

LaRouche's lawyer tells jury: 'This is straight, raw politics'

"This is a political case; this is a political indictment; this is straight, raw politics," said Odin Anderson, attorney for Democratic presidential candidate Lyndon H. LaRouche, Jr.

Anderson, making his opening statement to the jury in the *U.S.A. v. The LaRouche Campaign* case on Dec. 21, outlined why the government wanted to get rid of LaRouche, by elaborating who the real Lyndon LaRouche is.

Anderson also forewarned the jury about the grouping of drop-outs from the philosophical organization which LaRouche heads, the National Caucus of Labor Committees (NCLC), drop-outs upon whom the government has based a considerable part of its case. "Some of the drop-outs have constituted themselves into an organization dedicated to LaRouche's downfall and incarceration," Anderson warned the jury. "They hatched a conspiracy to help any authorities to go after LaRouche."

Before the trial recessed for the Christmas holidays, Anderson's warning had been dramatized through the testimony of the first witness, Gail Lunsford Bardwell. While trying to paint a picture of the top-down pressure for fundraising in the NCLC, Lunsford was instead compelled through cross-examination to give an inside view of the "conspiracy" headed by Costas Kalimtgis, whose members are willing to lie their heads off in order to "get LaRouche."

Who is Lyndon LaRouche?

You will see quite a different Lyndon LaRouche than Prosecutor John Markham told you about, Anderson told the jury. "You will hear cross-examination and affirmative defense witnesses present the true Lyndon LaRouche, a man admired and respected both outside and inside the United States.

"John Markham said that this organization is a small, dedicated band of followers who do what LaRouche wants them to do, and go where LaRouche wants them to go," Anderson continued. "LaRouche leads, not by force, not by virtue of elected position or paramilitary force, but by the power of reason."

Anderson then briefly sketched LaRouche's personal his-

tory, including his early years in Lynn, Massachusetts, and his entrance into politics through a factional battle against the terrorist faction, the Weathermen, in the Students for a Democratic Society.

LaRouche's pioneering role as a policy-maker was elaborated as well. Anderson explained the role that LaRouche played in developing the concept for the Strategic Defense Initiative, and in carrying out "back-channel" negotiations with the Soviets on behalf of the National Security Council during the year before Reagan announced the policy.

Anderson also cited LaRouche's controversial and pioneering work exposing the danger of the AIDS epidemic.

The real conspiracies

The government cannot prove that LaRouche and his associates formed any conspiracy to obstruct justice, Anderson argued, but there is ample evidence which the jury will see, to demonstrate the existence of conspiracies against him.

One of these conspiracies is comprised of several among the hundreds of individuals who have "dropped out" of the NCLC. "The government will trot out the most vindictive and hateful, out of the hundreds that have fallen by the wayside," Anderson said.

Anderson named Charles Tate, Steve Bardwell, Gail Lunsford Bardwell, Vera Cronk, and Costas Kalimtgis as some of the central instigators of the drop-outs' conspiracy. Of these only Kalimtgis is not included on the government's list of prospective witnesses.

One of the central pieces of evidence of the conspiracy was a Halloween party held at the home of the Bardwells on Oct. 30, 1986, where many of the above individuals were present. At this Halloween party, individuals came dressed up in costumes such as credit cards, and dedicated a large part of the evening to hatching a "conspiracy to help any authorities to go after LaRouche." Anderson told the jury that there is a videotape of this party, which they will see—if it hasn't been destroyed already.

The second conspiracy outlined by Anderson included leading members of the U.S. "justice establishment," includ-

ing U.S. Attorney William Weld, who initiated the credit card investigation against the LaRouche campaign organizations in the fall of 1984. Weld had a vendetta against LaRouche beginning in the mid-1970s, Anderson revealed. At that time the Boston counterculture newspaper *The Real Paper*, in which Weld was a major investor, conducted a vicious personal harassment campaign against LaRouche and his elderly parents.

Yet the government has the nerve to complain about LaRouche's attacks on Weld for his softness on drug-money laundering by the Bank of Boston, and his family ties to the *Crédit Suisse* money-laundering apparatus, Anderson argued.

The Soviet role

Anderson also exposed the interest of the Soviet Union in pulling whatever strings it could within the intelligence community and Justice Department to "get LaRouche."

Testimony will show that the Soviet government responded to the March 23, 1983 speech of President Reagan declaring what became the SDI as the new U.S. military doctrine, by labeling LaRouche as one of the leading enemies of Moscow, Anderson said.

The role of Henry Kissinger, whom LaRouche has labeled as a "Soviet agent of influence," and his associates on the President's Foreign Intelligence Advisory Board in attempting to instigate an FBI probe against LaRouche, was also reviewed.

The image of the conspiracy of drop-outs against LaRouche became quite real for the jury, as soon as cross-examination of the first government witness began. Gail Lunsford had attempted to create the picture of oppressive, obscene, top-down pressure on fundraisers through her testimony about 12 years of work with the NCLC. Despite her screaming into the microphone of obscenities allegedly yelled at her, Lunsford's key contribution was to flesh out the drop-outs' conspiracy.

Lunsford had in fact hosted the 1986 Halloween party referenced by Anderson, along with her current husband Steve Bardwell. Although she denied that the party was held explicitly to celebrate the Oct. 6 indictments against some associates of LaRouche, all the details she provided corroborated that conclusion.

Almost all of the attendees at the party were ex-NCLC members, Lunsford admitted, and a principal theme of the event was attacks on LaRouche and his wife. She admitted that Janet and Ken Mandel—future government witnesses—had dressed up as credit cards; that Bob and Barbara Dreyfuss dressed up as Ayatollah Khomeini and a Knight of Malta respectively; that Mark Stahlman came as Rambo; and that Charles Tate—the government's lead witness—did a lengthy skit containing nasty personal assaults on LaRouche.

Lunsford attempted to maintain the story that she was an "involuntary" witness against LaRouche and his associates,

and that she hadn't wanted to have anything further to do with the case after her grand jury testimony in September 1986. Yet she was forced to admit the anti-LaRouche theme dominated the party. Her memory lapse was most acute when it came to a videotape recording of the event done by Mark Stahlman. The Stahlman videotape has been subpoenaed by defense counsel.

The fact that drop-out Kalimtgis had flown up especially from Florida to be at the party was admitted by Lunsford, but she incredibly insisted that she had never heard Kalimtgis declare his hostility to LaRouche.

Observers believe that the Lunsford testimony over the first two and a half days was a disaster for the government, particularly in light of the fact that prosecutors usually try to lead off with a strong witness who will set the tone for the government's case. Not only was Lunsford frequently not believable, but Markham also failed to get his first two trial exhibits admitted. The judge ruled that they were not admissible by the rules of evidence.

Lunsford was caught in numerous incredible denials of the history of FBI surveillance of her and her family. Her memory was only refreshed when documents or particular incidents were referred to by defense counsel.

In addition, she had to admit that she was a member of the Communist Party USA, prior to her joining the NCLC in 1972, although she clung to her denial that pro-Soviet sympathies had contributed to her decision to drop out, as they did to the drop-out of her husband Steve Bardwell.

By the conclusion of her testimony on Dec. 23, Lunsford visibly "cracked." She was being asked by defense attorney William Cummings if she had discussed her grand jury testimony with anyone. In response, she became so obviously evasive, equivocal, and untruthful, that it is thought the jury will believe little, if anything, of what she has said.

Lunsford will be subject to further cross-examination when the trial resumes Jan. 4.

Markham's charges

When Assistant U.S. Attorney John Markham gave his opening statement on Dec. 17, it was already evident that he would have problems proving his case. For Markham told the jury that he would be able to prove numerous allegations which are flagrantly contrary to fact.

For example, Markham dramatically pointed at LaRouche and declared that the evidence would show that this man had "dictated" and "decreed" such high financial quotas that he drove fundraisers to fraud. The purpose, as Markham put it, was so that LaRouche could put himself on television and move his headquarters to Leesburg, Virginia. Markham also claimed that he had evidence demonstrating that LaRouche had then ordered a coverup of the fraud, which resulted in his being charged with "conspiracy to obstruct justice."

In fact, Markham will only be able to put before the jury

a number of former disgruntled members or employees, and a set of notebook reports on conversations from intelligence community cutouts, as “proof” of his case. There will be no evidence linking LaRouche to credit card fraud or obstruction.

In a second example, Markham alleged that four of the organizations on trial, including two of LaRouche’s campaign committees from 1984, were guilty of a scheme to commit credit card fraud, and mail fraud in furtherance of a fraudulent loan scheme, because they “profited from” the activities of volunteers who allegedly carried out these activities. In reality, the organizations not only had policies against such activities, but did not benefit at all, as such policies would in fact damage the campaign.

In the course of his statement, Markham even freely admitted that the federal government had engineered at least two Abscam-type entrapment operations against LaRouche, to get his associates to commit obstruction of justice against the grand jury investigating “credit card fraud” from Boston. But, as he described the incidents, he had to admit that LaRouche’s associates, including defendant Jeffrey Steinberg, had refused to carry out the proposed obstruction.

The defense’s opening shots

Seven defense attorneys, representing the defendants besides LaRouche, gave their opening statements to the jury on Dec. 17 and 18. Like Anderson, they emphasized the political nature of the trial, in particular the fact that the organizations being tried were part of a “political and philosophical movement,” not a “monolithic, dictatorial” organization.

Among the subjects detailed for the jury was the relationship of the defendants with the U.S. intelligence community, and the evidence which the defense will bring to bear to show that the individuals who were counseling them to stymie the grand jury investigation, were documentable cut-outs for the intelligence community.

The presentation which most shocked the jury and other observers, however, was that of Detroit attorney Mayer Morganroth, the counsel for defendant Edward Spannaus. Morganroth argued that the Federal Bureau of Investigation had had a 20-year effort to “shut forever” the political voice of the National Caucus of Labor Committees, of which his client was a founding member. This trial, he said, was just the culmination of this effort.

The FBI put so many informants in the NCLC, Morganroth said, that at some meetings there were more FBI agents than regular members. Informants were deployed in as many as 25 locations, and they reported to at least a dozen supervisors who directed their operations. Among the tasks of the informants, Morganroth said the evidence would show, were total surveillance, instigation of disruptions and provocations, profiling members’ weaknesses for future use, and seeking to induce people to leave the organization.

The FBI also harassed the NCLC by such activities as

calling the organization’s banks to see how much was in the accounts, stealing belongings, tapping phone lines, and calling the phone company to inquire about the bill. Morganroth noted that this is the same thing that FBI agent Richard Egan did, in contacting the New Jersey bank which held LaRouche’s campaign accounts on the eve of the 1984 election. By that action, he succeeded in shutting down the accounts, and preventing a series of election eve television spots.

Among the FBI’s top priorities, Morganroth said, was to attempt to stop the fundraising capabilities of the NCLC. Mr. Markham complained about these organization not being able to pay back loans: “The FBI complains about not repaying loans, but they created the problem,” through financial harassment, through forcing the organization to take out lawsuits against the FBI to try to stop the harassment, and draining the NCLC’s resources. The FBI’s position is like that of the guy who kills his parents, and then asks the jury for mercy because he is an orphan, Morganroth concluded.

Morganroth also noted that former members whom the government is calling as witnesses against the defendants have often been under pressure for 10 to 20 years, not from the NCLC leadership on fundraising, but from the FBI itself.

In respect to his own client, Morganroth noted that with such a history of FBI harassment, there was every reason for him to believe that the grand jury investigation and prosecution was being carried out in bad faith, as the previous investigation had been, and to seek remedy in the courts. While the government charges that the defendants “conspired to obstruct justice” by “stalling and appealing,” Morganroth said that his experience was that if anyone were guilty of obstruction in that manner, it was the FBI. Morganroth is counsel for the NCLC or its members in two lawsuits against the FBI, which that agency has tied up in the courts for 12 to 13 years!

The intelligence community angle

Opening statements by the attorneys for Jeffrey Steinberg and Paul Goldstein promised that a wealth of evidence would be presented by the defense on the actual role of Roy Frankhauser, a former security consultant to LaRouche’s associates who was convicted on one count of conspiracy to obstruct justice in a short trial before this one began.

Both attorneys pointed out that the prosecutor had attempted to create the impression that the defendants had accepted Frankhauser as a security consultant because of his affiliation with right-wing hate groups. Yet they demonstrated from Frankhauser’s long-term history that he was clearly known to them as a government agent in those groups. For example, the first written intelligence report delivered by Frankhauser to the defendants, included a report that there would be “a fall legal offensive against your organization.” That, and other interesting “predictions,” signal just some of the intelligence community revelations that will come out in the *U.S.A. v. The LaRouche Campaign*.