

High court ruling shows FEC wronged LaRouche

The U.S. Supreme Court on Nov. 29 let stand a July ruling by the U.S. Circuit Court of Appeals for the District of Columbia that requires the Federal Election Commission (FEC) to certify Lyndon LaRouche's 1992 presidential primary campaign for federal matching funds. This action by the U.S. Supreme Court affirms that the Federal Election Commission had no authority to deny matching funds to LaRouche's 1992 presidential primary campaign.

Debra Hanania-Freeman, a spokeswoman for LaRouche and for the Committee to Reverse the Accelerating Global Economic and Strategic Crisis: A LaRouche Exploratory Committee, which was formed for a LaRouche presidential bid for 1996, in a statement issued in response to the court's decision, said:

"We are, of course, gratified by the Supreme Court's ruling. The decision not only affirms that Lyndon LaRouche was a victim of wrongdoing by the FEC, but also stands as a sharp rebuke to the FEC's long history of corruption, bias, and abuse of power in its dealings with Mr. LaRouche.

"The FEC's 1992 ruling not only denied the LaRouche campaign the use of approximately half a million dollars in campaign matching funds, but also resulted in the denial of ballot access in many state presidential primaries where qualification for matching funds is the sole criterion for ballot status. We were still able to achieve ballot access in some of those states, but only after going to court or being forced to conduct expensive and exhausting petition campaigns.

"The FEC was a corrupt agency that was working directly with LaRouche's enemies, specifically the Anti-Defamation League of B'nai B'rith (ADL), which had already played a major role in the judicial railroad that resulted in LaRouche's unjust imprisonment in January 1989, in a blatant attempt to injure LaRouche's ability to have a voice in the 1992 presidential race.

"The FEC knew in 1992 that their actions were illegal. They admitted then that LaRouche had fulfilled all the legal requirements to receive matching funds, but denied him the money anyway. That denial was based solely on wild allegations by the ADL.

"This wasn't the first time that the FEC was caught in bed with the ADL. In 1990, the FEC found that the ADL had in fact violated federal election laws by distribution of hate literature against LaRouche, yet condoned those violations

of law by deciding to take absolutely no action against them.

"This is also not the first time the FEC has been reprimanded by a federal court for wrongful action against Lyndon LaRouche. As far back as 1981, New York Federal District Court Judge Charles Brieant, in an opinion on FEC actions against LaRouche, said that 'it would be hard to imagine a more abusive visitation of bureaucratic power.'

"Now, again, we have a ruling that shows that Lyndon LaRouche was a victim of wrongdoing. But the same thing can, and must, be said about LaRouche's being put into prison. Federal Judge Albert Bryan knew LaRouche was innocent, that that whole case was a fraud, but he rammed it through. The Fourth Circuit knew LaRouche was innocent, but they rammed it through. And, the U.S. Supreme Court had access to everything they needed to know that LaRouche was not only wrongly convicted, but that he was innocent.

"I would hope that this recent ruling by the Supreme Court is a step toward the vindication of Lyndon LaRouche, and of those LaRouche associates who were also unjustly persecuted and imprisoned solely because of their association with him."

'Star chamber' proceedings

LaRouche's 1992 presidential primary campaign had met all legal qualifications for matching funds in December 1991, but was denied eligibility by the FEC based on an unprecedented arrogation of power and indulgence in "star chamber" types of evidence. Though confused and rambling, the FEC's argument boiled down to the single principle that, in the agency's judgment, LaRouche's statutory promise to comply with the provisions of the campaign laws could not be believed because of his purported past "bad acts."

The Appeals Court summarized its opinion, simply stating "that the [Federal Election] Commission is not authorized to appraise candidates' good faith, honesty, probity or general reliability." The Supreme Court's refusal to hear the case leaves the Federal Election Commission no further option but to comply with the lower court's instruction "to certify [the campaign's] threshold submission for disbursement by the U.S. Treasury, for all qualified uses to which [the campaign] is by law entitled." The decision is a significant defeat for the FEC, which spared no effort in its attempt to derail LaRouche's 1992 election drive.

No alternative

The Supreme Court decision leaves the FEC no further option but to comply with the July instruction by the lower court "to certify [the campaign's] threshold submission for disbursement by the U.S. Treasury, for all qualified uses to which [the campaign] is by law entitled." Campaign spokesmen say that they are in the process of determining appropriate uses for the anticipated half-million dollars. Follow-up actions are also being evaluated, in consultation with the campaign's attorneys.