

Panama Report by Carlos Wesley

Learning the 'American Way'

*Panamanians learn the true meaning of United States justice:
The rule of law does not apply.*

The United States Constitution is worthless—that's the opinion of the U.S. Justice Department. The issue came up on Sept. 4 as the U.S. trial of Panamanian Gen. Manuel Noriega was getting under way in a federal court in Miami. Attorneys for the Panamanian leader presented a motion to interrogate Raymond Takiff, a former lawyer for Noriega, who, as it now turns out, was working all along as an informant for the U.S. Justice Department.

The fact that Takiff was a spy for the prosecution at the same time that he was serving as Noriega's lawyer violated the general's Sixth Amendment rights under the U.S. Constitution to attorney-client confidentiality, argued Noriega's current defense lawyers. Not so, replied the U.S. Justice Department. Noriega is not a U.S. citizen. "And the Constitution does not protect non-citizens of the United States," said Assistant U.S. Attorney Sonia O'Donnell. So much for equal protection under the law.

The blatant contempt of Justice Department officials for even the appearance of the rule of law, shows how far the United States has traveled down the road to becoming a police state. If you think only the rights of foreigners such as Noriega are being abused, think again. The U.S. has more of its citizens in jail, per capita, than any other country in the world; more than Red China, more than the Soviet Union under communism, more even than South Africa. As *EIR* reported in its Sept. 6 issue, the situation is even worse for non-white Americans. While South Africa has 729 black prisoners per 100,000 black

citizens, the proportion of blacks jailed in the United States is five times larger, 3,109 per 100,000 black Americans.

Other Panamanians have also gotten acquainted with U.S.-style administration of justice. There are thousands that were killed, maimed, or left homeless or jobless when George Bush sent his invading forces to get Noriega in December 1989.

The lessons continue. Former legislator Rigoberto Paredes was recently convicted and sentenced to 18 months in jail for being the "intellectual author" of an assault that the alleged victim denied took place. And, although Paredes already served the 18 months in jail, having been kept in preventive detention since the invasion, he is still in prison because the prosecution has appealed the sentence for being "too lenient"!

After former University of Panama dean Cecilio Simón was forced to go into hiding this summer to avoid being thrown into jail, without trial, on trumped-up murder charges, former U.S. Attorney General Ramsey Clark wrote U.S.-installed Panamanian President Guillermo Endara urging him to "make sure there are no abuses of prosecutorial power." This provoked Endara's ire.

Because it is forbidden by Panama's Constitution, wrote Endara in his July 22 reply to Clark, "the Executive branch cannot get involved in the affairs of the Judicial branch." But, according to former members of the Panamanian judiciary, Endara is subjecting judges to a "chain of terror" to ensure that there is no judicial inde-

pendence.

Judge Guillermo Salazar, an Endara appointee, was fired by the U.S.-installed regime because he ordered Carlos Villalaz, Panama's Attorney General during Noriega's term of office, to be freed on \$50,000 bail. The Executive appealed the bail and got an appeals tribunal to "increase it to \$1 million, which shows clearly that they didn't want Villalaz free," said Judge Salazar in a radio interview on Aug. 26. Villalaz was jailed at the time of the invasion, and even were he convicted of the charges against him, said Judge Salazar, "he would have been released because he has already served the sentence."

Nonetheless, because he followed the law, Judge Salazar was fired. So were other Endara appointees who took their roles seriously, including Judge Anastacio de Leon, and Judge Guillermo Zúñiga. All of them were fired without following any of the established procedures. "I was never given a hearing," said Judge Salazar. "I was just told that if I didn't submit my resignation, I would be fired. I was given half an hour to present my resignation."

Salazar refused to knuckle under, so he was fired. The document ordering his dismissal states explicitly that he was fired for freeing Villalaz (who has been re-arrested) and "to serve as an example so it doesn't happen again."

To describe the administration of justice currently in Panama under U.S. occupation, Salazar told an anecdote: "The other day a lawyer told me that judges no longer dare to make decisions. That if someone were to bring groundless charges against Joan of Arc or Mother Theresa of Calcutta, charges which should obviously be dismissed, no judge would dare to throw the cases out of court for fear of reprisals."