

The New South's 'New Southern Justice'

Foes of the Jimmy Carter Administration are watching closely the progress of an appeal of a major election case, *Hooks v Eure*, now pending before the U.S. Fourth Circuit Court in Richmond, Virginia.

In the case, leaders of the U.S. Labor Party are seeking a major damages award from the North Carolina Secretary of State, local election officials in Charlotte, and members of a drug-counterculture collective, the "Red Hornets Mayday Tribe," for violation of the USLP's federally-guaranteed election rights in the 1975 Charlotte mayoral election. Members of the drug collective registered as USLP voters, and, with the collusion of Mecklenburg County Board of Elections (some of them close to the Red Hornets), succeeded in placing their leader, self-proclaimed homosexual Mark Englander, on the November ballot as the "U.S. Labor Candidate for mayor." As Englander's subsequent campaign — in which he used every opportunity to cast ridicule on the Labor Party — made clear, the "Hornets" registrations as "Labor Party" members violated state election law, which holds that party registrations must be in good faith. Yet, rather than enforce state law and void the potheads' registrations, both county and state election officials, egged on by the local press, allowed the farcical Englander campaign to continue through the general election, where Englander secured only a handful of votes.

The implications of the case reach far beyond the 1975 Charlotte mayoral race. The Red Hornets are not a spontaneously-generated conglomeration of local hippies and potheads; they were organized with help and guidance by the Washington, D.C.-based Institute for Policy Studies.

The Hornets have a history of involvement in professional election "dirty tricks." Before their 1975 "USLP" caper, they were involved in "Watergate"-type operations against then-president Richard Nixon in the 1972 presidential campaign.

The Hornet scandal potentially could involve leading luminaries in and around the Carter Administration, including, notably, Carter's embattled drug czar-designate, Dr. Peter Bourne, a former board member of IPS's southern affiliate, the Institute for Southern Studies, and the "Warner Communications" network of rock-star and drug-smuggling-linked Carter fundraisers. Also involved is a federal judge who, in addition to systematically protecting the Hornets from efforts of local law enforcement officials, has recently handed down a highly controversial decision strongly supporting the President's attacks on nuclear energy. The case opens a new front on the vote fraud scandal which the President's backers have only with difficulty contained in such northern and midwestern states as New York, Wisconsin, Ohio and Pennsylvania where Carter's 1976

vote totals were challenged as fraud-tinted in both state and federal courts.

In sum, *Hooks v Eure* offers a capsule look at the wormy side of Carter's "New South" which is rarely publicized in the national media, and could result in a scandal causing major damage to the Administration.

The "Red Hornets" story begins in the late 1960s, when the Institute for Policy Studies, the organizational hub of the Wall Street-funded "new left" radical movement of the 1960s, shipped a number of its organizers to the South. To ensure that their operatives — whose assignment was to promote the use of drugs and develop a "radical" counterculture activist movement — were not run out of town, IPS put together a layer of liberal professionals to provide protection and funds for their nascent movement. These IPS networks established safehouses for the hippies to protect them from the police and vigilante groups in their germinal period.

Atlanta was transformed into the mecca of the Southern counterculture, with that city's "Great Speckled Bird" collective the focal point for the southern counterculture. The collective's paper, *The Great Speckled Bird*, touting the virtues of drugs, violent protest and the counterculture, was peddled by hippies throughout the South.

From Atlanta, members of this IPS swamp were farmed out to promising spots in other parts of the South. A primary target for this deployment was the triangle of universities in North Carolina: Duke, the University of North Carolina and North Carolina State. In the late 1960s, these campuses were hotbeds of student activism which provided a perfect medium to further the activities of the Great Speckled Bird, et al. This was the larval stage of the Red Hornet operation which originated out of a short-lived IPS creation called the Southern Student Organizing Committee (SSOC).

The Red Hornets have their genesis in a splinter from the SSOC that formed around future Hornet leaders Marvin and Kathy Sparrow. Kathy Sparrow, the former Kathy Taft — an adopted daughter of Ohio's Taft clan which sent another scion, Dr. Robert Taft, to his death by heroin overdose at New York's Lincoln Hospital Detox Center where he was involved in the brainwashing of drug-addict recruits to IPS's terrorist Black Liberation Army — traveled south to Duke University in 1968 and began pouring her family's money into a variety of radical organizing escapades. During the same year she met and married Marvin Sparrow, a native North Carolinian. Their honeymoon itinerary included such tourist attractions as the riotous 1968 Democratic Convention in Chicago.

Soon thereafter, Kathy moved herself, her husband and her money to Charlotte. Her "strategy" for building IPS's counterculture movement was "Hippies can be

organized. We will organize hippies." Within months Kathy provided local hippies with the financial lubrication necessary to open two "communes," the local "Women's Crisis Center," a coffeehouse appropriately called "Mothers," a house for gays, an organized farming commune, the Open House Methadone Center, the "Plain Dealer" newspaper and a "nightspot" called Phantasmagoria. The christening of Phantasmagoria, in October 1969, was a big step forward for the political activity of Marvin and Kathy Sparrow. There were two rooms at Phantasmagoria excluded from public access. One was for major drug deals, with the Sparrows receiving 10 percent of the take, and the other room was used for Friday night orgies where local high schoolers were initiated into the experiences of the "revolutionary," drug-counterculture life-style.

The Sparrow's organizing received important official protection, without which their followers would have long ago been dispersed by law enforcement officials. Federal district court Judge James B. McMillan played an especially interesting and important role. Prior to his appointment to the federal bench, McMillan was a conservative Democrat active in local party politics. In the late 1960s, in the course of touring a black school in connection with a desegregation case he was considering, McMillan underwent a "Damascus Road" conversion. He stated later that he "realized" he had been misguided on racial questions all his life and, in repentance, mandated a pioneer busing program for the Charlotte schools (*Swann v Mecklenburg*). From that point forward, the former moderate Dixiecrat became a committed supporter of the "New South" ideology, as typified by his recent decision to declare unconstitutional the Price-Anderson Act which fosters the development of nuclear energy.

In the case of the Sparrows and their recruits, known as the Red Hornets by the early 1970s, McMillan has emerged as a consistent defender of their "rights" vis-a-vis local law enforcement efforts to close down their notorious drug trafficking. Charlotte police, when asked the reason for their failure to close down the Hornets' drug traffic, respond with one word, "McMillan."

Every time the police took action against the Hornets' criminal activities, they encountered vehement resistance from the Hornets' "straight" supporters in the community. When the Charlotte police conducted a drug raid on the Red Hornet "hippy house" in 1970, they were severely chastised by Judge McMillan for "vulgar entry practices." The Charlotte press used the incident to drum up massive anti-police sentiment. This press campaign paved the way for a takeover of the Charlotte Police Department by the Wall Street-dominated federal police agency, the Law Enforcement Assistance Administration (LEAA).

During the same year, the Sparrows were arrested and convicted of "contributing to the delinquency of a minor." After being sentenced to 18 months in jail, Marvin vowed that there would be large protests "until there are no more arrests for acid and grass." But Marvin didn't need his protests. Local ACLU attorney George Daly took the case before Judge McMillan, who dutifully let the Sparrows off scot-free.

Pleased with the early success of their Southern opera-

tion, the Institute for Policy Studies tightened their control over such groupings as the Red Hornets for more effective political deployment. In the early 1970s, IPS set up the Institute for Southern Studies in Atlanta to be the centralized command point for pulling together the variety of ragtag counterculture groups. Dr. Peter Bourne, an intimate of Jimmy Carter and top drug official in Carter's Georgia administration, was placed on the ISS board of directors, where he remains to this day.

The Hornets were hooked up to the national organizing of the "Mayday Committee," a band of rioters brought together by IPS's CounterSpy organization. The Mayday Committee led nationwide riots and violent demonstrations in 1971, centered in Washington, D.C., with the Charlotte Red Hornets being eager participants in the festivities. Top CounterSpy operatives Winslow Peck and Tim Butz were the field coordinators for the Mayday Committee, while continuing their close association with Dr. Bourne through the Vietnam Veterans Against the War. The financial backing for Mayday came from one of the top drug conduits in the nation, the Eli Lilly Endowment Fund.

Butz and Peck presided over the August 1971 "Gathering of the Tribes" in Atlanta. The two laid out the political tasks that had been assigned to the Mayday Committee, focusing on the destabilization of the Nixon Administration. In October 1971 the Red Hornets were sent to disrupt the Billy Graham Day celebration where President Nixon was the featured speaker. It is evident from the Watergate transcripts that the Nixon staff was sold a bill of goods over the potential for reaping political capital from this Hornet-planned disruption. According to the transcripts, Nixon's White House Chief of Staff, H.R. Haldeman, sent a memo to Ronald Walker concerning the scheduled disruption. The memo stated: "100 to 200 anti-Nixon demonstrators expected. They will be violent. They will have extremely obscene signs ... it will not only be directed toward the President but also toward Evangelist Billy Graham." Next to the reference to obscene signs, Haldeman had written the comment "good" and next to the reference to Billy Graham, Haldeman had written "great."

But while Haldeman and other Nixon staffers thought they could make political capital by being the target of Hornet obscenities, they were being set up for Watergating by the IPS-CounterSpy networks, who would later use examples like the Billy Graham Day fiasco to claim that a paranoid Nixon was out to squelch all political opposition. Hornet lawyer George Daly cited the Billy Graham Day affair to compare Nixon to Hitler: "The whole affair, the tone of the memos, the crowd control, the manipulation of public opinion, the sealing off of the Coliseum, was startlingly like the Nuremberg party rallies of 1934."

Because the police and Secret Service had taken action to prevent the disruption and protect the President from a possible threat to his safety (a well-warranted precaution where the IPS drug-terrorist networks are involved), the Hornets sued them for violation of civil rights. The case was brought by George Daly before Judge McMillan, giving this pro-Hornet duo another opportunity to let the police and the rest of the Charlotte area know that the Hornets are protected property.

Although McMillan did not give the Hornets the monetary damages they were seeking, he used his courtroom as a forum to lash out at the police and Secret Service for their "wholesale assault on civil rights and liberties of numerous citizens."

The Hornets' 1975 operation against the Charlotte mayoral campaign of U.S. Labor Party candidate Stan Ezrol was their next major deployment in major election dirty tricks.

Although the Hornets locally pretended that they were engaged in a spontaneous, local effort to inject some lively "fun and games" into the election — and although this pretense was accepted and warmly endorsed by Judge McMillan in his decision against the Labor Party in *Hooks v Eure* at the federal district court level — there now is published proof that the operation was a nationally coordinated, IPS-run dirty tricks operation against the USLP. That proof appeared in mid-1976 in the form of a scurrilous CounterSpy attack on the USLP titled "Brownshirts of the 1970s." The pamphlet, which includes virtually every slander against the USLP circulated by IPS networks over the past six years, concludes with a battleplan for disrupting the Labor Party's election efforts. And one of the premier tactics advocated is the Charlotte Red Hornet disruption of the 1975 mayoral campaign.

Besides the role of Judge McMillan, the Hornets' 1975 mayoral caper would not have been possible without the fact that leading Hornets had infiltrated the Mecklenburg County (Charlotte) Board of Elections — a circumstance which should prove instructive for investigators of the 1976 Carter vote fraud throughout the country. The Executive Secretary of the Board of Elections is a former Florida SDS member named Bill Culp, an acknowledged Hornet enthusiast. Culp's chief mechanic at the Board, who is in charge of "fixing" the voting machines, is Kent Crawford, a veteran Red Hornet. Culp has employed various Hornet members for work in local elections, including even mayoral candidate Mark Englander. And Culp is known to be a personal acquaintance of Hornet leader and bankroller Kathy Sparrow (a Hornet collective which houses Kathy Sparrow and Mark Englander is across the street from Culp's house).

Just before the 1975 Charlotte mayoral filing deadline, Englander filed for mayor against Ezrol. The Red Hornets, with their Board of Election supporters, packed the registration rolls with local potheads and succeeded in winning a mandate primary election for Englander. The local press, led by the Charlotte Observer and WSOC-TV — the latter the Charlotte affiliate of Cox Broadcasting, the largest contributor to Jimmy Carter's 1970 Georgia gubernatorial campaign — played the situation as a "factional dispute within the Labor Party." These same press outlets ignored documentation proving that the Red Hornets had never been associated with the U.S. Labor Party and in fact were witting tools of the Labor Party's political opponents.

North Carolina state Law clearly addresses the relevant questions of the legality of the Hornets' registration as Labor Party members. In order to change parties, as Englander and his cohorts did, a voter must swear to an oath that the registration change is being made "in good faith." The North Carolina State Supreme Court, in the

1964 case *Clark v Meyland* held that the intent of this good faith clause was to protect political parties from raids conducted by opponents of the parties. Obviously the Hornet move is precisely the sort of thing that Court had in mind. Yet when the Labor Party petitioned to have the Hornets removed from the rolls on the grounds of the "good faith" clause, they were met with cavalier disregard by the Hornet-riddled Mecklenburg County Board of Elections. The Board's decision to give official blessing to the Hornet usurpation was backed up by two successive court rulings, by local Judge Frank Snapp and federal judge McMillan.

For two months Mark Englander was billed as the mayoral candidate of the U.S. Labor Party. He used the attendant media coverage to promote his crude fascist program for turning Charlotte into a countercultural zoo (with Englander as the zookeeper). He insulted audiences wherever he went and told them that he didn't want their vote because mayoral politics was a farce. He appeared on TV commercials wearing a Groucho Marx nose and glasses to promote his "ideas" for running the city.

With the Englander campaign sanctioned by local courts and officials, the USLP turned to federal court for relief under Title 42, §§1983 and 1985, subsection 3 of the United States Code. The case, *Hooks v Eure*, was assigned to Judge McMillan.

On November 9, 1976 McMillan handed down his decision. The decision was a deliberate obfuscation of the essential facts of the matter. McMillan stated that "the court is unable to see that their conduct (the Hornets') amounts to anything more than a robust, though sometimes clownish, assertion of political rights." He then proceeded to laud the Red Hornets as exemplars of the American political tradition: "The conspiracy was to take over a political establishment and elect their own people. This is a ritual which is not unique in American experience and does not lack in respectability as to which view various Reagans, Goldwaters, McGoverns, Kennedys, Roosevelts, Carters and Jeffersons could attest." The judge performed this distortion of the American tradition to obscure a critical point in which the North Carolina "good faith" clause is quite clear. Every one of the persons mentioned in the judge's opinion was previously affiliated with the political party whose nomination for office they secured. None ever stated, as Englander did, that their candidacy was aimed at destroying the party in question.

The seriousness with which McMillan himself views the electoral process was indicated in his decision where he stated that "It is not out of order to observe that a little nonsense now and then is relished by the best of men, and it would not hurt if we could maintain in political matters a little more sense of humor and not condemn too seriously those who laugh a little over serious matters."

McMillan's decision showed evident disregard for both state and federal law in the case, and amounted in fact to an ill-concealed coverup of a major "dirty tricks" scandal which could touch on important Carter Administration figures. The decision on appeal by the Richmond circuit will be viewed as an important test of the willingness of the federal judiciary to uphold the Constitution in tests of Carter Administration policy.

— S. Roberts and P. Arnest