

# National News

## LaRouche, codefendants petition for rehearing

Lyndon LaRouche and six co-defendants challenged the U.S. Fourth Circuit Court of Appeals rubber-stamping of their railroad convictions in Alexandria, Virginia, in a motion for rehearing filed with the Fourth Circuit Court on Feb. 5.

"This Court should recognize that the manner in which [Judge Albert Bryan's] 'rocket docket' operated in this case is fundamentally inconsistent with the United States Constitution and the rights protected thereunder," the motion read, condemning the court's "wholesale" adoption of government arguments.

The motion seeks to have all six judges of the Fourth Circuit rehear the case which three of their colleagues dismissed out-of-hand in January with the issuance of an opinion denying the LaRouche Seven's appeal. It is estimated that the whole court will vote on whether to accept this petition within the next eight weeks.

The motion raised substantive issues of law including the rush to trial, the decimation of the defense by an *in limine* order 11 days before trial, and the "perfunctory jury selection process in a case involving one of the most controversial public figures of the past decade," an issue which the three-judge opinion evaded altogether.

## Estimates of Soviet weaponry off by 50%

"U.S. intelligence agencies can't account for half the weapons they figure the Soviet Union has produced," government officials acknowledged to the Feb. 5 *Washington Times*.

"We re-estimated production, we re-estimated deployments and we looked at exports. Roughly 50% of the weapons they've produced, we can't find," said one official.

Intelligence analysts discovered the discrepancy six months ago while reviewing the methodology used to estimate Soviet production and deployment as part of preparations for the START talks. The production

estimating office and the deployment estimating branch of the Pentagon met and discovered the discrepancy. One possible explanation is that the Soviets are stockpiling weapons such that electronic means, including satellite surveillance, can't find it.

## Woerner sacked over Panama invasion

Gen. Fred Woerner (ret.), who headed of the U.S. Southern Command in Panama until last fall, told a student audience at Utah State University Jan. 31 that he was removed from his command three months before Operation Just Cause "for political reasons" involving his opposition to the invasion.

"President Bush preferred to rely on someone who not only supported the measure, but believed in it," Woerner said, in revealing that he had maintained "regular contact" with Noriega. He said that his rejection of the invasion plans finally resulted in his removal.

Woerner said he doubted that the overthrow of Noriega would "have any serious impact" on drug trafficking, and said it set a dangerous precedent for the U.S. "to resort to force with greater frequency to eliminate problems of drug trafficking." "The U.S. should stop pointing its finger toward the south at the producing nations, and look in the mirror at the number-one consumer nation." Woerner said he wanted to see more economic aid to producing countries to help them transform drug cultivation to food production.

## Armenians and Muslims issue joint appeal

Representatives from the Armenian and Muslim communities of Los Angeles issued a joint declaration "to our President, the State Department, Congress, our governors, and other public officials to work diligently to put an end to the bloodshed in the Caucasus and promote humanitarian and economic aid to the region."

The signers said they sought to clarify

"the misconceptions which prevail regarding the background of the current Armenia-Azerbaijan conflict," and condemned the media for "contributing to the aggravation of the situation.

"The present crisis involving Armenia and Azerbaijan is not based on religious differences. It is the direct result of a territorial struggle resulting from an arbitrary action by Stalin in 1923," the statement read. Referring to the Soviets indirectly, they said, "no external interference should be tolerated which might fuel the situation with hatred and endanger world peace.

"Islam and Christianity uphold many common ideals. As great monotheistic religions, they have defended the rights of all minorities for centuries. Both faiths vigorously condemn the use of force and violence against unarmed and innocent civilian populations as means of settling disputes. Muslims and Armenians, especially, have lived in peace and harmony for centuries, in all areas of the world.

"We, as active, concerned members of the Armenian and Muslim communities of Los Angeles, and as responsible American citizens, will not tolerate any attempt to disrupt the harmony which presently exists and which has long existed between our respective communities."

## Soviets-U.S. discuss astronaut swap

U.S. and Soviet space officials are discussing a swap in which an American astronaut would fly aboard the Soviet Mir space station and a Soviet cosmonaut would travel aboard a U.S. Space Shuttle, the *Washington Post* reported Feb. 4.

The proposal envisions an exchange of medical doctors conducting experiments on the effects of weightlessness.

The associate deputy administrator of the National Aeronautics and Space Administration Samuel Keller, said that the cosmonaut could fly aboard a U.S. Space Shuttle as early as mid-1992, on a flight carrying the European-built laboratory Spacelab.

NASA is interested in flying its astronaut on the Soviets' Medilab, a module carrying sophisticated research equipment to

be attached to Mir and scheduled for launch in 1992 or 1993.

## Sentencing guidelines star chamber justice

The new sentencing guidelines for federal courts have created a star chamber system of justice, according to the *National Law Journal*.

The inner workings of sentencing procedures under the guidelines, certified by the Supreme Court last year, are characterized by star chamber proceedings conducted by anonymous committees of prosecutors who determine whether or not a defendant is entitled to a sentence which departs from the guideline calculus, the *Journal* said.

The existence of these committees, widespread throughout the prosecutorial apparatus, came to light when Federal Judge Harold H. Green issued a ruling which outlined the role of the "departure committee" which operates in the office of U.S. Attorney Jay Stephens, for the District of Columbia. Green cited Stephens's office for denying a "departure" to a woman who had become an informant for Stephens. "Substantial cooperation" with the prosecution can lessen a sentence under the guidelines, but that is determined by the prosecutor, making him and not the court the controller of the trial.

Judge Green ruled that "In the opinion of the court, these standardless processes administered by secret bodies, by which decisions of vast consequences to the defendants are arrived at, without the acknowledgement that these defendants have any right in the matter, whatever their efforts, bear out the fears of arbitrary decision making. . . . These extraordinary procedures do not comport with the kind of process that the Constitution requires as a prerequisite to the loss of liberty."

He then upheld a motion by the defense attorney in the case which demanded full disclosure of the minutes and proceedings of the secret "departure committee" in Stephens's office. On the very next day Stephens was ready to settle, with leniency, on the condition that the discovery motion be dropped.

The Federal Courts Study Committee,

appointed by Congress to review various problems in the federal courts, will hold public hearings in February.

## McMartin case to be retried

California prosecutors have announced that they will retry Raymond Buckey on 13 counts involving molestation of children at the Virginia McMartin pre-school in California.

The Feb. 2 announcement came two weeks after the jury in the original case acquitted Buckey and his mother Peggy McMartin Buckey on 52 charges, but deadlocked on thirteen charges against Raymond Buckey.

In the period since the acquittal, many of the parents and children involved in the McMartin case have publicly denounced the incompetence of the prosecution, and demanded the retrial. At a recent appearance on the Geraldo Rivera show, one of the parents demanded the resignation of the FBI's apologist for Satanism, Kenneth Lanning. The demand was greeted by enthusiastic applause from other parents and the audience.

## DoJ ready to take over Longshoremen's union

The U.S. Department of Justice is preparing a takeover of the International Longshoremen's Association (ILA) and will request court authority similar to the 1988 court-ordered trusteeship of the Teamsters union, according to a Jan. 30 ABC News report.

ILA officers and attorneys expressed surprise over the report.

The government alleges that the ILA, which organizes East and Gulf Coast dockworkers, is dominated by organized crime. The ILA has a long history of anti-communism, having refused to load or unload Soviet goods during various periods of Soviet foreign policy crimes.

In a related development, four men involved in administration of an ILA local's bank account in New York City pleaded guilty to criminal charges Feb. 2.

## Briefly

● **CARDINAL O'CONNOR** endorsed the warning of Bishop Vaughan, the vicar of Orange County, that New York Gov. Mario Cuomo may go to Hell. O'Connor said the Bishop, recently incarcerated in an anti-abortion protest, is "under the obligation to warn any Catholic that his soul is at risk if he should die while deliberating pursuing any gravely evil course of action."

● **ROBERT AGUILAR**, the first federal judge ever charged with racketeering, went to trial Feb. 5. Before the court issued a gag order on lawyers for both sides, one of Aguilar's attorneys charged that his client was the target of a political vendetta to rid the federal judiciary of liberal jurists.

● **NORTHROP EMPLOYEES** interviewed by Justice Department lawyers without company attorneys present does not violate Northrop's Sixth Amendment rights, U.S. District Judge Pamela A. Rymer ruled, upholding a position by Attorney General Richard Thornburgh that the DoJ is exempt from state bar rules.

● **JIMMY CARTER** will continue taking BCCI contributions to his Global 2000 program even though the bank was caught drug-money laundering, the *New Jersey Bergen Record* reported Feb. 5. The former President blamed the bank's problems on "a few unsavory characters."

● **A STATE** Department report accused Communist China of severe and pervasive violations of every internationally recognized human right during 1989, including the Tiananmen massacre, killings in Tibet, and the execution of scores of people for "clearly political offenses" after secret trials, the *New York Times* reported Feb. 4.

● **JESSE JACKSON** failed to report a large campaign contribution from a Washington, D.C. slumlord, according to Washington press reports Feb. 2.