

National News

Tuberculosis on the rise in New York

TB is increasing at an epidemic rate in New York City, and there were more deaths from the disease in 1986 than in any year since 1978, city health officials said.

At a recent conference of the New York Lung Association, Dr. H. William Harris, the group's president, noted that the rates in New York City "are increasing faster than any other city in the United States." The number of cases per 100,000 population increased 34% between 1985 and 1986, compared to a 1% increase nationwide. There were 186 deaths due to TB in New York in 1986, up from 155 in 1985, and the highest number since 1978, when 181 died.

"This is a social commentary," said Dr. Stephen Schultz, deputy city health commissioner for epidemiology. "TB is a disease associated with poverty, malnutrition, and crowded living conditions." He said overcrowding in shelters for the homeless is cause for particular concern.

Dr. Rand Stoneburner, deputy health commissioner for AIDS, told the conference that there is a correlation between the increase in the number of people exposed to the AIDS virus and the increase in TB. "The majority of TB cases are probably HIV-related," he said. "I don't think it's entirely due to AIDS. . . . The homeless situation has got to be something that's acting on it. It's all we've learned for a long time, that people who live in crowded circumstances with nutrition problems are at high risk."

Warn on 1st Amendment in LaRouche case

Bruce Ledewitz, a Duquesne University professor of law with ties to the American Civil Liberties Union, wrote in the Oct. 12 *Pittsburgh Post-Gazette*, that he has studied all aspects of the legal prosecution of Lyn-

don H. LaRouche, Jr. and his associates and that, if the government case succeeds, the First Amendment no longer exists.

"Acting as a creditor, the U.S. government last spring initiated involuntary bankruptcy proceedings and shut down a newspaper associated with a controversial political movement," he wrote, under the title "Challenge to the First Amendment."

"The rest of the press did not react to this challenge to the First Amendment. Nor, by and large, did the established civil-liberties organizations. The reason is that the newspaper at issue, *New Solidarity*, was associated with Lyndon LaRouche.

". . . If *New Solidarity* can be closed down, which newspaper will be next?

"To see the enormity of the government's action, one must understand the legal doctrine of prior restraint.

"The First Amendment's guarantee of freedom of the press is not absolute. . . . What is practically absolute, however, is the right to publish something first, and only later to be punished. The government may not 'restrain' the publication before it occurs.

". . . No one doubts that closing a newspaper, particularly a newspaper that represents a political point of view, is a gross form of prior restraint. That is what makes the silence over the suppression of *New Solidarity* so startling, and so menacing."

In 1984, the government initiated grand jury proceedings against LaRouche, a number of his associates, and five companies associated with them. On the basis of huge contempt of court fines levied against three of those companies by Boston Judge A. David Mazzone, including \$5 million against the publishers of *New Solidarity*, the government declared them bankrupt, although the fines were under appeal.

Wrote Ledewitz, "The use of bankruptcy law to close *New Solidarity* represents a dangerous legal manipulation by the government. The government would never have been able to persuade Judge Mazzone to close down *New Solidarity*. . . . By going the bankruptcy route, the government succeeded in eliminating consideration of the First Amendment. . . ."

"This precedent must not be repeat-

ed. . . . Not only should bankruptcy judges themselves hesitate to close newspapers, the government should not seek such relief. . . . We should surely be willing to run the risk that a newspaper might not pay all the money it owes the government. The First Amendment is worth more than \$5 million."

LaRouche sends telegram to Judge Bork

Democratic presidential candidate Lyndon LaRouche has sent a telegram to Judge Robert Bork on the question of his decision to fight for his Supreme Court nomination before the full Senate. Mr. LaRouche said that he sent copies of the telegram to President Reagan and Vice President Bush as well as to Judge Bork. He has instructed his campaign organization to immediately give wide distribution of copies to relevant influentials among government officials and political parties, especially those in the Senate.

The LaRouche telegram, dated Oct. 11, reads as follows:

"Subject: Lynch-mob confirmation proceedings.

"Dear Judge Bork:

"Although I probably disagree with you in philosophy of law, I applaud and support your refusing to withdraw your name from nomination.

"The methods of your opponents are essentially identical to those employed by the Democratic Party of Athens to accomplish the judicial murder of Socrates. The success of those methods fosters the shaping of our justice by the organized hysteria of political lynch-mobs. Just so, did Hitler's Germany use the organized passions of such events as mass Nuremberg rallies, to bend the selection of justices and decisions of courts of Germany to a philosophy of practice of law invoking the alleged authority of the 'popular will.'

"For that reason, despite our evident disagreements on philosophy of law, the circumstance has been created in which I must prefer your confirmation to become Asso-