

## Editorial

### *Media dictatorship?*

"What you see is an attempt by Lyndon LaRouche to play with the system. The system has prevailed."

Thus spoke Pat Lynch, the producer of the NBC-TV "First Camera" libel against Lyndon LaRouche. For the first time known to this news service, she told the truth.

What is "the system" which Pat Lynch alluded to? It was elaborated clearly enough in the trial that ended up in the travesty of justice against LaRouche. "The system" is the power of the major media to be accountable to no one for whatever they wish to print.

Pat Lynch wants to imply that "the system" she is talking about is the "American system." On this point, she is either ignorant or lying.

Under the American system, in a landmark case waged in the early 18th century, the courts established a system of libel law under which the entire feudal system of privilege was eliminated. In Europe, and in colonial America, the nobility had ruled that the publication of any hurtful information against an individual, particularly a member of government, could be punished as libel. Regardless of the truth or falsity of the information, the publisher was liable for punishment.

In the American system established by the famous Zenger case of New York, the standard of libel was radically changed. Zenger's defense against the state of New York was that the information which he published against the governor was *true*. While the judge ruled against him, the jury revolted, and voted for his acquittal on this basis. The standard of *truth* as the criterion of libel was established—and soon became standard practice throughout the land.

Was NBC, or Pat Lynch, adhering to this American standard of libel when they published their show on Lyndon LaRouche or defended it? By no means.

In fact, NBC argued that they had no need to check out whether their "information"—no matter how outrageous—was *true* or not. All they had to do was to see if they could find some other individuals, including individuals who would refuse to have their names disclosed, would claim that such information was true.

Their defense against LaRouche's charges of mali-

cious libel was only that they did not *know* the information to be false. And why didn't they know? Because they refused to check it out in any serious way.

There was another gross violation of the American system of law in this trial. That was the violation of the fundamental right of due process, the right of an accused to be confronted by his accuser.

Such a confrontation is the hallmark of the American court system. Individuals on trial and initiating suits are permitted to question and cross-examine those who accuse them of crimes, or defend themselves from those crimes. Individuals suing others, and those sued, are both permitted "discovery."

But NBC's "system," validated in this case by the judge, was to avoid this practice. Rather than bring the sources for their wild charges against LaRouche into court, or even give their names, NBC hid behind the shield of "confidential sources." Claiming that they in the media have special customs and rights, NBC cited one "confidential source" after another for their wild allegations against LaRouche. It was impossible even to confirm the existence of these confidential sources, much less their integrity and accuracy.

It might as well have been a return to the Star Chamber of the British Crown. Citing all the authorities of the realm—such as the *New York Times*, *Washington Post*, Democratic Party honchos, and so forth—NBC claimed that it had a right to call LaRouche a cultist, anti-Semite, and potential assassin. When asked for concrete evidence, they could provide none. When asked to present their "confidential sources," they claimed "journalistic privilege."

We did not fight and win independence from feudal law in order to have the Eastern Establishment through the media take the place of the monarchy and nobility. Yet, if the decision against LaRouche in his case against NBC prevails, that is precisely what will have occurred.

If Pat Lynch's system prevails, there is nothing that can prevent the watering and destruction of a President, much less the destruction of an individual.

The oligarchical system has prevailed, and we'd better change it as soon as we can.