

# Morgenthau, New York Times challenged in their new effort to 'get LaRouche'

by Vin Berg

Justice Geoffrey Atlas of the New York State Supreme Court refused a motion by attorneys for the PMR Printing Company of New York Nov. 22, to open the record on a search-warrant that led to a police raid on the company's premises Nov. 17. The raid was conducted under the auspices of Manhattan District Attorney Robert Morgenthau, using 17 New York City police officers, ostensibly in a quest for "evidence" linking the company, which is associated with Democratic Party figure Lyndon LaRouche, to a spurious supplement allegedly inserted into the Sunday, Oct. 31 *New York Times*.

Today's Supreme Court action means that although Morgenthau claims he has "evidence" justifying the search-warrant, the raid, and the accompanying 26 subpoenas issued to company employees and others requiring them to appear before a state grand jury, what that "evidence" might be is being kept in dark secrecy.

"Everything we need," said a member of the company's legal team, "as we move to quash the subpoenas and draft civil legal action, is being kept from us. This is a typical fishing expedition by the D.A. We naturally suspect that the 'evidence' Morgenthau purports to possess is as bogus as any Sunday New York Times supplement."

In the opinion of attorneys studying New York law concerning the particular *Times* supplement in question, whoever published it might be charged with a Class A misdemeanor, not a hanging offense, and even this charge involves a completely novel application of the penal statutes. The massive resources already expended by D.A. Morgenthau at the bidding of the *Times* and its masters, shows the rank political motivation behind the case and the depth and breadth of the "get LaRouche" effort.

## Counterattack

The legal counterattack will focus on four areas, according to spokesmen for the defense team:

1) Abuse of the grand jury process by Morgenthau, reported by multiple sources. The current grand jury investigation is part of a seven-month plan to shut down and destroy the U.S.-based organizations associated with Lyndon LaRouche.

2) The specific unconstitutionality of the Nov. 16 search and seizure at PMR.

3) A constitutional attack on the grand jury process itself, as dictated by the statutes of the State of New York, as violative of rights guaranteed to American citizens under the First, Fourth, Fifth, and Sixth Amendments to the U.S. Constitution.

4) Civil action under the Federal Civil Rights statutes against the *New York Times* and Robert Morgenthau.

## Morgan and Morgenthau

The PMR Printing Company was set up several years ago by associates of Lyndon H. LaRouche, a 1980 Democratic presidential-primary candidate. LaRouche has been the subject of repeated slanderous attacks by the *New York Times* over the past eight years, but his influence on policy-issues ranging from an unmanageable international debt overhang to strategic military questions has steadily increased. Morgenthau, whose wife Lucinda Franks is a *Times* "investigative reporter," and who is connected to the Morgan banking families that control the *Times*, appears to have been told that, evidence or no evidence, supplement or no supplement, now is the time LaRouche must be stopped. So, he raided PMR Printing on a "fishing expedition."

## Before the court

Attorney Lawrence Hochheiser, representing PMR, argued before Justice Atlas that his clients were drafting civil legal action and contemplating other legal avenues against the DA's actions, but needed the underlying affidavits Morgenthau will not reveal, in order to discover the factual and legal basis claimed for the raid and search.

Manhattan Assistant District Attorney Harold Wilson, representing Morgenthau's office, moved to close the entire hearings and remove to the judge's chambers. Justice Atlas refused. But he then said that the PMR attorneys' request for disclosure of the evidentiary basis for the search warrant must be rejected as premature.

According to the Court, investigative materials from the ongoing grand jury investigations of persons associated with the allegedly bogus *Times*' supplement were contained in Morgenthau's application for a search-warrant. Any disclosure of those materials would compromise and potentially frustrate the grand jury's probe.

## Grand jury or star chamber?

Grand juries in New York State are notorious rubber-stamp machines for prosecutors seeking indictments, even on the flimsiest of legal grounds. As Abscam revealed, this facet of a grand jury's contemporary character makes grand juries quick and easy vehicles for politically motivated attacks on public figures. Even where no conviction could ever possibly result from a prosecutor's case, the fact of a grand jury handing down an indictment has been frequently sufficient to destroy a victim's political career or public reputation.

Grand juries in New York, by law, must extend immunity from state prosecution to persons subpoenaed to testify before them. For that reason, a person must testify, or go to jail. However, the immunity does not extend to federal prosecution, and an individual may therefore be called before a federal grand jury, with no immunity, on the basis of testimony delivered before the state body.

For such reasons, grand jury subpoenas can be the first phase of an endless campaign of legal harassment that, whatever the legal outcome, buries the victim under a mountain of investigative expenses and attorneys' fees.

"This is simply part of the continuing war between Lyndon LaRouche and the *New York Times*," stated a spokesman for LaRouche, who charged that the Manhattan District Attorney is placing the demands of the *New York Times* above his responsibilities to the citizens of New York. "It should be noted that his wife is a paid *Times*' employee, and he is doing the *Times*' political bidding as part of a campaign to destroy Mr. LaRouche and his growing international influence."

Legal actions now planned by PMR attorneys to end the secrecy and prevent what resembles the beginnings of a Star Chamber proceeding, must be backed by an international political mobilization to be effective, the spokesman stressed. "Above all, this is a political fight—a fight to the finish," he said. "If Mr. and Mrs. LaRouche's physical security is compromised, as the ultimate sponsors of this operation wish it to be, current trends of British-U.S. intelligence warfare suggest that fact could have serious implications for the national security of the U.S.A."

## The *Times* versus LaRouche

The *New York Times* has been engaged in a slander campaign against Lyndon LaRouche and his National Caucus of Labor Committees (NCLC) since January 1974. At that time, the newspaper published a libelous front-page article that characterized the NCLC as a "savagely violent" organization.

In July 1979, two *New York Times* correspondents, Howard Blum and Paul Montgomery, admitted to an NCLC investigator that they were preparing a series of libels aimed at provoking the U.S. Justice Department to investigate and prosecute LaRouche. The reporters boasted that the *New York Times* was "more powerful than the Justice Department." For that reason, they argued, anything that appeared on the *Times*' front page would be sufficient grounds for a

federal investigation. Nothing they wrote necessarily had to be true. It had only to appear on the *Times*' front page.

Those admissions were widely publicized by LaRouche and his associates. As a result, the *Times* shifted its strategy. Instead of publishing the planned series themselves, they "farmed out" the series to a give-away community tabloid called *Our Town*, where it appeared under the by-line of one Dennis King, a small-time stringer for some unsavory elements of the FBI.

The *Times* subsequently published several articles "congratulating" *Our Town* for the series on LaRouche, and repeating the same libelous material "based on" the throw-away tabloid's version. The *Times*' version culminated with a leading editorial, calling for the Justice Department investigation reporters Blum and Montgomery had indicated was their goal.

A virtual word-for-word reprint of the *Times* libels subsequently appeared in the Paris-based *International Herald Tribune*. A French judge ruled them outrageously libelous and unsubstantiated. The *Tribune* editors were ordered to publish a retraction and pay a heavy fine. He noted in his decision, that, appearance of false and defamatory material on the front page of the *New York Times* does not alter that material's false and defamatory character. The *Tribune* had no other defense than the *New York Times* as source.

## The Morgenthau connection

In August 1978, Robert Morgenthau's office was involved in a "security stripping" operating against Lyndon LaRouche. One of LaRouche's colleagues, Paul Gallagher was the victim of an armed attack. In the subsequent court action, LaRouche was subpoenaed as a witness—on grounds that mystified attorneys. The subpoena in the Gallagher case occurred only weeks after an attempt on LaRouche's life had occurred in Detroit, Michigan. LaRouche security advisers traced that attempt to the circles of Max Fisher, a reputed organized-crime figure tied to the Lansky mob. Morgenthau and Fisher know each other through the Jerusalem Foundation, which upon investigation, proves to be operating in the interests of British intelligence. In connection with LaRouche's subpoena in the Gallagher case, Morgenthau's office refused to provide any cooperation on security during his court appearance, although every law-enforcement agency in the country was aware that LaRouche's life was in jeopardy.

In the spring of 1981, LaRouche's security advisors received a memo from the U.S. Attorney for the Southern District of New York, acknowledging massive evidence that physical attacks and death threats against LaRouche and his associates constituted a pattern indicating criminal acts on the part of groups including the Jewish Defense League and the Yippies. The memo indicated that jurisdiction lay with the office of Manhattan District Attorney Morgenthau, and recommended its formal presentation to Morgenthau.

Eighteen months have now elapsed, without Morgenthau's office so much as acknowledging the evidence's receipt.

# The Morgenthau story

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Upon investigation, it appears that the reason Manhattan District Attorney Robert Morgenthau would conduct no investigation of the networks attacking Mr. LaRouche and his associates is that, in any such probe, Morgenthau would end up investigating himself.

Robert Morgenthau is a member of the national committee of the Anti-Defamation League, a nominally Jewish organization that was created, and is still controlled by the British-American Morgan banking interests which also control the *New York Times*. The ADL has issued many diatribes against LaRouche, the most recent in the last three months, "The LaRouche Network: A Political Cult."

Morgenthau is also honorary chairman of an organization called PEACE, or "Preventing the Emergence of Another Arab Country in Eretz-Israel (Judea, Samaria, and Gaza)." This affiliation places the New York District Attorney in the middle of the circles that run the Jewish Defense League—those accused of plotting against LaRouche.

Morgenthau joined PEACE as honorary chairman at the request of a long-time friend, Ariel Sharon, the Israeli Defense Minister.

Sitting on PEACE's board under Morgenthau are:

*Meir Jolowitz*, the current national chairman of the Jewish Defense League. Jolowitz admitted to an NCLC investigator that the JDL has received large sums of money from an undisclosed source for operations against LaRouche.

*Yu' uval Ne' eman*, reputed "father of the Israeli bomb," current Minister of Research and Development in Israel. Ne'eman and his followers are described as the closest thing to Israeli Nazis since Vladimir Jabotinsky.

*Harold Jacobs*, President of Young Israel, and author of a libelous election-eve attack on New York senatorial candidate Melvin Klenetsky, whom LaRouche had endorsed.

*Arnold Forster*, a Morgenthau associate on the National Committee of the ADL, who was once arrested in New York for painting swastikas on Jewish property.

*Geula Cohen*, head of Israel's Gush Emunim sect, which claims all of Jordan and much of Syria and Lebanon for "Ersatz Israel."

*Joseph Churba*, long time collaborator of Jewish Defense League founder Meir Kahane.

*Ron Milo*, Israeli Prime Minister Begin's son-in-law, and attorney for the "Jumbo" real estate combine. Jumbo and the Gal Company, are engaged in a massive land-grab on the West Bank in anticipation of heavy profits should Israeli

annexation occur. Gal is headed by one General Ze'evi, purged from the Israeli Defense Force for involvement with mafia figures engaged in arms smuggling and drug traffic.

Sources in Israel told *EIR* that a secret spring meeting at Sharon's ranch in Israel, attended by Sharon, Ze'evi, Meir Kahane, New York real-estate speculator Meshulam Riklis, and Canadian liquor-magnate Edgar Bronfman, discussed two matters: the West Bank real-estate scheme, and elimination of Lyndon LaRouche.

Since that time, three assassination attempts have occurred against LaRouche's West German wife, Helga Zepp-LaRouche, herself a leading political figure in Europe. An attempt on both their lives was so clearly in preparation in Rome for the period Oct. 20-21 that they were forced to cancel their scheduled appearance at the founding conference of the Club of Life there.

## Lucinda Franks

In 1977, Robert Morgenthau married Lucinda Franks, now an "investigative reporter" for the *New York Times*. Franks for years has been part of an intelligence network sometimes called the "Left CIA." In truth, it is controlled by British intelligence. Through this network, Ms. Franks was personally involved in deployments against LaRouche and his associates during the 1972-74 period.

At that time, she was employed by UPI, cover for an intelligence team that included Thomas Powers, the official biographer of former CIA director Richard Helms. She established contact with several terrorist organizations in the United States. In October 1974, an article by Franks in *Ms. Magazine* reported her meetings with pot-smoking Weather-underground terrorists, whose "life-style" she admittedly admired. She received communiques from the Weathermen, which she withheld from the FBI.

The article was also a counter-attack on documentation by LaRouche and the NCLC that Patricia Hearst had not been "politically won over" by her Symbionese Liberation Army captors, but had been clinically brainwashed by methods of aversive behavior modification. Making no mention of the hideous tortures Ms. Hearst is known to have suffered, Franks wrote: "To devise elaborate theories as to brainwashing, protective identification with potential killers, or sustained state of shock, would be to ignore what seems to me to be the simple truth. Patricia Hearst had told us that she felt betrayed."

On assignment in London, Franks established links with the Swedish-based American Deserters Movement, run by British-intelligence stringer Michael Vale. Vale attempted to penetrate LaRouche's International Caucus of Labor Committees during that 1971-73 period, an effort focused first on Sweden and West Germany, where Lucinda Franks was his close collaborator. The project then shifted to New York, where preparations for LaRouche's assassination were put in place. Discovery aborted the attempt—and immediately, the first *New York Times*' slander of LaRouche appeared. Lucinda Franks left UPI and joined the *New York Times*.