

Court rules against IHT in LaRouche case

by Laurence Hecht

The judgment of a Paris court finding the *International Herald Tribune* guilty of criminal libel against former Democratic Presidential candidate Lyndon H. LaRouche was released to the public last week.

In a strongly worded statement released Nov. 29, the court charged that *International Herald Tribune* manager Thayer was guilty of defamation and "damage to the honor of a candidate" for public office by its publication of two articles appearing in the Oct. 13 and 14, 1979 editions. The articles characterized the former presidential candidate as the leader of an anti-Semitic cult.

Mr. LaRouche was awarded 5,000 francs (about \$1,000) in damages by the French court. As "complementary damages," the decision requires the *International Herald Tribune* to publish inserts of the decision and also to have it printed "in two newspapers which the plaintiff can choose."

The *International Herald Tribune* is a jointly owned subsidiary of the *New York Times* and *Washington Post*, published in English for European circulation.

The decision of the French court is of special interest to Americans, since the articles in question were reprints of articles that appeared in the Oct. 7 and 8, 1979 editions of the *New York Times* at a time when Mr. LaRouche was already campaigning for the Democratic Party's presidential nomination. In 1976 Mr. LaRouche ran for President on the U.S. Labor Party ticket, which the libelous material termed "a cult."

In making its defense, the *International Herald Tribune* offered no proof of the truth of its allegations against Mr. LaRouche. Instead, the newspaper defended itself by citing other newspaper articles, also defamatory of candidate LaRouche, as their source. Many of the other articles were produced by the newspaper's parent company.

In July 1979, *New York Times* reporters Paul Montgomery and Howard Blum, who jointly prepared the libelous articles, confessed to undercover investigators that they were preparing the articles with the intention of prompting a government investigation of candidate LaRouche.

Excerpts from the decision of the French court, presided over by Mme. Clavery, follow. Emphasis is added.

1. About the defamatory character:

Starting with the headline, the *defamatory character* of the article appears. Effectively, the author associates the name of a political organization to a purpose very different from that which it should have: the cult of a paranoid mental disease, a form of psychosis which the U.S. Labor Party is thus accused of. . . .

The author explains that he bases his article notably on interviews with former Labor Party members, "none of whom wanted to see his name mentioned. Some of whom said they feared for their life. . . ." Those remarks clearly express the idea that Mr. LaRouche leads an organization which has so many things to hide that it is ready to execute those who would divulge information about the party, *which is defamatory*. . . .

This accusation of violence, and of dubious activities, is formulated again in the . . . sentences in which the journalist stated that there were close relations between the party of Mr. LaRouche and organizations which have attached their names to ideas of racism and violence, which [statement] *damages the honor and the consideration of a candidate who wishes to present himself to the suffrage of the citizens*. . . .

A few paragraphs later, evoking the psychological atmosphere of that party, the author specifies, "Often, leaders of the party choose the person with whom the member must live." That means he imputes to the leaders, and thus to Mr. LaRouche, psychological pressures such that the members of the party can no longer enjoy their freedom, thus tending to present the party as a "sect" with all the pejorative connotations that can be attached to that term. . . . This insinuation . . . is also expressed in his conclusion: "We find that group as strange as the Marxist People's Temple of Reverend Jim Jones."

It suffices to recall that the latter [Jones] pushed hundreds of his followers into suicide, to establish the defamatory character of this comparison. . . .

2. On good faith:

The accused, *who did not offer to prove the veracity of the defamatory facts*, limits himself to asserting that he acted in good faith, by informing his readers of what other journalists have written on the subject. But, not only were most of the articles presented by the accused published in newspapers belonging to the same press group as the *International Herald Tribune*, moreover it is not sufficient to show that other organs published the same defamatory information to establish the good faith of the one who restates these allegations. Mr. Thayer had the duty, as any newspaper manager would, to act with care and objectivity and thus to verify the affirmations he let be published. . . .

The accused has thus not established that he acted in good faith. . . .