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## LaRouche Appeal

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# Fourth Circuit kills oral argument

In a blatantly political decision masquerading as procedural efficiency, the Fourth Circuit Court of Appeals on July 14 “screened” Lyndon LaRouche’s motion for freedom appeal from the oral argument calendar. The matter before the court was an appeal of a biased decision by Judge Albert V. Bryan to deny LaRouche’s bid for freedom, based upon six volumes of new evidence, without even so much as an evidentiary hearing.

The Fourth Circuit ruling now means that, again, without a hearing, the three-judge appeal panel assigned to his case will issue their final ruling based only on the written papers submitted. The decision to deny a hearing comes after the Fourth Circuit kept the case in suspended animation month after month, as explosive tapes and masses of other evidence proving LaRouche’s innocence were filed before them.

LaRouche’s attorneys, Ramsey Clark and Odin Anderson, won’t even be allowed to argue the meaning of the new evidence, as the Appeals Court communication states:

“. . . the court has screened this appeal from the oral argument calendar. The appeal will be reviewed by a three-judge panel on the basis of the parties’ briefs, the joint appendix and the record on appeal.”

The three-judge panel on the case is the same one which previously denied LaRouche’s appeal of his conviction, despite the fact that nearly 1,000 prominent American and international jurists submitted *amicus* briefs highlighting the gross injustices. Political prisoner LaRouche, who has been in prison nearly five years, filed his new evidence motion for freedom over one and a half years ago, in January 1992. The Fourth Circuit has completely ignored an emergency request filed at the beginning of this year to appoint a Special Master to investigate systematic government corruption, flagrant bad faith, and outright fraud on the court.

### Why they fear a public airing

The evidence before the Fourth Circuit shows that not a shred of the original case against LaRouche is left. The accusations against him were concocted by a “concert of action” among various government agents such as the notorious former sheriff’s deputy in Loudoun County, Virginia, Don Moore, and private anti-LaRouche hate groups such as

the Anti-Defamation League of B’nai B’rith (ADL) and the Cult Awareness Network (CAN). The government and prosecution team knew that the case against LaRouche was a fraud from the beginning. The judge who ran the railroad knew that the case was a fraud. LaRouche has remained in prison nearly five years solely because these parties continue to tolerate this travesty of justice. While in the Washington, D.C. circuit there has recently been legal relief against the bias and misconduct of the Federal Election Commission (FEC), injustice reigns in the Fourth Circuit.

Recently a Washington, D.C. Appeals Court ruled that the FEC was in flagrant violation of the law for using its subjective bias against LaRouche as the basis to deny him matching funds in last year’s presidential election. In 1981, New York Judge Charles Briant wrote in another LaRouche case that the FEC was guilty of “the most abusive visitation of bureaucratic power” against LaRouche that he had ever seen. This is the same FEC which ruled that the ADL had violated the law against LaRouche campaigns in the mid-1980s, but it was okay because the ADL was a beneficial organization, while LaRouche, in their biased view, was a dangerous menace to the body politic.

### International diplomatic scandal

Depriving LaRouche of the right even to a public hearing, is a direct slap against all the people around the world who have acted on this case—from parliamentarians to jurists to government officials and artists, as well as ordinary citizens.

Only two weeks before the Fourth Circuit decision, for instance, a prominent ad appeared in the *Washington Post* in which 270 parliamentarians and legislators from 26 countries around the world publicly called on President Clinton to “Free Lyndon LaRouche” and end the political persecution of his movement. The legislators came from 11 nations in Europe, three in Asia, one in the Middle East, six in Ibero-America, and cities and towns across the United States and Canada. The seven-paragraph text which all these parliamentarians signed drew attention to the fact that the judicial and human rights abuses in the LaRouche case were outside all international fair trial standards and the subject of formal complaints before the Human Rights Commission of the United Nations in Geneva, the Organization of American States, and the Conference on Security and Cooperation in Europe (CSCE). They concluded:

“It is our understanding that throughout his public life LaRouche has been a defender of the right to sovereign development of all nations on this planet, and of the inalienable rights of all men and women. For those reasons, Mr. President, we ask you to take prompt and resolute action to repair this injustice, by immediately freeing Lyndon LaRouche.”

Two weeks later, in a decision of utmost judicial arrogance, the Fourth Circuit issued its ruling that the case does not even merit a public hearing, a decision which is a gross insult to all standards of international jurisprudence.