
Law

Anti-drug group sues ADL and Sun-Times

by Christian Curtis,
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A lawsuit seeking \$70 million in damages was filed on March 8 in the United States District Court for the Northern District of Illinois by the National Anti-Drug Coalition (NADC), Lyndon H. LaRouche, Jr., the Illinois Anti-Drug Coalition (IADC), and 11 individuals associated with LaRouche and the IADC and NADC. The defendants in the lawsuit include the *Chicago Sun-Times*, Illinois Attorney General Tyrone C. Fahner, seven Illinois municipalities, employees of *High Times* magazine, the organized-crime-linked Anti-Defamation League of B'nai B'rith, and the National Organization for the Reform of Marijuana Laws (NORML).

The 65-page complaint charges the defendants with an illegal conspiracy to violate civil and constitutional rights. This conspiracy, according to one of the defendants, Chip Berlet, a former contributing editor to *High Times*, had as its goal the complete shutdown of NADC political organizing activities in 10 cities and the financial bankruptcy of the National Anti-Drug Coalition organization.

Background of the case

The NADC, publisher of *War on Drugs* magazine, was founded by *EIR* Contributing Editor Lyndon LaRouche. It is the nation's most vocal proponent of an international war on drugs which centers its resources on identification, exposure, and criminal prosecution of the drug mafia and of the financial institutions, media, and politicians who support or publicly promote the drug mafia's murderous activities. Since its founding in 1979, the National Anti-Drug Coalition has been under savage assault by individuals acting at the behest of the drug mafia internationally.

According to Michele Steinberg, president of the NADC, the systematic deployment of the Anti-Defamation League against the NADC began with the NADC's exposés of the drug and pornography empire

associated with Jewish gangster Meyer Lansky.

"Lansky and his associates are inimical to the best interests of Israel and the Jewish people, and the state of Israel, as well as the NADC, would like to see these persons prosecuted fully," Steinberg said. "The ADL equates an attack on Lansky or an attack on the ADL's pro-drug activities with anti-Semitism. By identifying Meyer Lansky with the best interests of Jews the ADL engages in outrageous anti-Semitism." The ADL has about as much to do with Judaism as the Italo-American Anti-Defamation League, set up by gangster Joe Colombo, had to do with the Italian nation. The ADL lies that the NADC is anti-Semitic; Colombo's group characterized any attack on Italian gangsters as anti-Italian."

Recently, the Italian government sued the ADL's bank, Sterling National, which included on its board several ADL directors, in the Southern District of New York federal court. The lawsuit implicates Sterling in the financial frauds associated with the now-jailed Michele Sindona. Sindona is notorious as a financier of drugs and terrorism through the secret Propaganda-2 organization, and was indicted in January in Palermo, Sicily, on charges of trafficking heroin into the United States.

The Illinois conspiracy

According to the NADC lawsuit, the ADL's legal team and dirty tricks squad went to work in earnest in Illinois following announcement of a major NADC membership drive in December of 1980 and two NADC events which were attended by law enforcement officials and community leaders concerned with the drug plague. According to ADL Midwest Director Abbott Rosen, who is a defendant in the lawsuit, the ADL's strategy for illegally shutting down the NADC in Illinois had the complete support of the Illinois Attorney General, the *Chicago Sun-Times*, Chip Berlet and various other journalists and municipal officials.

The lawsuit states that the conspiracy included the following elements: 1) the filing of false complaints with the Illinois Attorney General and other law enforcement officials under the Illinois Charitable Organization laws; 2) widespread publication of knowingly false defamations that the NADC was engaged in illegal fundraising activities; 3) threats to any and all public officials associated with the NADC that they would be tarred by the media as endorsers of illegal fundraising techniques and anti-Semitism if they did not repudiate the NADC in a series of articles published in the *Chicago Sun-Times*; and 4) solicitation of individual informants and provocateurs such as defendant Jay Harris of NORML to harass, surveil, and disrupt NADC organization activities.

According to a participant in the conspiracy, once

these elements had been successfully implemented, the Illinois villages named as defendants in the lawsuit "had the courage" to deny the NADC solicitation permits despite the fact that they knew there was no lawful basis for this prior restraint on First Amendment activities.

The NADC responded to a request by Illinois Attorney General Fahner to register as a charitable organization in January of 1981 by stating that it believed it was a political and not a charitable organization. Nonetheless, the NADC provided the Illinois Attorney General with a complete charitable organization registration in January of 1981.

Fahner, through Assistant Attorney General Robert Tingler, who is also a defendant in the lawsuit, demanded an annual financial statement from the NADC under the Charitable Organization laws. The NADC responded in March 1981 that it had started fiscal existence in June of 1980. Even if the NADC were a charitable organization, annual reports are not due until six months after the close of a fiscal year under Illinois law.

The NADC asked for a formal ruling from the Illinois Attorney General in the same March 1981 response, that its predominantly political activities would be classified as charitable under the Illinois laws. Political organizations are traditionally denied the benefits which, under law, accrue to charitable organizations.

The NADC heard no further from the Illinois Attorney General until Oct. 11, 1981, when various statements made by Tingler appeared in a defamatory "call to action" against the NADC in the *Chicago Sun-Times*.

The NADC quickly learned that Robert Tingler and Assistant Attorney General Danita Harth had circulated a two-page letter to Illinois municipalities in August of 1981 calling upon the villages to ban NADC organizing activities. The letter states that the NADC should be banned from such activities on the basis of its failure to provide an annual financial statement to the Attorney General under the Charitable Organization laws, its failure to apply for a foreign corporation permit in Illinois, and complaints against the NADC. The only complaints referenced by Harth and Tingler are the defamatory newspaper articles generated pursuant to the illegal conspiracy. These articles state that the NADC is engaged in fraudulent solicitation because solicitors do not disclose at all times that they are associated with Lyndon LaRouche. The complaint points out that this false allegation itself is proof of a conspiracy against constitutional rights, since there is no such disclosure duty disclosed in law, and the NADC and LaRouche still enjoy the right of freedom to associate in other areas of the United States.

The Illinois Attorney General had no legal authority to establish this prior restraint on First Amendment

rights. It is well settled in the United States that all such restraints must be imposed for the shortest possible period by a court of law because any prior restraint impinges on fundamental liberties. This principle would obtain even if the the allegations of the Attorney General were factual, which they are not.

The second stage

In a type of Mutt and Jeff show, the *Sun-Times* on Oct. 11, 1981, published an article by defendant Alan P. Henry accusing the Illinois Attorney General of inaction against the NADC. The article, in reality, leaks a proposed lawsuit being prepared against the NADC by the Illinois Attorney General and includes statements by Assistant Attorney General Danita Harth to the effect that the alleged anti-Semitism of the NADC is the basis for the investigation and lawsuit. The *Sun-Times* followed this with an editorial on Oct. 13 demanding that Fahner file legal action. On Oct. 16, a lawsuit was filed in the Cook County Circuit Court demanding a temporary and preliminary injunction against the NADC's activities in Illinois and the dissolution of the NADC organization.

The application for a temporary restraining order was denied by Circuit Judge John Hechinger on Oct. 23, 1981. Nonetheless, Danita Harth and other representatives of the Illinois Attorney General stated to municipalities throughout the State of Illinois that a temporary restraining order or court agreement was in effect barring the NADC's solicitation activities, according to the NADC complaint.

These unprecedented abuses by the Illinois Attorney General resulted in an almost complete illegal ban on NADC organizing activities in Illinois, as various municipalities cited Attorney General Fahner's directives as the reason why solicitation rights would not be granted.

The NADC charges that the Attorney General's lawsuit in the Cook County Circuit Court is part of the illegal conspiracy and design.

In addition to claims under the civil rights act, the NADC complaint charges the defendants with abuse and malicious abuse of process, malicious prosecution, and sets forth four additional counts of defamation against the *Chicago Sun-Times* for articles, editorials and news releases published on Oct. 11, 1981, and subsequently. The defamatory statements made by the *Sun-Times* include false allegations that LaRouche is the leader of an anti-Semite movement and that the NADC has engaged in fraudulent activities.

Under the civil rights conspiracy statute, popularly known as the anti-Ku Klux Klan Act, a deprivation of civil rights based upon an animosity toward political beliefs by the conspirators is subject to damages in the federal courts.