

raised, they will take a responsible position, and therefore reduce the risk of executing innocent persons; instead, they seem to abide by the philosophy that if we admit that it's possible for a mistake to have been made, then that will undermine people's faith in the death penalty. . . . We're the only state in the country that makes no exception for what's called the contemporaneous objection rule in capital cases. The only one. We apply it absolutely strictly. If there's no contemporaneous objection, no objection at the time of trial, then you can't raise the issue [on appeal], no matter how fundamental it is. We make no exceptions in capital cases. . . . Their great tool and their whole theory of litigation is never, ever let the court reach the merits of an issue if you can possibly help it. Get everything knocked out on procedural grounds. And so if you loosen the procedural rules even a bit, you're taking away one of their weapons and you create the possibility that courts might actually reach the *merits* of a claim. And they don't want to see that.

EIR: Let me go back to the merits on this case. Joe Giarratano actually confessed to the killings on five separate occasions in contradictory testimony, and subsequently asked to be killed through the death penalty. How does he feel today about those confessions?

Zerkin: Joe is convinced, as anyone would be, that he essentially made them up, that he was trying to make things make sense. On the first four confessions, he had convinced himself pretty much that he had done it. That's before he discovered the drops of blood on his boot, which really convinced him of it. But he recognizes that he was trying to make all of that make sense. He clearly felt an enormous amount of guilt, because these people were his friends. The fifth confession, the only one with any details, is the one given after the police basically told him what they knew about the crime scene and had a long discussion with him. Then they took down this very detailed confession. Joe recognizes them for what they are, which is that they reflect in his delusional, drug-induced state, what he thought at the time, and recognizes they're a product of his then-mental illness.

EIR: What would you ask the public to do in the remaining month and do you hold out any hope that Governor Wilder will respond?

Zerkin: Yes, indeed, we do hold out hope that he will. But the critical factor from the public's standpoint is to continue the extraordinary demonstration of support, by writing and calling to the governor's office, to demonstrate the fact that they consider this unacceptable, that Joe deserves a new trial, because that is what we're asking for; that he deserves a new trial and the state deserves for him to have a fair trial; that that's what justice requires; and that people are very conscious of the governor's responsibility for what happens here. People need to continue to let him know that.

ADL spying targets anti-war movement

by Herbert Quinde

The Anti-Defamation League (ADL) is playing an aggressive role in support of the Anglo-American war effort against Iraq by targeting persons and organizations opposed to the war for police state-style repression.

The ADL has provided the CIA and FBI the excuse for opening a 1990s "Anti-War Suspects File," similar to the Vietnam-era COINTELPRO operation, by demanding an investigation of "potential terrorists" and "anti-Semitic" organizations, using the ploy of concern for U.S. national security or civil rights.

The tactic includes the use of *agents provocateurs*, including ADL-financed "counterterrorism" specialists, who are assigned to whip up, largely through media interviews, hysteria over the threat of Iraqi terrorism in the United States. The use of paid ADL operatives infiltrated into neo-Nazi and right-wing sectlets, which are controlled by the intelligence community, to spout anti-Jewish and isolationist propaganda, is also part of the ADL's repertoire of dirty tricks.

FBI Director William Sessions has announced that his agents are on the search for terrorists, although he admits that the possibility of a terrorist incident in this country is "low." Arab-American groups are already charging that FBI activity is harassment.

Who is John Rees?

John Rees of the Maldon Institute is one such agent who has surfaced as a so-called terrorism expert with a Jan. 22 "Counterterrorism" White Paper that is making the rounds of the intelligence, law enforcement, and business communities. The theme of the White Paper is that Saddam Hussein, who plans to make America "swim in its own blood," probably has a terrorist in *your* backyard. The report points out that numerous terrorist groups, including Abu Nidal, have "had infrastructures in the United States and Canada for years." The report targets numerous Palestinian groups based in the U.S., as well as the Nation of Islam, led by Minister Louis Farrakhan, as potential terrorists or terrorist sympathizers who should be targeted for repression.

Besides receiving monies from the ADL, the Maldon Institute gets funding from the Allegheny Foundation and the Carthage Foundation. Both are creatures of Richard Mellon

Scaife, a neo-conservative philanthropist who was a major funding conduit for the "public diplomacy" apparatus exposed during the Iran-Contra scandal.

The Maldon Institute's president is Lawrence Sternfield, identified in their brochures as a retired "senior officer of the Central Intelligence Agency." Sternfield was one of the late William Casey's right-hand men and former CIA station chief in Mexico. Their advisory board includes Raymond Wannall, former number two at the FBI, and British intelligence operative Robert "The Spike" Moss.

Since the late 1960s, the British-born Rees has been a professional informant for U.S. intelligence agencies. Rees was partly to blame for the embarrassing exposé of the FBI's illegal targeting of the Committee in Solidarity with the People of El Salvador (CISPES). The *Boston Globe* reported in March 1988 that Rees operated through private right-wing groups to obtain intelligence later used to justify the FBI's illegal surveillance of CISPES.

ADL has long history of spying

According to documents obtained by *EIR* through the the Freedom of Information Act (FOIA), the ADL is a regular "intelligence source" to the FBI. During the Vietnam war era, the ADL spied on the anti-war movement and civil rights groups. An ADL research and evaluation report dated Oct. 22, 1968 entitled "The Meaning of the SNCC-Black Panther Split," co-authored by then-ADLers Carl Gershman and Jerome Bakst, was prepared for J. Edgar Hoover and conduited through the Los Angeles office of the FBI. Today, Carl Gershman is a member of the Bush administration and serves as the head of the National Endowment for Democracy, the public arm of the Project Democracy network identified as a "secret, parallel government" in the Iran-Contra scandal.

A March 18, 1985 internal FBI memo from the Chicago office reveals that the ADL has continued its spying and provocateur activities into the 1980s. The memo reports a meeting between an ADL representative—the name is deleted—and a Chicago special agent. "The purpose of the meeting," reads the memo, "was to . . . establish a liaison as well as a line of communication so as to receive any allegations of civil rights matters from the ADL." The memo continues, the "ADL is an organization that has conducted extensive information gathering on certain hate groups in America such as the Ku Klux Klan (KKK), neo-Nazi organizations, the Aranian nations [sic], Posse Comitatus [sic], the Lewis Farakan group [sic] and numerous other related groups in America."

The "numerous other" groups include the left wing of the political spectrum, and "progressive groups" have refused to challenge the ADL for fear of being labeled anti-Semitic. During the mid-1980s, the Washington office of the Fact-Finding Division of the ADL, in cooperation with its New York City headquarters, spied on groups critical of the Reagan administration. A by-product of the ADL's spying

was Emory University professor Harvey Klehr's 1988 book, *Far Left of Center: The American Radical Left Today*. The book is an attack on the Committee in Solidarity with the People of El Salvador; Clergy and Laity Concerned; Mobilization for Survival; National Lawyers Guild; The Rainbow Coalition; and the Institute for Policy Studies, among others. It was written under a grant from the ADL.

ADL in bed with drug lobby

The ADL is also receiving help from Chip Berlet, a principal with Political Research Associates of Boston, in disrupting the work of anti-war activists by circulating a memo aimed at dividing the broad-based movement, according to an article by Ross Gelbspan in the Jan. 22 *Boston Globe*. The article highlights the role of the "Lyndon LaRouche organization" in anti-war activities across the country and raises the canard of concern about "anti-Semitism" infiltrating the anti-war movement. Gelbspan, who seems to have lost his civil liberties credentials with this piece, also smears former Attorney General Ramsey Clark for opening the door of the movement to "anti-Semites." Gelbspan, who has previously written about First Amendment cases, publishes statements by Leonard Zakim, director of the Boston ADL, commenting on the anti-war movement. But nowhere does Gelbspan state that the ADL was publicly at the forefront of lobbying for a military strike against Iraq.

Berlet, a drug lobby scribbler in the civil liberties community, has previously admitted to having taken money from John Rees to cooperate in a National Security Council-directed attack on Lyndon LaRouche and associates for his opposition to the Contra policy. Berlet has reported that he and Rees worked together as anti-Vietnam War activists in Washington, D.C. in the late 1960s.

Within weeks of Iraq's move into Kuwait last August, the ADL used the antics of a Las Vegas-based cell of the "Christian Identity Skinheads" to open an anti-war suspects file. The Nov. 8 *Las Vegas Sun* reported that the "cell," composed of five women, had written more than 7,000 letters to troops involved in Operation Desert Shield. The letters alleged "Jewish control of America" and warned that if "Aryan" soldiers die "fighting the war for the Jews in Israel, white women in the U.S. will marry non-whites."

Abraham Foxman, national director of the ADL, wrote Secretary of Defense Richard Cheney asking that the letters be identified and intercepted. The FBI was called into the case. The skinhead group seems to be phony. According to Danny Welch of the Southern Poverty Law Center's Klan-watch Project, there is no evidence that skinheads in the Las Vegas area are "strongly organized."

Political prisoner and intelligence expert Lyndon LaRouche has charged that the Klu Klux Klan and related right-wing extremist groups are "front operations for various intelligence services: the FBI and CIA running a lot of it," reported the Feb. 21, 1989 *Village Voice*.