar with covert intelligence operations, including those directed against LaRouche.

- Only after LaRouche and six co-defendants were convicted and jailed on Jan. 27, 1989, did the FBI release a small portion of the 4,700 pages of mostly classified documents they were withholding. Those documents that were declassified and released showed extensive efforts by the FBI and other agencies to discredit LaRouche, and indicated attempts to frame up LaRouche and associates on spurious charges. Most significant was the July 1989 disclosure by FBI agent David Lieberman of the existence of a secret "national security" file on LaRouche which "was compiled . . . pursuant to Executive Order 12333." The FBI is withholding this file.

On Oct. 11, 1989, Warren J. Hamerman, chairman of the National Democratic Policy Committee, wrote to President George Bush requesting that the President exercise his "constitutional power, legal obligation, and duty as President to declassify and cause to be released to the general public now all documents, material and evidence exculpatory to Mr. LaRouche and his associated movement" which were denied in court proceedings. The documents specifically requested tracked intelligence agency activity constituting what the letter called "a private effort" and "secret government apparatus like that which came to public light in the Iran-Contra affair." The letter stated that among those engaged in these activities were Oliver North, Oliver Revell, James Nolan, Henry Kissinger, et al. "Under the Reagan administration's Executive Orders 12333, 12334, and other specific related orders, agencies of the government launched counterintelligence investigations and repressive covert operations against LaRouche and his associates which were aimed at 'neutralizing' his political influence abroad and domestically."

On Oct. 20, 1989, Hamerman sent a second letter to President Bush specifically requesting that he "invoke his powers under Executive Order 12356 to declassify and release all material on Lyndon LaRouche" in the possession of the White House, NSC, FBI, CIA, State Department, Department of Justice, the President's Foreign Intelligence Advisory Board and other government agencies or interagency government task forces. Appended to the letter was a list of 15 national security "topics" which were acknowledged by the government to exist but were not declassified.

On Oct. 30, 1989, White House counsel C. Boyden Gray's assistant, Brent O. Hatch, wrote to Hamerman concerning the documents request saying: "The Department of Justice has been handling this matter and is aware of the concerns you have raised. We are confident that this matter has been appropriately handled."

On Nov. 7, 1989, Vernon Thornton, the acting section chief for the Records Section at FBI headquarters in Washington, in a FOIA case that arose from a lawsuit by an associate of LaRouche, submitted an affidavit saying that he had reviewed the documents in the file acknowledged by Lieberman (see section A.1. *supra*) and determined that they could not be released because the file was a "national security repository."

It is instructive to compare this "stonewalling" to the handling of the most recent Iran-Contra prosecution, that of Joseph Fernandez, former CIA station chief in Costa Rica. Fernandez was accused of lying to Iran-Contra investigators. Any serious investigation of his activities would have uncovered evidence that the Iran-Contra gun- and drug-smuggling operations were run with knowledge and consent of high places in the U.S. government. Alexandria U.S. District Judge Claude Hilton ruled that in order for Fernandez to get a fair trial, information on CIA activities in Costa Rica had to be brought in. To protect former Vice President Bush, whose office as Vice President had been directly tied into the Iran-Contra operations, and the CIA, Attorney General Thornburgh barred any airing of this information, alleging irreparable harm to U.S. national security. Hilton then dismissed all charges against Fernandez, ruling that the secret documents in question were "essential to the defendant" and indispensable for a fair trial.

In the LaRouche case, however, the government got it both ways: The defendants were denied a fair trial and secret documents in the possession of the government have not been declassified to this date!

E. THE GOVERNMENT-INITIATED BANKRUPTCY

Another severe curtailment of the defendants' ability to fully present their defense during the Alexandria trial was Judge Bryan's court order as to the government-initiated involuntary bankruptcy of three LaRouche-related entities.

In relevant part the court ordered:

"1. Reference to the bankruptcy proceedings as a reason for nonpayment of the loans which are the subject of the indictment will be permitted; that the bankruptcy was an involuntary one, i.e. at the instance of other creditors, will be admissible; that the government was the creditor which initiated the involuntary bankruptcy proceeding will not be admitted because the court, pursuant to F.R. Evid. 403, concludes the admission of testimony that United States was the petitioning creditor would necessitate inquiry into the nature of the debts owed the United States as a result of contempt proceedings, and would divert the jury from the issues raised by the indictment."

In effect, the court ordered the defendants to accept a material misrepresentation of the facts of the bankruptcy.

The actual facts are as follows: On April 20, 1987, the United States, through the U.S. Attorney for the Eastern District of Virginia Henry Hudson, petitioned the U.S. Bankruptcy Court to place three organizations operated by associates of defendant LaRouche and the other defendants (Campaigner Publications Inc., Fusion Energy Foundation, Caucus Distributors Inc.) into involuntary bankruptcy. The Unit-

ed States obtained an order, in a highly extraordinary *ex parte* proceeding, appointing Interim Trustees, directing them to seize the assets of the three companies, and directing the Trustees to run the businesses and refrain from any payment of debt other than approved by the Bankruptcy Court. The Interim Trustees, aided by U.S. Marshals, padlocked the offices of the companies in an early dawn seizure on the morning of April 21.

The pretext for this was that fines were owed to the government in the amount of $16 million imposed on the bankrupted entities for alleged non-production of financial records subpoenaed on order of the Boston grand jury. (For the illegitimacy of these fines see section A.2.) Also the NDPC was originally fined $5 million, bringing the total of the fines to $21 million. Proceedings in the New York "LaRouche case" (see section B.4. of this communication), where the government had to produce an inventory of the records which had been produced, revealed that the entities accused of "contempt of court" actually did produce the records at issue!) The government was the sole creditor on the involuntary petitions. However, the court's *in Limine* order directed the parties to state that it was "at the instance of other creditors." There were no "other creditors" when the petition was filed.

Any person hearing evidence that the companies were put into involuntary bankruptcy could reasonably conclude that the companies had been forced into bankruptcy by disgruntled lenders, such as those that testified at trial or that defendants were seeking to avoid their debts through this procedure.

The misrepresentation of the bankruptcy was even more egregious because the prosecutors constantly made reference to nonpayment of loans. Lender-witnesses were invariably asked whether they had ever "to this day" been paid back.

The Alexandria case against LaRouche and six associates was totally dependent upon the bankruptcy shutdown of the three companies. First, Attorney Hudson caused the companies to be padlocked and their operations shut down. This prevented the companies from obtaining any revenues or paying any debts. Then Hudson indicted LaRouche and six associates for conspiracy to borrow money fraudulently, the proof being that the money was not paid back. But, under the Bankruptcy Court's order, the money could not legally be paid back.

Judge Bryan of Alexandria personally made two rulings in 1987 upholding U.S. Attorney Henry Hudson's seizure and shutdown of three publishing companies operated by associates of LaRouche. In order to keep the truth about the bankruptcy from the jury, the same Judge Bryan ordered the defendants to lie about the bankruptcy, preventing them from telling the jury that it was the government alone that initiated the involuntary bankruptcy.

In the summer of 1987, attorneys for the three seized companies appealed the initial order of the bankruptcy court that shut the companies down. The order was appealed to the U.S. District Court, and was heard by Chief Judge Bryan. The basis of the appeal was the secret, *ex parte* nature of the proceeding, and the fact that the U.S. government was the sole petitioning creditor, in violation of the U.S. Bankruptcy Code (11 U.S.C. 303(b)).

A second motion was brought before Judge Bryan in July 1987, seeking to "remove" the entire case from Bankruptcy Court to District Court. This is allowed when important constitutional issues are involved in a bankruptcy: The issue put before Judge Bryan was Hudson's use of the bankruptcy proceedings to extract testimony to be used in his criminal investigation. Hudson served as chief prosecutor in the criminal trial in Alexandria. Bryan again denied the motion. These rulings set the stage for the convictions of LaRouche and his associations a year and a half later. On May 4-9, 1988, a trial on the propriety and sufficiency of the government's position was conducted in the U.S. Bankruptcy Court for the Eastern District of Virginia. More than a year later, on Oct. 25, 1989, bankruptcy Judge Martin V.B. Bostetter threw out the government-initiated bankruptcy and found that the government had filed the action in "bad faith," that its actions were a "constructive fraud on the court," and that there was "improper use" of the bankruptcy law, especially against debtors who "strived more to expose the world to its political viewpoint than attain private monetary gain." Bostetter ruled in favor of the three companies on each of the three major issues they had raised at trial: (1) that the procedure was illegal because there was only one petitioning creditor the United States government, not three as required by law; (2) that the petition was brought in bad faith, and for an improper purpose; and (3) that two of the three alleged debtor companies were non-profit organizations (FEF and CDI), therefore not subject to an involuntary bankruptcy. Judge Bostetter also noted that the secrecy of the procedure aided the government in obtaining the original bankruptcy order.

In commenting on Bostetter's scholarly decision, observers pointed to the role of Chief Judge Albert V. Bryan, who personally supported the bankruptcy and knew that the prosecution's indictment of Mr. LaRouche and six others in Alexandria could not have been possible without this bankruptcy, but nevertheless presided over the conviction of these defendants and sent them to jail.

It is interesting to note that in a trial against LaRouche associate Donald Phau, which started in January of this year before a Virginia state court in Roanoke, the government filed a Motion *in Limine* to prevent the introduction of the bankruptcy ruling by Judge Bostetter.

The fact that the defendants' appeal against the Alexandria verdict was rejected by the Fourth Circuit Court of Appeals, documents that judgments such as Bostetter's decision, which implicitly define other rulings as illegal and unconstitutional, do not guarantee a sufficient protection against politically motivated prosecutions but rather highlight the abuse of U.S. courts for political purposes.