

## Billington rebuts police-state aims

*Michael Billington, the second associate of Lyndon LaRouche to be tried in the Virginia "LaRouche" cases on charges that the political loans he raised were "securities," was sentenced to 77 years in the Virginia penitentiary by Judge Clifford Weckstein in Roanoke County, Virginia. Following his sentencing on Dec. 1, 1989, Billington filed a pro se post-sentencing response to prosecutor John Russell's outrageous sentencing argument that "a message" be sent to all of LaRouche's associates who continue to organize.*

*Of great relevance to the Billington case is the fact that on Oct. 25, 1989, Federal Bankruptcy Judge Martin V.B. Bostetter ruled that the government had acted "in bad faith" in forcing Campaigner Publications, Caucus Distributors, and the Fusion Energy Foundation into involuntary bankruptcy, which stopped repayment on the loans solicited by Billington. Bostetter found that "the debtors strived more to expose the world to its political viewpoint than attain private monetary gain."*

Being somewhat stunned by the outrageous nature of Senior Assistant Attorney General John Russell's argument at my sentencing hearing, I was unable to formulate a proper response "on my feet" before the time allotted to me for my final statement. For the record, I am filing this more complete response with the Court.

The performance of Mr. Russell on Dec. 1 dropped all pretense that the aim of the prosecution was the prevention of crime. During the trial, the appearance of concern for alleged criminal activity was maintained. The charge that the loans were securities, and that the non-repayment had been the intention of the fundraisers, provided a thin veneer for the intended judicial destruction of LaRouche's political organization. The overthrowing of the involuntary bankruptcy helped demonstrate that this was only an "appearance." The two lenders I was convicted of defrauding were owed nothing at the time of the illegally imposed bankruptcy—Mr. Tate had rolled his loans over for another year, and Mrs. Fincham's loans were not due. It was only over the next two-and-a-half years of FBI visits and intimidation that a few "victims" were found to testify—"victims" who had been left to fester for two-and-a-half years over loans that were not being repaid because of a government-instigated court order!

But at least Mr. Russell was claiming that laws were being broken. Now, however, he knows and admits that

all borrowing stopped over two-and-a-half years ago, even before the bankruptcy. When it came time to argue as to why I should spend the rest of my life in jail, that basic prerequisite to criminal prosecution, the existence of a crime, was dropped. Now, the truth behind all the prosecutions is being revealed in all its police-state ugliness—any political activity by me or my associates is a "menace to society"; the very existence of Lyndon LaRouche's organization is "wreaking havoc throughout the United States."

Mr. Russell did, of course, make a feeble effort to imply that our method of recruiting supporters was inherently criminal in nature and in need of court-ordered deterrence. But that effort only succeeded in exposing his own criminal intent—to deter that most fundamental of constitutional guarantees, the right to political organizing and association. He even described the process for the Court, so there could be no doubt. The "ruthless" methods that I used, according to Mr. Russell, were to engage people in extended discussions over a long period of time, discussing all the pressing issues confronting the world and society, laying out our proposals and the scope of our activities to achieve them. Beyond that, to expound on art, music, and poetry, to initiate a cultural renaissance and denounce the drug-infested counterculture dominating America. All this was aimed at the insidious goal of establishing a "trusting relationship," to "purposely cultivate trust in their minds." Then, and only then, said Mr. Russell, did I ask them to give money to the cause.

If this method is criminal, what method does Mr. Russell propose as acceptable? Does he, perhaps, prefer the normal "buying of favors" methods popular today, the way bankers pay for policies, through political contributions, or the way Didier Primat buys favors from Attorney General Mary Sue Terry? Is it criminal that we promise nothing in return for the contributions except a chance to turn the course of history? Is it devious to enlighten our supporters with in-depth political intelligence, rather than drowning them in 30-second slogans like the current election drive! Is it diabolical to appeal to the most profound creations of Western Civilization to uplift our citizens above the soap opera banality of today's cultural wasteland?

We are left with two alternative explanations. Either Mr. Russell is opposed to organizing with the power of ideas, or he is simply opposed to any organizing by this organization. I think both are true.

Let me comment on Mr. Russell's repeated refrain that I and my associates raise some of our contributions from old people. I stated in court that, while our supporters are of all ages, I have found that those people old enough to have known America at a time when it had a moral purpose and a sense of mission have an advantage over the others. They saw the Depression; they were adults during World War II. They'd seen how far a nation could fall, and also, that at times people must be willing to give their lives to defeat evil, to achieve a greater good. These people often see more easily

where the current moral decay is leading. They recognize that our nation is tumbling into depression despite the foolish economists' prognostications. And they recognize with something close to horror that the appeasement of the military colossus of Soviet Russia is leading to war.

Mr. Russell's unstated assertion that anyone over 80 is a manipulable ding-bat who should be prevented from engaging in and contributing to the political crisis upon us, is an abomination. It coheres with the notion that old people are using up our "scarce resources" and should be encouraged to forego expensive medical care, a notion now polluting our courts and our media. This rebirth of euthanasia, for which we properly hanged Nazis, defines the character of a nation which has lost its respect for the dignity of human life.

While I don't wish to reopen the issues of the trial, I must add that the way in which Mr. Russell used Mrs. Fincham like a dish rag was repulsive. I can state unequivocally, that if I had had a lawyer representing me at trial, rather than a co-prosecutor, the humiliation of Mrs. Fincham would not have been tolerated, and both her honor and mine would have been preserved.

In conclusion, I must respond to Mr. Russell's contention that, supposedly lacking remorse, I repeatedly blamed everything on the government as a shield to hide my guilt. This may have found merit among the naive a year ago. However, Mr. Russell is fully aware that Judge Bostetter had demonstrated conclusively where the guilt lies in the bankruptcy proceeding. Mr. Russell is also painfully aware of the over 800 prominent lawyers from across the country who signed *amicus curiae* briefs against the "violation of due process and fundamental rights" and the "abuse of prosecutorial and judicial systems" in the Alexandria railroad brought by his brothers in the "Get LaRouche" task force. The world is rapidly learning who it is that committed the crimes, and who it is that is committed to truth and justice.

'From the prison in which the politician's career expires, the influence of the statesman is raised toward the summits of his life's providential course. Since Solon, the Socratic method has become the mark of the great Western statesman. Without the reemergence of that leadership, our imperiled civilization will not survive this century's waning years.'

—Lyndon H. LaRouche, Jr.

### **In Defense of Common Sense** by Lyndon H. LaRouche, Jr.

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## **We mourn Michael Spannaus**

All of the editors and the international correspondents of *EIR* share in the profound grief of the Spannaus family in the loss of their son Michael, who was killed in a highway accident on Jan. 1, 1990 near his home in Lovettsville, Virginia.

The 19-year-old youth, a second-year student pursuing a career in biomedical engineering at Duke University School of Engineering, was the son of two of the founding members of the editorial board of *Executive Intelligence Review*, Nancy Spannaus and Edward Spannaus. At the time of his death, Michael Bradeen Spannaus was president of his class and on the Dean's List. An excellent trumpet player, he had continued this work as a member of the Duke University Wind Symphony.

Michael's father, Edward Spannaus, was convicted together with Lyndon LaRouche in the infamous politically motivated "railroad" trial in Alexandria, Virginia in late 1988, and is serving a five-year prison sentence for his political opposition to the U.S. Establishment and its allies in Moscow. Nancy Spannaus is the editor of *New Federalist* national newspaper and a candidate for Senate from Virginia, contesting the seat of Republican John Warner in the 1990 elections.

The memorial services for Michael Spannaus occasioned an outpouring of support for the family in Loudoun County, Virginia.

Five hundred people attended the public memorial on Jan. 4 at Loudoun Valley High School, where he had been a student. Some came from distant parts of the United States and even from Europe. Michael was described by former teachers, fellow students, and fraternity brothers as a young man dedicated to perfection. The tributes showed that his humorous warmth, his passion for sharing classical music with others, his diligence at work, and his devotion as a son, friend, and brother had inspired many people.

Donations in memory of Michael Spannaus and his close friend Scott Kidwell, a fellow engineering student who also perished in the accident, may be contributed to a scholarship fund. Checks should be annotated for the "Michael Spannaus Memorial" and made payable to the Loudoun Valley High School, 340 North Maple Street, Purcellville, Virginia, (U.S.A.) 22132.