

Colombian amnesty for drug cartels is victory for 'narco-democracy'

by Andrea Olivieri

On Nov. 2, both houses of the Colombian Congress overwhelmingly approved a new criminal code which constitutes a virtual amnesty for the so-called Cali Cartel of cocaine traffickers. Four days later, Senate Vice President Darío Londoño Cardona, one of the principal sponsors of the criminal code reform and a leading advocate of "negotiating the law to win the peace," was assassinated by terrorists in the city of Medellín. Both events tragically demonstrate the extent to which the nation of Colombia has served as a laboratory experiment in "narco-democracy."

Years of terrorist blackmail by the narcotics cartels and their guerrilla allies, combined with political sabotage by their protectors in high places, has significantly eroded Colombia's moral foundations and opened the door to the phony "democracy" arguments of the international human rights lobbies, the demilitarization strategists, and the free-trade fanatics. Today, in the name of that same "democracy," the government of President César Gaviria has emasculated its own defense capability, while creating the conditions for virtual dual power with the narcotics cartels and their terrorist allies.

Colombia's new criminal code, known as the CPP, represents a major step forward on this road to hell. As a result of the reform, individual prosecutors have now been given autonomous discretionary power such that each drug trafficker can negotiate his own private "surrender" deal. Those criminals who surrender, confess to a crime, and hand over illegally acquired assets, become eligible for unprecedented benefits, including a suspended sentence or house arrest. If the crime carries a prison term of under five years, the sentence can be waived. If murder and/or terrorism is the charge, the sentence could be reduced by as much as two-thirds, and possibly be served at home!

Special treatment for the Cali Cartel

The CPP was approved by the Colombian Congress following weeks of an intense lobbying effort by a score or more of cartel lawyers. It is the culmination of many months of negotiations between the Gaviria government and the powerful cocaine cartel headquartered in the southwestern city of

Cali, run by Gilberto and Miguel Rodríguez Orejuela.

Unlike the ostentatious Medellín Cartel, which sought to win political power through sheer terrorist muscle, the Cali Cartel has gone for economic power. Working on the inside of the system, it has bought its way into the financial markets and deployed high-powered lawyers and public relations firms to whitewash its image both at home and abroad. With few outstanding warrants against the Cali Cartel's chieftains, the CPP will function as a virtual laundromat for these mafi-turned-businessmen and their drug dollars.

Little wonder that the cartel lawyers' chief demand to the Colombian authorities is that they cease any investigation of cartel kingpins who have not yet been charged with a crime.

A decade of infamy

The deal Gaviria has struck with the Cali Cartel is not very different from that offered Pablo Escobar's Medellín Cartel by former Colombian President Alfonso López Michelsen back in 1984, immediately after the cartel assassinated anti-drug Justice Minister Rodrigo Lara Bonilla. The 1984 offer proposed that, in exchange for an amnesty and an end to extraditions of drug traffickers to the United States, the cartel would dismantle its illegal smuggling apparatus and invest its drug money inside Colombia. In light of the nationwide revulsion over Lara Bonilla's murder, then-President Belisario Betancur had no choice but to reject the amnesty proposal.

In 1989-90, the amnesty proposal was revived by López Michelsen and fellow member of the ruling elite Joaquín Vallejo Arbeláez. According to handwritten notes on the proposed deal by Vallejo, a facsimile of which was published in the local press, the cartel was offering to facilitate a deal whereby the United States would legalize cocaine consumption and the Colombian government would get the monopoly on export of the drug.

The amnesty deal fell through when popular anti-drug candidate Luis Carlos Galán, a shoo-in for the 1990 presidency, was murdered by the drug mob. Nonetheless, then as now, legalization of drugs is the flip side of any amnesty deal. It is no accident that today, the front-running presidential

candidate of the ruling Liberal Party, Ernesto Samper Pizano, is not only a protégé of cartel advocate López Michelsen, but is also the country's most prominent lobbyist for drug legalization. Congressional approval of the CPP represents a major political boost for Samper's electoral chances.

Cornering the military

President Gaviria's step-by-step capitulations to the drug mafia—including his sponsorship of an illegal Constituent Assembly which constitutionally banned extradition of traffickers, and continuing through his decree of a "surrender" policy for the cartels which raised plea-bargaining to a fine art—would not have been sufficient, by themselves, to ensure the government's amnesty deal with the Cali Cartel. What was required was the straitjacketing of the Colombian Armed Forces, and Gaviria's government has now effectively accomplished this.

From the very beginning of Gaviria's presidency, he sent a loud and clear challenge to the military by naming Antonio Navarro Wolf, head of the "former" M-19 narco-guerrilla group, to his cabinet. He delivered his second challenge by appointing Rafael Pardo Rueda to head the Defense Ministry. Pardo Rueda had headed up government efforts to negotiate a peace agreement with the guerrillas.

At the same time, the anti-military attorney general's office was given increasingly greater oversight over the Armed Forces, leading to thousands of "human rights" investigations into military behavior. The investigations, many of which were prompted by complaints presented by frontmen for the guerrillas themselves, have effectively hamstrung the military's anti-subversive operations.

Military hardliners have been a special target. In late 1990, the attorney general's office demanded the dishonorable discharge of Gen. Jesús Armando Arias Cabrales, the man who put an end to the M-19's bloody siege of the Justice Palace in Bogotá five years earlier. In 1992, a gaggle of international human rights organizations published a book on "state terrorism" in Colombia, containing 500 profiles—with photographs—of leading military and police officers who have been in the forefront of fighting narco-terrorism. The book was based in large part on material leaked by a former attorney general. Many purges have since followed.

The latest outrage is the government's decision in October to boot Gen. Harold Bedoya, commander of the Second Army Division in Bucaramanga, upstairs into a desk job at the Inter-American Defense Board in Washington, D.C. General Bedoya was considered the most effective military commander in the field, and had succeeded in reclaiming a large part of Santander province from the National Liberation Army (ELN) terrorists who had infested it. It is well known that the ELN has managed, through intimidation and bribery, to worm its way into a dual-power situation in towns and cities across the province, and it was this political power that Bedoya threatened.

The new commanding officer in Bucaramanga is Gen. Manuel José Bonnet, formerly chief of Army intelligence and known as a "paperclip general" with little or no combat experience. Bonnet is also the brother of Pedro Bonnet, a senator from the M-19. Thanks to General Bonnet, the military never gathered the intelligence to "prove" what arms traffickers have openly admitted: namely, that the M-19, despite its "legalized" status, is continuing to purchase and stockpile weapons.

The Gaviria government's blatant alliance with terrorists was hard even for the pro-government newspaper *El Tiempo* to stomach. A Nov. 5 editorial protested that "this doesn't seem to be the opportune moment to send into the golden exile of diplomacy one of the generals who has shown the best results in the fight against the drug trade and subversion. . . . Bedoya is obviously not one of the ELN's favorite generals, since he has unmasked many of their allies' maneuvers and captured their most prominent leaders. It would be lamentable if a coalition of local electoral interests with the tactical objectives of the guerrillas, has succeeded in presenting [Bedoya] as an obstacle to peace."

Opposition figures speak out

Lamentably, the opposition to these appeasement policies is increasingly reduced. Former Justice Minister Enrique Parejo González, a presidential candidate whose refusal to break with the anti-military left has isolated him, despite his courageous stand against narco-terrorism, has slammed Gaviria for "dismantling the institution of justice piece by piece."

In his Nov. 8 newspaper column, Parejo charged that the government has negotiated a new criminal code with the very criminals it is supposed to punish. The CPP, said Parejo, is nothing less than "a pardon for those who have committed the crime of drug trafficking, or worse. . . . The criminals will not go to jail. The system that has just gone into effect will make prisons obsolete."

A strong statement rejecting the CPP was also issued on Nov. 9 by the National College of Colombian Attorneys, which denounced the "permissiveness of the political-judicial-legislative system," and which warned that "this institutional disorder is due in large part to the political equivalence of 'negotiating the law' and of dividing the administration of justice among those interests . . . who through intimidation, threat, bribery and violence end up imposing norms at their whim and to their benefit."

The Gaviria government has repeatedly attempted to justify its appeasement policies toward the narco-terrorists as designed to bring "peace" back to Colombia. But the brutal Nov. 6 assassination of CPP sponsor Londoño Cardona, and the more recent police discovery of several large guerrilla arms caches, along with plans for a new wave of assassinations and economic sabotage, should serve as a reminder that capitulation to such an enemy can only bring the peace of the grave.