4) Under the auspices of this treaty, provisions for actions of a joint military command should be elaborated . . . to the effect that necessary forms of joint military and law-enforcement action do not subvert the national sovereignty of any of the allied nations. . . .

5) . . . Military and related actions of warfare against targets of the War on Drugs, should be conducted by assigned forces of the nation on whose territory the action occurs.

6) Technologies appropriate to detection and confirmation of growing, processing, and transport of drugs, including satellite-based and aircraft-based systems of detection, should be supplied with assistance of the United States. . . .

7) With aid of the same technologies, processing-centers must be detected and confirmed, and each destroyed promptly in the same manner as fields growing relevant crops.

8) Borders among the allied nations, and borders with other nations, must be virtually hermetically sealed against drug traffic across borders. . . .

9) A system of total regulation of financial institutions, to the effect of detecting deposits, outbound transfers, and inbound transfer of funds, which might be reasonably suspected of being funds secured from drug trafficking, must be established and maintained.

10) All real-estate, business enterprises, financial institutions, and personal funds, shown to be employed in the growing, processing, transport, or sale of unlawful drugs, should be taken into military custody immediately, and confiscated in the manner of military actions in time of war. . . .

11) The primary objective of the War on Drugs, is military in nature: to destroy the enemy quasi-state, the international drug trafficking interest, by destroying or confiscating that quasi-state's economic and financial resources. . . .

12) Special attention should be concentrated on those banks, insurance enterprises, and other business institutions which are in fact elements of an international financial cartel coordinating the flow of hundreds of billions annually of revenues from the international drug traffic. Such entities should be classed as outlaws according to the "crimes against humanity" doctrine elaborated at the postwar Nuremberg Tribunal. . . .

13) . . . Once all significant production of drugs in the Americas is exterminated, the War on Drugs enters a second phase, in which the war concentrates on combatting the conduiting of drugs from sources outside the Hemisphere.

14) . . . Political arms of the financial interests associated with the conduiting of revenues from the drug traffic . . . are therefore to be treated in the manner Nazi-sympathizer operations were treated in the United States during World War II.

15) The War on Drugs should include agreed provisions for allotment of confiscated billions of dollars of assets of the drug trafficking interests to beneficial purposes of economic development, in basic economic infrastructure, agriculture, and goods-producing industry. . . .

Former congressman backs LaRouche appeal

by Andrew Rotstein

Former U.S. Rep. Patrick Swindall (R-Ga.) Aug. 28 for a federal perjury conviction, said that a growing pattern of violations of due process by federal prosecutors and judges threatens to destroy the basic human rights guaranteed by the U.S. Constitution. Swindall, an attorney who served four years on the House Judiciary Committee, made the comments on Aug. 31 in co-signing the *amicus curiae* brief already endorsed by over 400 American lawyers, calling for reversal of the convictions of Lyndon LaRouche and six associates.

Swindall had been caught in a federal sting operation, where a money-laundering ring was being run by an undercover IRS agent. Swindall initially accepted, but, fearing illegality, soon returned a large loan from the group to finance a home he was building. He was recently convicted for perjuring himself before a grand jury in 1988, when he claimed he could not recall certain details of conversations with members of the ring.

The Swindall case was marked by abuses that have become familiar in the Justice Department's cynical and politically targeted campaign against "public corruption":

- Even though all participants suspected of money-laundering had already been indicted, U.S. Attorney Robert Barr—whose appointment to office Swindall was known to have vigorously opposed—convened a new grand jury to attempt to come up with some other charge, like perjury, against Swindall, since the congressman had eventually walked away from the money-washing trap;
- The indictment took place in the final weeks of the 1988 campaign, costing Swindall his reelection;
- Grand jury tapes and transcripts were illegally leaked, then carefully edited and publicized by the media, including the *Atlanta Journal-Constitution,* a longtime Swindall adversary, to put the politician in the most unfavorable possible light;
- U.S. District Judge Richard Freeman denied a defense motion to move the trial out of Atlanta, despite massive prejudicial news coverage;
- In jury selection, Freeman accepted prospective jurors' subjective claim of impartiality, although some jurors' other statements clearly revealed bias.

In addition, the government committed several extraordinary misdeeds in the case.

Violation of Constitution Art. I

In
attempted to impeach Swindall's credibility by scrutinizing his perception of the legality of the sting operation's proposed deal. To do so, Gillen questioned Swindall's knowledge of the federal law against money laundering, by inquiring about his support for the Omnibus Anti-Drug Bill of 1986.

This was a clear violation of the "speech and debate" clause of Article I,
guarantees that the acts and statements of congressmen, in performing their official duties, "shall not be questioned in any other place." This safeguard of a lawmaker's independence is so strongly protected that the Supreme Court has held that this right—unlike even the immunity from self-incrimination—cannot be voluntarily waived.

Later, during the trial itself, the defense sought to call as witnesses several congressional colleagues of Swindall's, to establish that congressmen often vote on bills with whose details they may not be familiar. In
mony of the first such witness, Rep. Barney Frank (D
the judge granted a motion by prosecutor Gillen for an *ex parte* hearing, from which Swindall and his lawyers were excluded—a move unheard of in the middle of a criminal trial.

As the defense learned subsequently, AUSA Gillen had lied to the court in this hearing that Swindall had co-authored an earlier proposed money-laundering bill which was incorporated into the 1986 Drug Act (he
a member of the Banking Committee that had heard the bill (in
succeeding Congress).

Based on these misrepresentations, Judge Freeman disallowed the testimony of Frank and the other congressmen, shooting down one Swindall's key defenses.

Later, the defense called as its final witness a prominent local attorney, whose testimony severely undermined the credibility of a key government witness. Because the prosecutor knew by then that Swindall would not be testifying in his own behalf, he asked the witness if, in his long experience as an attorney, a defendant who could help establish his own innocence would tend to testify in his own defense—thus unleashing a blind-side attack on Swindall's Fifth Amendment right not to testify.

The defense immediately moved for a mistrial. But the judge ruled that even while the question was impermissible, the court had already "invested too much time" in the case to stop the trial at that point—i.e., protecting the rights of the defendant was inconvenient.

After the conviction, Swindall was contacted by a shadowy Arkansas man who claimed he could "fix" his sentencing, to avoid a jail term. Swindall, through his attorneys, contacted the Justice Department, offering to play along with the scheme in order to snare this criminal in the act. Incredibly, the DoJ showed no interest in pursuing this scheme. Instead,
the man, who, predictably enough, simply denied the allegations—pointing to the likelihood that this was yet another sting operation the former congressman failed to go along with. Swindall then released tape
conversations with the man to the media.

Swindall, who is appealing his conviction, believes federal prosecutors in cases like his and LaRouche's are adroitly manipulating public perceptions that are molded by a biased press and by the government itself. The popular mentality, he said, holds that because one is controversial, or unpopular in certain quarters, or may indeed have done something wrong—as Swindall has repeatedly admitted he did, in even entertaining the loan scheme and in failing to report the money-laundering ring to authorities—that one must be guilty as charged, the facts and the law

Even if an innocent accused is vindicated on appeal, his career can be destroyed, his reputation permanently damaged, and his resources drained in the process, simply through the maneuverings of an unscrupulous prosecutor.

Swindall says he plans to "take to the hustings" to expose the mounting danger of government abuses. "Americans are complacent right now," he says. "This is leading us to a police state at a frightening pace, and any citizen could be the next victim."