

Justice Dept.'s Weld and 'shadow government' on trial in Boston

Our system of justice in the United States is based on the notion that crime, not the individual, is the target of law enforcement efforts. However, in this instance we confront a situation in which the government has targetted a group of individuals for investigation, covert action, disruption and selective prosecution, over a period of 18 years. The Oct. 6, 1986 indictment and the Dec. 16 superseding indictment in this case are the first federal indictment of the National Caucus of Labor Committees (NCLC) and its leaders since they were first targetted in 1968-69 by the FBI. Over that period of time, the defendants have been more or less continuously under investigation by the FBI, and have been unsuccessfully targetted in at least 11 instances. . . .

—From the "Memorandum in Support of the National Caucus of Labor Committees' Motion To Dismiss the Superseding Indictment on Grounds of Selective Prosecution."

More than 150 defense motions have been filed by associates of 1988 presidential candidate Lyndon H. LaRouche, Jr. in the federal criminal case brought against them in Boston. The motions will blow the lid off the "shadow government" that has operated illegally to fund the Nicaraguan cocaine runners called Contras, arm the Ayatollah Khomeini—and execute "orders" from Soviet party boss Mikhail Gorbachov to "get LaRouche."

Fourteen of the motions seek to have the indictments dismissed on the basis of flagrant grand jury abuse and prosecutorial misconduct over a period of two years. In effect, they put on trial the Boston U.S. Attorney's Office formerly headed by William Weld, scion of an opium-trade financial family.

The motion to dismiss filed by the counsel for *EIR* journalists Michele and Jeffrey Steinberg documents that Weld conducted a personal vendetta. He had every motivation to stop *EIR* and political groups like the National Democratic Policy Committee, which led an international effort in August 1986 to stop Weld's appointment as assistant attorney general, because of his links to institutions that finance the drug trade.

But they show more than that. For more than 18 years, the FBI, Weld's instrument, used every known means to

interfere with the political activities of LaRouche, his associates, and their financial supporters. However, it was during a heated battle inside the intelligence community over rogue "covert operations," such as trafficking weapons to Iran, that Weld found support within the "shadow government" of Oliver North, Michael Ledeen, Adm. John Poindexter, and elements of the CIA—in his drive to "stop LaRouche."

The intelligence war

At the time of the Oct. 6, 1986 raid on the offices of *EIR* et al., the defendants were deeply involved in exposés of the dirty NSC operations now being investigated by Independent Counsel Lawrence Walsh and several congressional committees. Since the 1970s, *EIR* has identified the NSC as an extra-legal "house" that Kissinger built, the "shadow government" now exposed by Iran-Contra probes. By no later than 1982, Kissinger was demanding through the President's Foreign Intelligence Advisory Board (PFIAB) that the FBI "stop LaRouche." FOIA documents submitted as exhibits in the defense motions show that Kissinger induced others on the PFIAB to demand that the FBI look into the financing of the political activities of LaRouche and associates.

Edward Bennett Williams, one of those who contacted the FBI for PFIAB, was, according to a motion, in contact with William Weld in September 1986. Weld assured Williams, "There will be indictments."

Target LaRouche

A memorandum filed by Washington attorney Daniel S. Alcorn makes crystal clear that LaRouche's presidential campaigns were selectively singled out for prosecution:

"The detailed factual sections of this Memorandum demonstrate that 1984 Presidential candidates other than Lyndon LaRouche were not proceeded against criminally for similar acts to those alleged in this indictment. The facts alleged also show that the motive for this action was a concern on the part of certain persons in government that Mr. LaRouche's politics and policies were gaining too much influence," the memorandum begins.

On Oct. 31, 1984, ". . . the weekly public affairs magazine, *The New Republic*, commissioned a further investigation of Mr. LaRouche's influence on National Security Council deliberations. . . . The timing of release of the article

apparently was intended to harm the Reagan re-election campaign by linking his administration's policy making to LaRouche and associates. As this Court will realize, the timing of this article was simultaneous with the beginning of . . . Weld's highly unusual prosecution of Mr. LaRouche and associates in this case.

" . . . Mr. LaRouche's election-eve broadcast of 30 minutes . . . was cancelled when the bank froze accounts following [FBI agent] Egan's telephone call. . . . [A]n FBI telex message released pursuant to the Freedom of Information Act reveals that Mr. Weld was personally active on that day. The message from FBI Boston to FBI Director states, 'U.S. Attorney William F. Weld, Boston, advised on Oct. 31, 1984, that he wishes to move expeditiously in this matter since it affects the integrity of the presidential election process.'"

Motions for discovery submitted by the accused associates of LaRouche demand documents from the government that show that Dennis King, the author of that *New Republic* article, was a source directly and indirectly for the FBI and the U.S. Attorney's office.

Four of the accused in the case—the Steinbergs, Paul Goldstein, and Robert Greenberg—all worked as editors of *EIR*'s counterintelligence section. Their expertise in matters of terrorism, drug trafficking, and U.S. covert operations put these journalists at odds with NSC policies in 1984 and 1985. A motion submitted on Goldstein's behalf alleges that he was threatened by CIA operatives to either "cease and desist" his journalistic activities or face federal prosecution for unspecified and nonexistent crimes.

Ripping up the Constitution

Justice Department sources told the *Washington Post* that the Oct. 6 raid on Leesburg, Va. offices of *EIR* et al. stemmed from a "let's hit them" order from Weld as soon as he became DoJ Criminal Division head following confirmation on Sept. 10. The motions show that, in its frenzy to get LaRouche, the FBI and Boston U.S. Attorney's Office violated every protection of freedom of association and due process specified in the Bill of Rights. The motions allege:

- That ". . . the search of their offices was conducted in a manner more akin to the pillage of an ancient city by pagans than a legitimate law enforcement operation. . . ."

- That the FBI misled the federal judge who signed the Oct. 6 warrants by failing to inform the judge that other jurisdictions had also obtained search warrants; the FBI also failed to reveal that thousands of the documents they were seeking to seize in the search had been turned over to the grand jury a year before.

- That the FBI and other agencies that comprised the 400-man assault force, seized thousands of documents and items not specified in the warrant.

- That the Fourth Amendment to the Constitution was violated when several hundreds of documents involving com-

munications between clients and their attorneys were seized.

- That the Grand Jury was abused by the U.S. Attorney's office, which proffered selective summaries of testimony given over a period of 18 months, rather than presenting full testimony.

- That the indictment of Elliot Greenspan, a leading spokesman for the NDPC, makes a mockery of due process: He had been granted immunity from prosecution.

- That the Grand Jury was abused and manipulated by the U.S. Attorney's Office, which intentionally leaked—through its witnesses and sources—elements of the secret proceedings which found their way into the press solely to prejudice the case.

- That the U.S. Attorney's Office intentionally withheld "exculpatory" information from the Grand Jury, including information that First Amendment activities like writing of articles and public demonstrations are not "overt acts in furtherance of a conspiracy." In a hearing before a Boston federal magistrate in December 1986, Assistant U.S. Attorney John Markham stated that "normally" free speech is protected by the Constitution, but in the case of LaRouche's associates, words are "overt acts."

Selective prosecution

The Alcorn memorandum also presents a small sampling of abuses and irregularities by other presidential campaigns.

". . . The Federal Election Commission discovered a pattern of "bad checks" issued by the Cranston campaign. The FEC "Bad Check List-Final" lists a total of 736 checks totalling \$166,498.07 which were returned as insufficient funds checks, i.e. 'bounced checks' in the vernacular. . . . The FEC final Audit Report states . . . 'The Commission has not previously encountered the issuance of insufficient fund checks on such a large scale by a publicly-funded committee. . . . The government's solution to this pattern was to disallow federal matching funds for the \$5,502 of bank . . . charges. . . . There was no criminal investigation nor a criminal prosecution.'

"The size of the illegal contributions to Glenn, alleged by the government, \$1,900,000, dwarfs the charge in this case, \$58,000.00, yet the government does not pursue criminal penalties."

The government alleges that non-repayment of loans to political contributors was part of the criminal "scheme" run by the LaRouche campaign committees. The memorandum notes, "After the 1984 campaign, Senator Gary Hart's campaign remained awash with debt . . . [\$2,423,228.32, according to FEC records for the third quarter of 1986]. "There has been no criminal investigation of Sen. Hart, his campaign and staff for mail fraud and wire fraud for these 'debt settlements' at 25 cents on the dollar. Yet the government accuses Independent Democrats for LaRouche in this indictment . . . of incurring debt with no intention of paying it back, or only making partial payment on the debt."