

National News

Byron White to retire from Supreme Court

Associate Justice Byron White announced on March 19 that he will retire from the Supreme Court at the end of the current term. He said he was making his announcement early so that the President would have plenty of time to fill the position before the new term starts next October. White, 75, appointed by President John F. Kennedy in 1962, is the only Democratic appointee still sitting on the Supreme Court.

In recent years, his most important contribution has been in his well-reasoned and consistent opposition to the elaboration of new constitutional "rights" such as to abortion, homosexuality, or the right to die. White has generally supported civil rights and voting rights laws, but has opposed affirmative action.

White has supported the death penalty, although opposing Chief Justice William Rehnquist and Associate Justice Antonin Scalia on some of their more barbaric rulings. Recently, in the *Herrera* case, White concurred with Rehnquist, but wrote a separate opinion saying that if a defendant made a persuasive showing of "actual innocence," execution would be unconstitutional. White wrote the dissent in the 1973 *Roe v. Wade* decision, charging that the majority ruling was "an exercise of raw judicial power" which valued "the convenience, whim, or caprice" of the pregnant woman more than the life or potential life of the fetus. White wrote the majority opinion in the 1986 *Bowers v. Hardwick* case, holding that there is no constitutional right to homosexual sodomy. In this ruling, White affirmed that there is a connection between morality and law, and that morality is an adequate basis for law.

White House denies LaRouche Fed charges

During a March 10 White House background briefing on the Clinton proposal to ease restrictions on banks, a "senior administration official" stated: "There is no credible evidence that, in fact, banks have been

borrowing very short money at 3% and putting it in long-term bonds at 6.5%. If that were to be done in any magnitude, it would be an unsound practice, and we would crack down on it. And we'll be looking for that. But at the moment, that's just a speculation and assertion by some people. We do not have any evidence that that's the case, nor is there any evidence whatsoever that the risk-based capital rules have, in fact, led banks to hold bonds rather than loans."

The most prominent thorn in the Federal Reserve's side on this issue has been Lyndon LaRouche, who has repeatedly charged during his weekly "EIR Talks with Lyndon LaRouche" radio interviews, that the Federal Reserve has been creating money to lend to commercial banks at 3%, which they use to buy U.S. government debt at 8%. LaRouche maintains that this practice by the unconstitutionally chartered Fed is the primary cause for the budget deficit, and that the Federal Reserve should be nationalized under the Treasury as specified in the Constitution. Such a move would allow the government to establish an appropriate credit policy—rather than debt policy—for productive national investment.

Post suggests areas of investigation for Reno

"Four Cases for Janet Reno" was the headline of an editorial in the March 14 *Washington Post*, which outlined four areas for investigation for incoming Attorney General Janet Reno:

"The Inslaw matter is the oldest of these. After years of litigation and appeal, promises of cooperation and instances of stonewalling, a cloud remains over the [Department of Justice] handling of a computer software contract worth millions of dollars. . . . Did present or former Justice Department officials or their friends market the software for their own personal gain? . . ." The Inslaw firm was bankrupted by the Justice Department, which, in essence, stole the software provided by Inslaw. In the intervening years, the packages have turned up in the law enforcement computers of foreign countries. One journalist whose investigations included the Inslaw case was found dead.

The *Post* also names "the BCCI case, one of the largest bank scandals in American history, [which] has been the subject of many rumors"; and "Banca Nazionale del Lavoro. . . . Why was the [Atlanta] bank manager prosecuted for defrauding the parent company when the CIA had reported that he was acting with the full knowledge of the Italian bankers? . . . Were there people in the Justice Department who knowingly impeded the investigation? . . ."

The fourth case is "the matter of FBI Director William Sessions. . . . Has he been made a scapegoat because of his vigorous pursuit of the BNL matter, his leadership in forwarding equal employment opportunity in the bureau, and his general refusal to play ball politically in some instances in the department?"

Terry again defends convicting the innocent

Colman McCarthy's column in the March 16 *Washington Post* reveals yet another case where former Virginia Attorney General Mary Sue Terry fought to defend the conviction and incarceration of an innocent man. Terry left her post last month to run for governor of Virginia, boasting at her campaign announcement of her "get LaRouche" prosecutions which have meted out sentencing ranging from 10 to 77 years for political "crimes."

In 1986, Walter Snyder, 19, who is black, was convicted of raping and sodomizing a white woman who lived across the street. Snyder was arrested after the rape victim identified him after seeing him washing his car on their street. The jury rejected his testimony that he was home asleep at the time of the crime. The prosecution was allowed to introduce a chemical analysis of the semen which showed the rapist to be a "type A" secretor. Snyder was a "type A," along with 30% of the male population.

McCarthy reported that Walter Snyder's parents wrote hundreds of letters to governors, congressmen, and other U.S. influentials, to no avail. They finally read about DNA testing and obtained a court order to have the semen tested; the results excluded Snyder. The FBI has reported that of the 5,000 cases it received for DNA analysis

in the last five years, more than 35% have excluded a primary rape suspect. Terry defended Snyder's conviction, for which he spent six years in prison.

Alexandria Commonwealth Attorney John Kloch has now petitioned Gov. Doug Wilder to grant clemency to Snyder, admitting in his petition, "Another individual is responsible for the crime." Because of Virginia's vicious 21-day-after-sentencing limit on the introduction of new evidence, this appeal for "clemency" may well be the only procedure that can be used to get an innocent man out of prison in Virginia.

Wilder refused to stay electric chair murder

Virginia Gov. L. Douglas Wilder said March 15 that he would not grant clemency to Syvasky Poyner, the named plaintiff in a federal class action suit to have electrocution declared unconstitutional as "cruel and unusual punishment." Poyner's case was featured on *EIR* on Feb. 26.

Wilder claimed that Poyner raised "esoteric arguments" about the method of execution, and said that if he believed electrocution were cruel or unusual punishment, "I would not have gone along" with earlier executions.

Poyner was executed on March 18 when the U.S. Supreme Court refused, in a 7-2 vote, to stay his execution pending a decision to consider, for the first time since its 1890 introduction to the U.S., whether electrocution was "cruel and unusual punishment." The court, however, did not rule on the request to have the class action suit on electrocution heard.

Poyner apologized for his crimes and asked forgiveness in a final statement.

Henry Kissinger takes one on the nose

Dave Barry's regular column in the *Washington Post Magazine* for March 14, apropos the inclusion of Mrs. Henry Kissinger on the "International Best Dressed List," related the following anecdote:

"Speaking of the newspaper industry

and Mrs. Henry Kissinger and nostrils, I feel compelled at this time to tell you about the Nov. 13, 1992, issue of the Brazilian newspaper *Jornal [do] Brazil*. The front page features two large color photographs of Mr. Henry Kissinger . . . aggressively picking his nose at a trade conference in Rio de Janeiro. I am not making this up. The first photo shows Mr. Kissinger sitting with his translation earphones on and a little American flag in front of him. He has that faraway look that guys get when engaged in nasal maneuvers; his whole consciousness appears to be centered in his left pinkie, which is wedged deep into his left nostril. In the second photo, he has the same look on his face, only now he is holding something between his thumb and forefinger, and his mouth is open, and . . . YUCK.

"The caption under the pictures makes no mention of this. It merely states that Mr. Kissinger is in town for the conference. . . ."

Du Pont heir speaks on 'Travesty' book

Speaking at the West Chester, Pennsylvania courthouse, Lewis du Pont Smith, Andrea Diano Smith, and Bruce M. Director released the book *Travesty—A True Crime Story* to the Philadelphia area on March 18. The book, published by *EIR*, details the latest outrages of the government/private "Get LaRouche" task force in its operation to kidnap and deprogram Du Pont heir Lewis Smith and his wife. Most of the book is taken from transcripts of consensually taped conversations of the "Kidnappers, Inc." gang, who freely, and frequently obscenely, boast of their efforts to destroy LaRouche, his associates, and his entire political movement.

Speaking for the first time to reporters since the end the "Kidnappers, Inc." trial, Smith said that the conspirators should have been convicted but that the actions of the judge led to their unjust acquittal. He concluded that he believes that the circulation of *Travesty* will lead to the freeing of LaRouche. Andrea Diano Smith said that for the last seven years she and her husband have been living in a police state, harassed, followed, and targeted for kidnapping, simply because they decided to support Lyndon LaRouche.

Briefly

● **TWELVE LAROCHE** associates joined members of the Standing Rock Sioux Reservation in North Dakota in a protest on March 15, against the Bureau of Indian Affairs and the plan to build a Swiss/South African-controlled gambling casino on the Reservation. Rally organizers said that this was the first time that non-Indians had come to the Reservation to demonstrate with local people.

● **JULIA CHILD**, who just turned 80, has embarked on a campaign to educate elementary schoolchildren about good eating habits and teach children that "takeout food is unhealthy, expensive, and unutilized," according to *USA Today*.

● **DAVID DUKE** held a rally in front of a New Orleans statue commemorating the "White League" uprising on Feb. 24. The "White League" in 1874 tried to overthrow the state's Reconstruction government, and the statue, listing the members who died in the insurrection, was re-erected under protest from the city government because of a federal court order.

● **A BOSNIAN PRESS** representative to the foreign press, Sven Rustempasic, addressed a Seattle meeting of the Schiller Institute on March 13, and thanked the Schiller Institute and *EIR* for being the only institutions in the U.S. upholding the morality of the nation.

● **ROSS PEROT** is spending money like water, with national one-minute television spots advertising his membership drive for "United We Stand, America!" In the spots, Perot congratulates himself for putting the deficit in the middle of the campaign.

● **NEW JERSEY** Assemblywoman Marion Crecco completed a five-year campaign to have the legislature pass a bill mandating that sexual abstinence be taught as "the only completely reliable means" of preventing sexually transmitted diseases and AIDS. Crecco expects to pass the bill and override a veto by Gov. Jim Florio.