

## Ramsey Clark leads main LaRouche appeal

Former U.S. Attorney General Ramsey Clark is the lead attorney for the main appeal in the case of *U.S. v. LaRouche, et al.* The appeal asks that the conviction of Lyndon LaRouche and his six associates last Dec. 16 be overturned, stressing three issues:

1) "Whether the District Court violated appellants' fundamental constitutional rights to a fair trial and to the effective representation of counsel by forcing them to trial within 38 days of indictment in an exceedingly complex case involving millions of documents, many witnesses,

and a myriad of complex and novel issues."

2) "Whether the District Court violated appellants' fundamental constitutional right to present their defense to a jury by prohibiting the appellants from introducing admittedly relevant evidence concerning the role of the government and others in waging financial warfare against appellants and their political organizations."

3) "Whether the District Court violated appellants' right to a jury trial by denying them the ability to conduct a meaningfully probing *voir dire*, when, as here, the appellants and their political organizations had been portrayed historically by the media in pejorative terms and when prospective jurors could very well have had personal encounters with appellants or their political associates which the Court's limited questioning would not have uncovered."

which have been always represented as such by the activists of his movement.

I myself have been the lawyer for political movements which have been dissolved; on every one of these occasions the French government respected the juridical guidelines which cover the case of an organization it has decided to dissolve.

In the present case, it appears that, for political reasons, given the growing influence of Mr. LaRouche's ideas and the electoral success his friends have begun to enjoy, the U.S. government does not dare to take the decision to openly dissolve Mr. LaRouche's movement, and has rather preferred to rely on so-called juridical pretexts, attacking the activists and leaders of this movement one by one. . . .

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### Maître Jean-Marc Varaut, et al.

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#### Statement of interest of amici curiae

It is as a French specialist in human rights and lawyer before the Appeals Court of Paris that I desire to participate in the appeal of Mr. Lyndon LaRouche and his co-appellants, in conformity with the procedure of *amici curiae*. I am convinced that the issues of law raised by this case, *U.S. v. LaRouche, et al.*, are of a nature and sufficient gravity to justify a new judgment.

I am moved to join the appeal in this case all the more as it has been one of my longstanding preoccupations to ensure the minimum procedural rights of defendants of all countries. I am the author of a treatise, "The Right to Law," which reflects my views. I am a professor of criminology and Director of Studies of the Institute of Penal Law of the Paris Bar, and Commission Reporter of the Universal Declaration

of the Rights of Defense adopted in 1987 by the bar associations of the countries of the Free World.

Judge Jacques Boilevin, a co-signer of this *amici curiae* brief, is Vice President of the High Court of Bordeaux, France.

Maître Biaggi, also a co-signer of this *amici curiae*, is a lawyer at the Paris Bar, prize-winner of the Paris Law University and of the Concours Général, a former Deputy to the National Assembly of France, an officer of the Legion of Honor, and a decorated veteran of the French Resistance.

#### Statement of issues

From the standpoint of several universal principles of good penal justice, I would bring to the attention of the Appellate Court a number of points concerning the verdict sustained against Mr. LaRouche by Judge Albert V. Bryan, Jr. in Alexandria. Universal principles of the rights to a fair trial appear to have been grossly violated by the evolution of the trial as a whole.

1. The jurisprudence of free countries concerning "white collar crimes" would have to deem the 15-year prison sentence against Mr. LaRouche as disproportionate.

2. The standard in criminal proceedings of proof beyond a reasonable doubt must seriously be examined, since presumption and circumstantial evidence was so pervasive in these proceedings, especially as to the presumption of an intent to defraud.

3. The Alexandria trial was hastily opened and proceeded to conviction with a speed contrary to both the rights and requirements of an in-depth defense, and to the exigencies of examination of a particularly complicated case.

4. The criminality of the imputed act. A civil misdeed or a breach of an administrative law does not constitute per se a violation of the common values considered everywhere as a crime. . . .