

even in the accounted figures of the Labor Department. And there is actually a larger unemployment factor than even the official figures of 7.3%. So we have plenty of people who are unemployed.

To get enough tax revenue base increase from households and business to balance the budget without raising tax rates on businesses and middle- to lower-income households, you have to have about 6 million more people employed. That is going to mean that you have to stick in a stimulant in the form of credit, of somewhere between \$600 billion and about \$1 trillion minimum to get the wheels turning to get that kind of employment.

EIR: Some people say this will be inflationary. Is it inflationary?

LaRouche: Not if you do it properly, if you invest in basic economic infrastructure, the right stuff. If you concentrate on using sectors which are collapsing now, say, auto and aerospace, and find out the other products that they can create right away, because of their technological capabilities, to supply or help supply some of these infrastructure projects such as rail systems with equipment, then you are going to end up with the right result.

Of course, if you throw it around on make-work projects and so forth—which are not economical—then you could have an inflationary result, not because of the mechanism you are using, but because you are applying it to things which are not the most productive.

EIR: There is a resolution being introduced into the North Dakota state legislature which calls for a moratorium on farm foreclosures in the farm sector. Is that the kind of direction that you would recommend?

LaRouche: I would include that. Absolutely. Although most people do not realize it, we are net importers of food from foreign countries. If we are going to try to even balance our national balance-of-payments situation, we are going to have to cut out our dependency on imports, by providing protection of various kinds for domestic producers who are either of competitive or potentially competitive quality.

For example, that is why I would support a piece of legislation which has come out of committee from [Senators] Bennett Johnston [D-La.] and [Bob] Krueger [D-Tex.], which would establish a trigger price tariff on petroleum, setting a price on petroleum, and if petroleum is priced to come in the country at a lower price, we will just put a tax on it to make up the difference, to protect the U.S. native producers.

Those kinds of protective measures, which are not unfriendly and not really trade war against anybody—that has to be done, and stopping farm foreclosures in order to save the irreparable damage of losing this capacity, is one of the measures that has to be taken, not only for the farmer, but for the eater, for the consumer.

Will Clinton end DOJ police-state abuses?

by Edward Spannaus

No section of the U.S. government is more desperately in need of reform than the Department of Justice (DOJ). Over the 12 years of the Reagan-Bush administration, it grew into a gigantic police-state gestapo posing a threat to the civil rights and liberties of all citizens. Its abuses have been recently chronicled in *Time* magazine and in a six-part *Washington Post* series.

There are tentative signs that the new administration intends to reverse, or at least curb, some of the worst abuses of the Reagan-Bush years. These have appeared in connection with the trouble-plagued nomination process for a new attorney general, and in some recent actions of the temporary regime in the department itself, particularly around the case of Rep. Harold Ford (D-Tenn.).

Prosecutorial abuses

While the pattern of abuse and prosecutorial misconduct didn't begin with the Reagan-Bush administrations (remember Abscam and Brilab from the Carter years), the past 12 years have seen an unprecedented consolidation of unbridled police-state powers in the DOJ. Its budget quadrupled, from \$2.3 billion in 1981 to \$9.3 billion today—this from the people who promised to “get government off our backs”! It now has over 90,000 employees.

The *Washington Post* series highlighted the “vastly expanded” powers which federal prosecutors have assumed over the past decade. DOJ policies and U.S. Supreme Court rulings have given federal prosecutors “more flexibility than ever before in pursuing convictions,” and have made it almost impossible to “hold federal prosecutors accountable for tactics that once were considered grounds for case dismissal or disciplinary action.”

The type of disreputable tactics cited by the *Washington Post* were: manipulation of grand juries; failure to disclose evidence favorable to a suspect or a defendant; government intrusion into the relationship between defense attorneys and clients; intimidation of witnesses; and blitzkrieg indictments or threats of indictment designed to force capitulation without the need for trial. The series described numerous examples of such tactics, including entrapment situations where prosecutors induce a target to commit a crime, or set up a defendant to hire an attorney who is actually a government informant, or multiple, simultaneous indict-

ments in different parts of the country to force a target to plead guilty or face bankruptcy.

Readers of *EIR* are quite familiar with such methods, since the two federal trials involving *EIR*'s founder Lyndon LaRouche were probably the most dramatic example of federal prosecutorial misconduct and underhandedness in recent U.S. history. Were the *Washington Post* so inclined, it could easily write another six-part series on the LaRouche case alone.

Out of control

What has compounded the problem is the U.S. Supreme Court's "hands off" policy toward prosecutorial misconduct. Behavior which would have gotten a case thrown out of court 10-15 years ago, is now tolerated under the doctrines of "harmless error" and prosecutorial immunity. Even judges who want to use the power of their court to remedy prosecutorial misconduct can no longer do so, because they face almost certain reversal by appellate courts.

Added to this is the fact that former Attorney General Richard Thornburgh had declared that federal prosecutors cannot be disciplined by local bar associations, the traditional vehicle for bringing complaints of violations of the lawyers' canon of ethics. All such complaints must be directed to the Justice Department's Office of Professional Responsibility, which has been accused of sweeping most such complaints under the rug and of hiding behind a veil of secrecy. (One of the few instances in which the OPR has shown any zeal is in the current investigation of FBI Director William Sessions, which most observers consider to be a vendetta launched for former Attorney General William Barr.)

Time magazine, in its Feb. 15 issue, described the DOJ as having gained a reputation, among both Democrats and Republicans, as "the most thoroughly politicized and ethically compromised department in the government." "The whole Justice Department building needs to be scrubbed down by the Clinton administration," one specialist told *Time*.

The Ford case

The absence of a new attorney general has delayed any such housecleaning. Officially, the acting attorney general is Stuart Gerson, a Bush administration holdover who headed the DOJ's Civil Division. Many regard the real power in the department at present to be Webster Hubbell, a law partner of Hillary Clinton who now holds the post of White House liaison in the DOJ. But, despite the lack of any Clinton-nominated and Senate-confirmed officials running the department, the new administration has already taken one highly visible step which suggests an intention to reverse some of the abuses of the Reagan-Bush period.

On Feb. 19, acting Attorney General Gerson took the highly unusual action of ordering federal prosecutors in Memphis to join in a motion by defense lawyers for Rep. Harold Ford, seeking to dismiss a nearly all-white jury picked

for the black congressman's retrial.

Ford's first trial in April 1990 had ended in a hung jury, with black jurors voting for acquittal, and white jurors voting for conviction. Jury selection for the retrial was moved to a predominantly white, rural area, although the trial itself is still to be held in Memphis! Ford appealed the ruling which ordered the jury picked outside of Memphis; the Sixth Circuit Court of Appeals denied the appeal, and the U.S. Supreme Court refused to hear it.

Earlier this year, the Congressional Black Caucus had sent a letter to President Bush charging that Ford had been "railroaded" by the DOJ. Then, on Feb. 3, Rep. Kweisi Mfume (D-Md.), chairman of the CBC, wrote to Clinton and asked him to order a DOJ review of the jury selection. "The idea that the popularity of a political figure, particularly a black public figure, should disqualify that person from trial in his home town is profoundly disturbing." Ford has been a congressman since 1975, and has been reelected three times since his 1987 indictment.

On Feb. 18, Gerson and Hubbell met with a 26-member Black Caucus delegation who called the selection of the nearly all-white jury a "travesty of justice" and "racially prejudicial." Gerson ordered local prosecutors to join in Ford's motion to have the new jury dismissed; at the time, Gerson said that he believed that an impartial jury *could* be picked in Memphis.

The U.S. Attorney in Memphis, Ed Bryant, resigned in protest of Gerson's order, and two of his assistants also attempted to withdraw from the case. But the trial judge denied Ford's motion on Feb. 22. When Ford again took an appeal to the Sixth Circuit, Gerson declined to join Ford's appeal, on the grounds that the legal standard for reversal of a trial judge was not met. A DOJ spokesman denied that this constituted a "double reversal."

Meanwhile, Gerson was being attacked for allegedly bowing to political pressure from the Clinton White House; the *Washington Times* charged that Gerson was hoping to get a job from the Clinton administration. Gerson angrily denied the accusation, saying he had no intention of staying on. "I have a moral duty to this department and this country," declared Gerson, "and my independent advice is not for sale."

Asked about the Ford case on Feb. 24, White House spokesman George Stephanopolous said that the initial inquiries to the White House on the Ford case had been turned over to Hubbell, the DOJ's White House liaison. Stephanopolous answered "yes" to a question of whether the White House was "comfortable" with Gerson's decision.

Senate hearings for Janet Reno, the new attorney general nominee, are now expected to take place in early or mid-March. With no "nanny" problems to clutter up the agenda, it is hoped that the Senate hearings will focus on the pressing issues of criminal justice reform confronting the new attorney general.