

Andean Report by Gretchen Small

Peru hits terrorism's advocates

García demands tough laws against terrorism, as Shining Path asserts it is now the "alternative" government.

The number-one issue facing our country is terrorism, President Alan García told Peruvians in his July 28 state of the union address. "I am sure that there are other issues that worry us: injustice, inflation, wages, foreign currency, and so forth. However, we could deal much better with all these problems if we were free of the daily anxiety generated by destruction and death. . . . More than 15,000 people have died as a consequence of terrorism."

Indeed, before García spoke, Peru's largest terrorist army, the Shining Path, opened celebrations of national independence day by blowing up 30 transmission towers which supply electricity to the capital, Lima. By Aug. 2, power had still not been restored to all of Lima, and rationing was imposed to ensure service to factories and hospitals.

The time is past for in-depth studies of the causes of terrorism, García told the nation. Desperate poverty, "stark injustice," racial prejudice feed terrorist ranks, but there is one fact which the country must face: "the existence of armed gangs . . . agents of annihilation which constitute today the armed branch of totalitarianism and drug trafficking in Peru.

"Totalitarian criminals who join forces with drug traffickers can claim no ethical motivations, and it is wrong—and tantamount to complicity—to seek explanations in social causes. Crime requires only one thing: action."

The President announced that the executive has prepared three anti-terrorist bills which it now expects Con-

gress to approve promptly. "I request that Congress postpone other issues and start debates on these bills immediately," passing them within as little as 15 days, if possible, he specified.

The bills, published in *El Comercio* on Aug. 2, close loopholes in Peruvian law which have allowed an estimated 95% of the terrorists captured to walk scot-free. If passed, the laws will make it a crime not only to be a member of a terrorist group, but also to give "apologias for terrorism."

Jail terms of 5 to 10 years, for example, will be required for "whoever publicly, by means of social communication, incites to commit the crime of terrorism, as also [to] those who publicly exhalt or praise an act of terrorism, or its authors or participants, or events which are related to terrorists or terrorist acts."

Two Shining Path legal victories prove the urgency of such laws. First was the July 21 decision of Lima's Second Corrections Court, acquitting Shining Path's reputed military chief, Osmán Morote Best, of all charges of terrorism.

When Morote was arrested, he had on him a Shining Path hit-list, listing people murdered and towns taken by their squads. The prosecutor presented evidence that Morote had taken part in specific terrorist acts during 1984-85, including participating in a meeting of Shining Path leaders in June 1984, where the takeover of a small town was planned.

Six people were massacred by Shining Path commandos in that takeover, yet the judges of the Second Court ruled that since Morote had been

at the meeting in his capacity as Shining Path's regional chief, it could not be proven that he had approved the takeover or the massacres!

The court, in effect, ruled that Morote's lawyers were right when they argued that it is not a crime either to be a leader of the Shining Path group, or the "intellectual" author of its terrorist crimes.

Morote has not been freed yet, as he faces other terrorist charges in several courts. The decision was, however, a crucial step for Shining Path's strategy to be recognized as an "legal" belligerents.

The terrorists immediately escalated. On July 24, *El Diario*, Shining Path's newspaper, which can be bought on any newsstand in the country, published a 48-page interview with their founder and chief, Abimael Guzmán.

Billed as a world-first, *El Diario* bragged that Guzmán (respectfully referred to by his *nom de guerre*, "President Gonzalo") granted their chief editor, Luis Arce, a 12-hour exclusive interview from his mountain hiding place, because Shining Path had decided that the time had come for "the President himself" to speak to the nation.

"We begin with the principle established by Mao Zedong: Violence is a universal law, without exception," the former professor of Kant turned "people's warrior," told *El Diario*. He explained how his group of killers planned to stop the 1990 general elections from ever taking place, and delivered a diatribe against Pope John Paul II's "new evangelism" efforts.

Three days later, the troops of this would-be Pol Pot of Peru were blowing up electricity lines, while their newspaper *El Diario* kept right on publishing, without even being called in for questioning!