

**Drug Trafficking, International Pressure, and
Domestic Influence: Colombian-U.S. Relations, 1986-94**

FINAL REPORT

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Introduction

Throughout the 1980s the U.S. drug control strategy toward Latin America has relied on the use of external pressure—in the form of diplomatic, economic, and (sometimes) military sanctions—to force Latin American drug-producing and drug-exporting countries to cooperate fully with the U.S. in its anti-narcotics efforts. (Tokatlian, 1988a, 1988b, 1995, 1996; Lee, 1989; Bagley, 1987, 1988a, 1988b; Craig, 1987; Nadelmann, 1988, 1993) This was largely due to the underlying premise of the U.S. supply-oriented drug control strategy that drug-producing and drug-exporting countries with less military, economic, and political power capabilities will respond to U.S. pressure with full cooperation.¹

However, Colombia's fundamental shift in its response to the diplomatic and economic pressure of the U.S. on the drug trafficking issue since 1990 suggests that the logic of the U.S. international drug policy might be flawed. As Alvaro Camacho has stated, since the César Gaviria administration there has been a “complete shake-up in the response to narcotraffic” (Camacho, 1994, p. 109). In contrast to the former administration of Virgilio Barco, President Gaviria changed the discourse about the drug issue, considering drug trafficking as an international problem, and drug terrorism as a domestic problem.

According to this new conceptualization of the drug trafficking problem, Colombia was seeking to overcome drug terrorism, but not drug trafficking, the solution which depended on a concerted international effort. Furthermore, he transformed the former policy of a *frontal drug war* into one of appeasement by implementing a new surrender policy (similar to the *plea bargaining* process in the United States) that allowed drug traffickers who turned themselves in and confessed their crimes, to stand trial before the Colombian justice system with no fear of being extradited. In turn, the government committed itself to use extradition only against drug traffickers who were not willing to surrender and were captured by the Colombian authorities. However, the use of extradition as a powerful instrument in the fight against drug trafficking was abandoned when, during the Gaviria administration, an important institutional change occurred. With the convention of a Constituent Assembly (*Asamblea Constituyente*) that had the task of drafting a new constitution, the channels of access to those actors who opposed a confrontational drug control strategy increased. Furthermore, the new constitution provided a framework for strengthening the judiciary system, decentralizing power and decision-making, and guaranteeing human and economic rights. Yet the most important decision was made in the context of Colombia's drug policy: it banned extradition of Colombian nationals to the U.S., the cornerstone of U.S.-Colombian relations regarding the drug issue

¹Particularly, the *certification process* has become in recent years a powerful instrument of diplomatic pressure since it ties U.S. foreign assistance to the extent to which the major drug producing and drug trafficking countries meet the goals and objectives of the 1988 UN Convention. In his annual determination, the U.S. president can focus international attention on the performance of the principal drug-producing and drug-trafficking countries, citing their accomplishments and shortcomings and, if necessary, imposing serious foreign assistance reductions and other sanctions. See U.S. State Department, International Narcotics Control Strategy Reports (Washington, D.C.: U.S. Government Printing Office, for the years 1986-1994).

It is puzzling that a developing country, such as Colombia, was able to resist international pressure to continue a hard-line policy against the illegal drug trafficking industry and to pursue its own strategy: that is, the implementation of a new surrender policy, the constitutional prohibition of extraditing Colombians to the United States, and the de-escalation of the fight against drug trafficking.

The goal of this dissertation is to provide an explanation on how and why a paradigm shift occurred in 1990 in Colombia's drug policy and its response to international pressures, and how the United States reacted to this policy shift. These immediate goals will hopefully inform two broader theoretical considerations. First, the extent to which drug producing and drug trafficking countries with less military, economic, and political power—in our case Colombia—respond to U.S. pressure and *when* and *how* a policy of *compliance* or also called *full cooperation* changes. Secondly, the extent to which the premise of the supply-oriented U.S. drug policy—that rests on the assumption that the greater the extent of international pressures on these drug-producing and drug-trafficking countries, the higher the degree of cooperation—is flawed.

Although a number of authors have provided studies of the United States drug policy toward Latin America, in general, and toward Colombia, specifically, and have emphasized the importance of the drug issue in U.S.-Colombian relations, there are no comprehensive studies which have dealt in depth with these research questions. Moreover, no systematic and rigorous analysis has been advanced on analyzing the role of the major political actors and institutional arrangements within both Colombia and the United States,

regarding the cooperation between both countries on the drug issue.

This topic has become particularly relevant in the relations between the United States and Latin American countries in the post-Cold War era, when new issues have replaced the traditional regional concern of threat of Communism. The main question addressed is whether a U.S. foreign policy that relies on the use of diplomatic, economic, and military pressure on target countries on a specific issue—such as drug trafficking, human rights, immigration, or environment—can be successful in achieving full cooperation in the long-run. Therefore, the analysis of the drug issue in U.S.-Colombian relations is relevant and seeks to provide insights into the scope and limits of target countries to cooperate fully.

Hypothesis

By means of a case study of U.S.-Colombian relations between 1986 and 1994 regarding the drug trafficking problem, this study seeks to prove the following hypothesis against the premise of the U.S. drug control strategy: *In international relations, the effectiveness of politics of pressure on drug-producing and drug-exporting countries is limited, and becomes self-defeating once the associated costs to the major political actors in those countries exceed the benefits of cooperation. The outcome of surpassing that threshold is that policy makers of the target countries will shift from a policy of full cooperation to politics of compromise, that falls in the range of acceptability of both the*

contending groups within and outside the country.

This dissertation aims to show that a combination of domestic and international factors led to a paradigm shift in Colombia's drug policy since 1990. By comparing the responses of the Barco administration (1986-1990) and the Gaviria administration (1990-1994) to international pressures, I aim to demonstrate how Colombia changed from a drug policy of *compliance* to a strategy of *compromise*. In this context, compliance means that Colombia implements a confrontational drug control policy against the country's illegal drug trafficking industry. This confrontational strategy consists of high drug law enforcement with the extradition of the Colombian drug traffickers at its core, involvement of military forces in the fight against drugs, and high levels of eradication and interdiction. The policy of *compromise* is understood as a cooperative strategy that reduces the costs of full cooperation for the country—those associated with policies such as extradition, militarization, and eradication. For example, the extradition issue was the most important element of Colombia's confrontational drug control strategy, but was also associated with the highest costs for the Andean country. Thus, the policy of compromise is defined as choosing the strategy that falls in the range of acceptability of both the contending groups that compromise the government's domestic constituency and the country's 's counterparts at international level (Putnam, 1988).

Following Putnam's (1988) two-level approach, this dissertation advances a theoretical framework that seeks to avoid *either-or* explanations, but rather to integrate the three levels of analysis: society, political system. and international environment. Taking

1986-94 as the time period under study, I compare U.S.-Colombian relations during the Barco and Reagan/Bush administrations (1986-1990) and during the Gaviria and the Bush/Clinton administrations (1990-94) focusing on these three different levels. The 1986-94 period was selected because throughout these years the *war against drugs* was one of the most important issues in domestic American politics and dominated the diplomatic agenda between the United States and Colombia.

At the domestic-societal level, I will analyze the role of the major political actors in supporting or opposing a specific drug control strategy in both Colombia and the United States. At the institutional level, I examine specific changes in the institutional arrangements in Colombia that influenced the drug policy outcome. And, at the international level, I will explore the different tactics used by the Colombian presidents to *sell* their drug control strategies to the United States.

Accordingly, at the societal level the study will be guided by the following research questions: When, how and why did the Colombian government change its drug control policy and, thereby, its response to U.S. pressures? That is, what were the reactions and attitudes of the major political actors in Colombia regarding a policy of full cooperation? And, how did the major political actors in the United States who are involved in the drug control decision-making process—that is, the White House, the U.S. State Department, and the U.S. Congress—react to Colombia's policy shift?

At the institutional level, it is important to ask about the role of institutional arrangements—that is, the convention of the Constituent Assembly, and the extraordinary powers of the Colombian executive branch—in determining the country’s strategy to fight drug trafficking.

And, at the international level, how did Colombia *sell* its drug control policy to the United States? And, what kind of strategies—diplomatic, economic, or military sanctions or benefits—did the United States use to force Colombia to fully comply with its demands?

I will argue that the following factors determined Colombia’s foreign policy shift at the beginning of the 1990s. At the societal level, the increase of drug-related violence in Colombia that was associated with full international cooperation led to a shift in the willingness of the major political actors to support such policy. The actors who initially supported full cooperation with the United States (the so-called *international* forces) moved gradually toward a *national* coalition that demanded from the government a less costly drug control strategy at the end of the 1980s.²

By concentrating mainly on the extradition issue, I will provide evidence showing that the increase in U.S. pressure on Colombia to cooperate fully—that is, most importantly to extradite the Colombian drug traffickers to the United States—led to the rise of drug-

related violence and considerable threats to Colombia's political establishment. As a result, once the United States *pushed* Colombia past the threshold of excessive domestic costs, there was no return. I will provide evidence that the U.S. strategy of pressuring Colombia on the extradition became self-defeating and ineffective once the social and political costs exceeded the benefits of cooperation in Colombia. From that moment on, Colombia gradually began to de-escalate the war on drugs and to shift toward a drug policy that started out as a new surrender policy with discretionary use of extradition and ended in the constitutional prohibition of it. As a result, the United States' lost the most powerful instrument in the fight against Colombian drug traffickers. But even more, U.S. policymakers' "hands were tightened" since they were left with only two options. One possibility was to remain cautiously supportive of Colombia's policy of compromise and continue to use the Andean country as the showcase of the U.S. drug policy in Latin America. Or the other option was to lose its firmest ally in the Andean region and to declare the U.S. drug control policy toward Latin America as a failure. I will argue the United States chose to keep Colombia close and to remain cautiously supportive of the country's new anti-narcotic policy.

At the institutional level, I maintain that the convention of the Constituent Assembly opened a space for precisely those political actors who opposed full cooperation that implied a confrontational drug control strategy against the Colombian drug traffickers. This allowed them to eliminate the most critical and divisive issue in the U.S. Colombian

² I borrowed the term "international forces" versus "nationalist" (or "isolationist") forces from Robert Putnam

relations: extradition. In that context, the use or non-use of the extraordinary powers of the Colombian executive branch played also a significant role in promoting or opposing a specific drug control strategy.

Furthermore, at the international level, I argue that President Gaviria sought to mediate between the pressures of his constituency and the United States by pursuing a policy of *compromise*. This strategy consisted, on the one hand, of compliance with domestic demands by decreasing drug-related violence and terrorism. On the other hand, it implied full cooperation with the United States which required continuing a confrontational strategy—particularly through the enforcement of extradition. Hereby, President Gaviria promoted the implementation of a new surrender policy or so-called *carrot and stick policy* that fell in the range of acceptability to both Colombia and U.S. policy makers. According to this new policy, the Colombian government applied the *carrot* to the drug traffickers by offering them the possibility to stand trial and receive reduced sentences in Colombia if they would surrender and confess their crimes. In case the drug traffickers refused this offer and were captured by Colombian authorities, they would face the *stick*, that is, extradition to the United States. Furthermore, unable to promote from the Presidency an initiative that would modify or even end the extradition policy, President Gaviria facilitated the convention of the Constituent Assembly, which eventually led to the constitutional ban of extradition.

At the international level, the Gaviria administration was able to sell its new drug control policy effectively due to its leverage vis-a-vis the United States in the bargaining and negotiation process on the drug issue. I will argue that three factors influenced the *good* bargaining position of Colombia and the cautiously supportive attitude of the United States toward Colombia's new drug control strategy. First, the Colombian government cooperated with the United States at unprecedentedly high levels in the interdiction and eradication efforts. Secondly, President Gaviria capitalized on the heritage of the Barco administration—of which he was Minister of Government and Finance—which led to the perception in the United States that Gaviria would be a firm ally and continue to fight drug trafficking. The Barco administration had demonstrated to the entire international community that no other country in the Latin American region was more committed than Colombia to a policy of full cooperation with the United States—even at high internal costs—in the war on drugs.

Finally, on the U.S. side, policymakers were increasingly aware of the high domestic costs Colombia had assumed in the war on drugs. Furthermore, there existed great concern about losing a true ally in the war against drug trafficking. This would have had devastating effects in the region, influencing negatively the willingness of other drug-producing or trafficking countries to cooperate fully. Colombia, instead of becoming the showcase of success, would have been a symbol of failure of the U.S. drug policy toward Latin America. Accordingly, the United States assumed a cautious attitude that combined both skepticism and support toward Colombia.

Project Design and Method

My methodological approach consists of a comparative analysis that seeks to identify the factors that best account for the variation between the drug policies of the Barco administration and the Gaviria administration. The research is divided into three parts: theoretical, historical-descriptive, and empirical-analytical.

In the **theoretical part**, I discuss the relevance and usefulness of the three broad approaches to the study of international relations: system-centered, society-centered, and state-centered perspectives. From that theoretical debate, I will derive my research questions, hypothesis, and theoretical framework, which broadly follows Robert Putnam's two-level game approach.

In order to understand the salience of the drug issue in U.S.-Colombian relations, I plan to describe in the **historical-descriptive part** the evolution of the drug abuse problem and dynamics of drug control policies in the U.S. during the last century. Hereby, I will analyze the question of how the United States has dealt with the drug issue over the last decades at the domestic and international levels. Using a historical-descriptive method and following broadly the premises of Robert Putnam's two-level approach, I aim to sort out in a chronological way the domestic and international factors that affected the dynamics of American public attitudes and drug policies from the turn of the century until the present.

Although there exists an extensive literature on the various different periods in the history of drugs in the United States, there have been no efforts made to combine domestic and international factors that had an impact on the U.S. drug policy over recent decades. Therefore, I attempt to provide a more comprehensive story based on the available studies on drug prohibition in the United States that sheds light on the following issues: i. the changing attitudes of the American public toward drugs, ii. the government's response in terms of drug legislation as well as institutional framework, and, iii. the shift in the focus of the U.S. international drug control strategies. Due to the limited scope of this chapter and the dissertation in general, I will not analyze in detail the different perceptions of the major political actors in the United States or changes in institutional arrangements.

I argue that throughout American drug history a certain pattern in the public attitude toward drugs can be established: in general, drug use was perceived as foreign, that is *un-American*, and the demand for tough drug control came at times of economic or political turmoil in the United States. Furthermore, the United States has shifted over time from a multilateral drug control strategy toward a primarily unilateral approach in pressing drug-producing and drug-trafficking countries to cooperate with American demands in its fight against the drug problem. It can be argued that the basic tenet of the United States drug control strategy has been characterized by blaming foreign nations for a domestic evil—which harmonized with the ascription of drug use to ethnic minorities—and by the premise that a supply-oriented strategy that controls drugs *outside* the U.S. borders will lead to the reduction of drug availability, and, consequently, of drug consumption domestically.

In a second chapter, I seek to examine why and how during the 1980s the drug issue became one of the major political issues in the United States and how this affected the emergence of Colombia as the showcase in the U.S. drug control strategy in Latin America. I will argue that the new *drug scare* in the United States led to two significant developments in the U.S. drug control politics: first, the expansion of the role of the U.S. Congress in international drug control policy, as reflected in the *certification process*; and, secondly, to the re-definition of the drug trafficking problem as a national security issue in 1986, in which drug trafficking organizations in Latin America became the primary target.

In order to understand the scope and dimension of drug trafficking in Colombia, I will describe briefly the rise of the illegal drug trafficking industry—particularly, the cocaine industry—and its structure, economic size and power.

As already mentioned, in the **empirical-analytical part** my analysis for each presidential period in Colombia—that is 1986-1990 and 1990-1994—will be conducted along an international, societal, and institutional dimension. Although I am aware that Colombia's drug policy cannot be considered as a *single* unidimensional policy—it includes also cooperation in the area of militarization and interdiction as well as eradication—I will concentrate on extradition since this was the key issue in U.S.-Colombian relations during 1986-1994.

For my empirical analysis, I consider formal content analysis and an event-centered technique as the most appropriate method to address the main research questions posed by

this dissertation.³ The analysis of a variety of documentary data allows me to identify both the degree and timing of the reactions and attitudes of the Colombian and U.S. governments and major political actors. For the Colombian side, I will perform content analysis on the official documents of the Constituent Assembly, on the presidential speeches, and on the two major newspapers, *El Tiempo* and *El Espectador*, and newsmagazine *Semana* for the period 1986-1994 (see Appendix A). For the United States, I advance the formal content analysis on the congressional hearings and reports that were related to the drug trafficking issue between 1986 and 1994.⁴ In addition, I will examine a number of American newspapers on the drug issue, such as *New York Times*, *Wall Street Journal*, *Washington Post* and *Miami Herald*.

Second, for identifying the degree and timing of the shift from a supportive toward a non-supporting attitude of the major political actors in Colombia and the demand for a less costly drug control policy, I will use an event-centered technique. This event-centered method consists of selecting episodes in Colombia and the United States that were significant for Colombia's drug policy of full cooperation. The selection of the most important events allows me, on the one hand, to observe the degree of commitment to full

³ Content analysis is a method widely-used in the social sciences for systematically and rigorously analyzing a body of communication. See for more details on content analysis O.R. Holsti, *Content Analysis for the Social Sciences and Humanities*. (Reading, MA: Addison-Wesley, 1980); K. Krippendorff, *Content Analysis*. (Beverly Hills: Sage, 1980); R. P. Weber, *Basic Content Analysis*. (Beverly Hills: Sage, 1985); Deborah Welch Larson, "Problems of Content Analysis in Foreign-Policy Research." *International Studies Quarterly* 32, 1988, p. 241-255.

⁴ See for example the hearings of the Select Committee on Narcotics Abuse and Control, House Committee on Foreign Affairs, House Committee on Armed Services, House Committee on Government Operations, Senate Committee of Foreign Relations, Senate Committee on Governmental Affairs, Caucus on International Narcotics Control, and others.

cooperation of the Colombian government, and, on the other hand, the degree of support by the major political actors. Furthermore, it enables me to identify the positions and responses of the U.S. government, U.S. Congress and the news media.

The way I deal with a relevant episode, for instance, the release of a drug trafficker by the Colombian justice system instead of extraditing him to the United States, is as follows: first, I describe the event; after that, I observe the responses by the Colombian government and major political actors in order to identify whether the Colombian government is still committed to a full strategy and if the major political actors still support this strategy. And, third, I analyze the reactions of U.S. government officials, congressman and the news media in order to find out if the United States increased pressures on Colombia and, if this was the case, the degree and timing of these pressures.

Accordingly, the way which I plan to analyze the content of the different documentary data and to explore the different reactions, can be outlined as follows:

<u>Episode A</u>				<u>Episode B</u>				<u>Episode C</u>			
↑	↑	↑	↑	↑	↑	↑	↑	↑	↑	↑	↑
Col. Gov.	Col. Pol. Actors	U.S. Gov.	U.S. Congress	Col. Gov.	Col. Pol. Actors	U.S. Gov.	U.S. Congress	Col. Gov.	Col. Pol. Actors	U.S. Gov.	U.S. Congress

I aim to show that changes in the political institutional arrangements in Colombia—such as the convention of the Constituent Assembly—affected the way in

which societal groups influenced the drug policy decision-making process. By using a combination of historical-descriptive method and content analysis, I will focus on how the establishment of the Constituent Assembly influenced the drug policy decision-making process in Colombia. In contrast to Robert Putnam (1988), I am not only interested in the institutional change per se and its effect on Colombia's drug control strategy, but on the question on *how* this institutional change came about. I will argue that the specific own interests of the Colombian presidents played an important role in promoting this institutional change.

In sum, this dissertation attempts to provide insights into the scope and limits of drug-producing and drug-trafficking countries to cooperate fully with the demands of the United States regarding the drug issue. Furthermore, it seeks to provide evidence that the U.S. politics of pressure becomes self-defeating once the associated costs to the major political actors in these countries exceed the benefits of cooperation. The outcome of surpassing that threshold is the policymakers in drug producing and drug trafficking countries will shift from a policy of full cooperation to politics of compromise.

1. Theoretical Debate Around System-centered, Society-centered and State-centered Approaches

For explaining the dynamics of Colombian-U.S. relations between 1986-94 and for advancing a theoretical framework of this study, it is useful to examine different perspectives within international relations theory. The key question for my research project is concerned with the *level of analysis*. Can Colombian-U.S. relations be explained from a systemic level of the international environment and does, therefore, the Colombia's and the U.S. foreign policy behavior result primarily from external constraints and opportunities? Or is it more adequate to start on the unit-level of each country and, thus, Colombia's and U.S. international behavior can be explained by the internal organization of their political systems and domestic processes? What about the impact of the societal actors on Colombian-U.S. relations? In the following section I will discuss system-centered and society- and state-centered approaches and their usefulness for my analysis.

1.1 How Useful is a System-centered Perspective?

System-centered approaches—such as realism and liberal institutionalism—concentrate on the *international system* as the level of analysis arguing that the international system and its power relations determine state behavior. *Realism* does not constitute a homogenous school. However, most of realists share at least five core premises about the

dynamics of international relations. First, the principal force shaping the motives and actions of states lies in structural anarchy or the absence of supranational authority to guarantee the security and independence of the system's members. (Waltz, 1959; 1979; Hoffmann, 1965; Aron, 1966) The systemic character of the international environment is primarily associated with Kenneth Waltz's *Theory of International Politics* (1979) in which he builds upon the Rousseauian position that a theory of war must include the system level (the *third image*) and not just *first* (theories of human nature) or *second* (state attributes) images. Secondly, unified and rational states are the principal actors in world affairs. (Morgenthau, 1973; Waltz, 1979) Third, the international environment severely penalizes states if they fail to protect their vital interests or if they pursue objectives beyond their means. Hence, states are *sensitive* to costs and are guided by the logic of the "national interest," usually defined in terms of survival, security, power, and relative capabilities. (Waltz, 1986) Fourth, anarchy in the international system constrains the willingness of states to cooperate and, therefore, international institutions affect the prospects for cooperation only marginally. (Waltz, 1979; Morgenthau, 1973; Hoffmann, 1973; Grieco, 1990)

Liberal institutionalists share with realists the core assumptions about the international system, they do not agree on the issue of international cooperation. (Keohane, 1984, p. 89; Keohane, Nye, and Hoffmann, 1993; Krasner, 1983; Oye, 1986) In their view, states pursue absolute rather than relative gains which leads to a more optimistic outlook about the possibility for international cooperation. For liberal institutionalists, international organizations and a cooperative strategy of reciprocity can decrease international conflicts.

International organizations or international *regimes* could help to provide information and transparency, decrease uncertainty, and increase predictability; alter the cost-benefit calculations of states by granting them the benefits of cooperation, regularizing interactions, and also facilitate sanctioning defections.

Both approaches part from the assumptions that states are the principal actors in world affairs and that a state's foreign policy choice is determined by the power relations among states in the international system. Policymakers are perceived as responding to the particular set of opportunities and constraints that a state's position in the international system creates at any moment in time. Friction among states over conflicting objectives can be solved by policymakers in relatively more powerful states by exerting pressure on other countries. According to Morgenthau (1973, p. 521), policymakers can turn to two forms of external pressure—diplomacy and force.

Analyzing Colombia's foreign policy shift in 1990, the impact of the international system on both states' foreign policy behavior cannot be ignored. Due to the asymmetric relationship between Colombia and the U.S. regarding their military, economic, and political capabilities, the room of political maneuvering for Colombian policy-makers was

limited.¹ Due to its economic dependence on the U.S. and its relatively limited military and political capabilities, Colombia was not able to override pressures from the U.S. regarding the drug issue. During 1980-94, Colombia's principal trading partner was the U.S. The share of exports to the U.S. over the total exported grew from 26.7 percent in 1980 to 34.54 percent in 1994. This was strengthened by the rise in oil exports, for which the U.S. became the biggest importer with 34.7 percent of the country's oil exports. (Banco de la República, March 1995, p. 72) Accordingly, Colombia's economic dependence on the U.S. has exposed the country directly to external pressure and has made it highly sensitive to external costs.

A major instrument for forcing drug-producing and drug-trafficking countries to cooperate has become the annual *certification process*.² The Anti-Drug Abuse Acts of 1986 and 1988 linked the cooperation of drug-producing and drug-exporting countries with the U.S. in controlling illegal drug trade to the eligibility of those countries for U.S. foreign aid. Basically, certification is justified on two grounds: (1) that the U.S. vital national interest

¹ For example, the invasion of Panama on December 20, 1989 demonstrated to Colombia's policy makers that the U.S. was disposed to use military power to force drug-exporting and drug-trafficking countries to comply with its demands. As Juan Gabriel Tokatlian has described, on August 20, 1989 U.S. Attorney General Dick Thornburgh suggested on the NBC News program *Meet the Press* that the U.S. should consider sending troops to the Colombia, if invited, to combat drug traffickers. One month later, the U.S. government dispatched its first contingent of 10 U.S. military personnel to train Colombians. The U.S. Secretary of Defense, Richard Cheney, released a policy statement indicating that "detecting and countering the production and trafficking of illegal drugs is a high priority, national security mission for the Pentagon (Tokatlian, 1990: 178).

² The certification process requires the U.S. president at the start of each fiscal year (October 1) to withhold 50% of U.S. foreign assistance designated for the given country., pending a determination of certification on, or after, the first of March. On 1 March of each year, the president sends to the Congress a list of those countries which he has certified as eligible to receive full U.S. assistance. At that point, the congress has 45 days of continuous session in which to evaluate the determinations of the president and, if it should so choose, to enact country-specific resolutions of disapproval (Perl, 1988: 25).

precludes continuation of sanctions and that, therefore, aid should be disbursed; or (2) that a country has cooperated “fully” with the U.S. in curbing illicit narcotics and has taken “adequate steps on its own to prevent drug production, processing, trafficking, drug-related money-laundering, bribery and public corruption.” (Perl, 1988, p. 25)

However, the premise of U.S. drug control policy toward Latin American countries implicitly assumes that policymakers are able to ignore domestic pressures. Only the international constraints placed on states are identified as determinants of foreign policy-making, whereas domestic politics is treated as a *black box*. However, in the case of Colombian-U.S. relations during 1986-94 the internal dynamics of each country cannot be ignored. For example, according to the crime statistics of the Colombian National Police, the number of homicides escalated from 5.788 in 1975 to 28.284 victims in 1991, and decreased in 1995 to 25.398 homicides. (Policia Nacional de Colombia, 1995)

The Colombian news magazine *Semana* provided in June 1990 more specific data on drug-related homicides. (*Semana*, June 12, 1990, p. 38-39) Although it is difficult in many cases to establish the authorship of a specific homicide, the following number gives an idea how drug-related violence increased during the 1980s: drug-related deaths increased dramatically from 2,023 in 1980 to the alarming number of 11,254 victims in 1989. The level of drug-related violence indicates that a foreign policy choice of full cooperation which was internationally rewarded, produced domestically increasingly high social and political costs.

Particularly, political leaders and administration officials, legislators, judges, police and military forces, and journalists who supported the country's foreign policy of full international cooperation—that is, supporting the extradition treaty, the militarization of the fight against drugs, and high levels of eradication—became the principal targets of the Colombian drug trafficking organizations. Between 1980-1989, some 350 judicial employees, including fifty judges were killed in drug-related violence. (*Semana*, June 12, 1990, p. 38-39)

Colombia's internal dynamics demonstrate that if it is true that the international system rewards some types of behavior under given conditions, and punishes others, this is equally true on the domestic side. Foreign policymakers are not simply agents of the national interest but political animals who must worry about their survival in office and the viability of their overall set of political goals, domestic and international. There exists little reason to expect that the pattern of domestic and international rewards and punishments for various sorts of foreign policy choices will coincide. Where they do not, policymakers may be compelled to choose between domestic rewards at international costs or international rewards at domestic costs.

1.2 What About Society-centered and State-centered Perspectives?

A number of approaches have advanced theoretical frameworks which stresses the importance of societal actors and state structures in determining a state's foreign policy behavior. These perspectives can be divided into two different strand of thoughts: one is concerned with the role of societal actors (at international and domestic level), and, the other one focuses on the role of the *state*. For example, *liberal transnationalists* argue, in a similar way as liberal institutionalists, that cooperation among states can overcome the negative aspects of anarchy in international relations. (Burton, 1972; Keohane and Nye, 1972; 1979; Haas, 1964) But rather than focusing on states as primary actors in international relations, they focus on non-state actors-including, for example, multinational corporations and scientific communities-as well as the transactions and processes that tie them together. Based on the observation that governments are facing increasingly complex and global tasks—or what Keohane and Nye have called increasing *complexity of interdependence*—, liberal transnationalists have argued that the state-centered international system is limited in explaining international relations. For them, the growth of economic interdependence, improved transportation and communications, the increasing salience of global problems and the spread of information through a globally organized mass media network, has forced policy-makers to abandon the idea of national autonomy when formulating foreign policy. In their view, societal actors have increasingly substituted the foreign policy of states, and transnational ties have penetrated the hard shell of national

sovereignty. Accordingly, they argue that the creation of reciprocal ties among societal actors can mitigate international conflict.

For example, approaches which are centered around societal factors - such as liberal transnationalism, domestic pluralism, and social bloc analysis -, view a state's foreign policy as either reflecting the preferences of the dominant group or class in society, or as resulting from the struggle for influence that takes place among various interest groups or political parties. In contrast to liberal transnationalism, *domestic pluralism* focuses on domestic interest groups, bureaucratic politics, and mass opinion, and their impact on foreign policy-making. (Allison, 1969; 1971; Halperin, 1974) This perspective assumes that policy-makers care most about maintaining a high level of domestic political support. As argued, for example, by Peter Gourevitch (1986), the interplay between ruling politicians and changing coalitions of societal forces and their representative associations determine the extent to which states are willing and able to cooperate with other states. He argues (1986, p. 64-65) that ruling politicians will select those policy alternatives that reflect the preferences of dominant societal coalitions in order to gain and/or maintain domestic political support. Another society-centered approach, that is the *social bloc approach*, put more emphasis on the *substance* of domestic and international politics.

Despite the differences among theorists of *social bloc analysis*, it is assumed that power is concentrated in the hands of relatively few social blocs, cleavages among them are reinforcing rather than cross-cutting, and coalitions are stable and enduring across issues and over time. Where a political system is dominated by only one or a few powerful blocs,

it is unlikely that any political leader can rise to the top without affiliating with a particular base. Accordingly, the policy preferences of policymakers reflect consistently the interests and ideological inclinations of the bloc with which they are associated.

In that view, policymakers or institutions play neither an autonomous nor significant intervening role in shaping and constraining policy outcomes. Rather, this perspective explains foreign policy in terms of the interests and capacities of groups or coalitions competing within the policy arena. The *social bloc analysis* encompasses a variety of approaches, such as *interest bloc analysis*, *sectoral analysis*, and the *contested-social-order approach*. For example, James Nolt defines an *interest bloc* not as a single, formal organization but as an informal network that might include interest groups, political parties or factions, corporations and other business organizations, and elements of state. (1994, p. 6) He argues that “interest blocs struggle for some definite social order, some distinct qualitative state of the world, not for power for its own sake.” (1994, p. 6) Thus, interest blocs are more concerned with securing a particular social order that privileges them, rather than with defending, above all else, the sovereignty of their state as primary *national interest*. Building on these arguments, the *contested-social-order approach* focuses on the significance of *social order* in international politics. State behavior in the international arena is explained as the function of interests and purposes generated by the broader social orders in which states are embedded. (David Skidmore, 1996 Mimeo)

In contrast, state-centered approaches have stressed the importance of institutional arrangements (Skocpol, 1985; Evans, 1979; 1994), politicians and administrators in the

executive (Allison, 1971; Halperin, 1974; Hermann, 1978), the domestic structure, policy networks, and state strength (Gourevitch, 1986; Katzenstein, 1978, 1985; Krasner, 1978), as well, the kind of domestic regime (Russett, 1993) in explaining foreign policy behavior. For example, state-centered approaches, such as the *institutional approach*, conceive the state primarily as an organizational structure, or set of laws and institutional arrangements shaped by previous events. (Skocpol, 1985) In this view, institutions tend to persist over time that enables them to influence policy even after the ideas and coalitions that initially gave rise to them no longer dominate. In contrast, the *bureaucratic politics approach* focuses directly on politicians and administrators in the executive as independent participants in the political process. Its primary emphasis is on the political decision-making process and the goal-oriented behavior of politicians and civil servants as they respond to internal and external constraints in an effort to manipulate policy outcomes in accordance with their preferences. (Allison, 1971; Halperin, 1974; Hermann, 1978) In the past years, state-centered approaches to foreign policy have combined the notions of the state as an organizational structure and actor. This so-called *domestic structures approach*, advanced most prominently by Peter Katzenstein, suggests that countries differ in the extent to which their states and societies are centralized. (Katzenstein, 1978, 1985; Krasner, 1978)

The domestic structures approach deals with the nature of the political institutions (the *state*), and with the institutional and organizational arrangements linking state and society. They focus on the channels (the *political networks*) through which societal demands are carried over into the political system. According to this perspective, states differ also in the degree of autonomy policymakers enjoy relative to societal forces. Given

these differences, different states can be placed along a continuum that ranges from *weak* to *strong* in relation to their societies. “Weak” states are dominated by society, that is, policymakers are restricted in their actions by public opinion, interest groups, parliament, and bureaucratic politics. Foreign policy decision-makers in *strong* states are relatively independent of societal demands and pressures. The *regime type* approach (or liberal democratic peace approach) assumes that the kind of domestic regime determines foreign policy behavior. (Russett, 1993)

In the case of Colombian-U.S. relations during 1986-94 the impact of internal dynamics cannot be denied. As already mentioned above, the increase of internal costs in Colombia associated with full cooperation in the international fight against drugs as well as the changes in the institutional framework need to be taken into account in the analysis of the Colombian-U.S. relations. For example, in Colombia the increase in drug-related violence was reflected in the killing of political leaders, judges, law enforcement officials, and journalists who opposed the drug trafficker industry.

Colombian drug trafficking organizations attempted primarily to force the Colombian government to abandon the extradition treaty - which was the cornerstone of Colombia-U.S. relations regarding the anti-narcotics strategy. They sought to paralyze the top ranks of the nation’s criminal justice system and to discourage potential opponents of the drug industry. Judges trying drug trafficking cases in Colombia were threatened and offered the proverbial choice of *plomo o plata* (lead or silver)—death if they convict, a bribe if they set aside the charges. (Lee, 1989; Thoumi, 1995)

Furthermore, with the extension of democratic and institutional reforms the channels of access to those actors who opposed the confrontational drug policy increased and enabled them to influence directly the political decision-making process. For example, in 1990, the creation of a constitutional assembly increased the channels of access to those societal actors who opposed the full cooperation with the U.S. This led in 1991 to the constitutional prohibition of the extradition of Colombian nationals to the U.S.

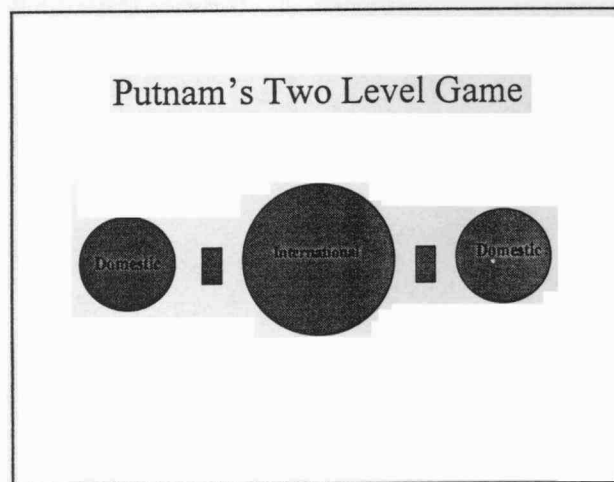
Colombia's internal dynamics demonstrates that policy-makers were assuming high internal costs for maintaining their commitment with full international cooperation. Therefore, a foreign policy choice which was internationally rewarded, produced domestically increasingly high social and political costs. At the same time, U.S. policy-makers were pressured by the public to enforce their commitment in the "war on drugs".

However, by recasting international pressures as sets of policy options that may or may not have the support of dominant societal coalitions and by focusing solely on the institutional arrangement of the state, society- and state-centered approaches are limited in explaining Colombia's foreign policy outcome. Whereas in larger states, such as the United States, Germany, or France, domestic dynamics still appear to be able to override international pressures, it might not be the case in developing countries. Thus, despite the significance of society- and state-centered approaches in explaining a state's foreign policy outcome, the constraints of the international environment need to be integrated into the analysis.

1.3 Toward A More Complex Explanation

Robert Putnam has argued that rather than theorizing if domestic factors influence international affairs and vice versa, theories should seek to integrate both spheres, accounting for areas of instances of *reciprocal causation*. (1988, p. 433) For him, the questions are *When?* both domestic and international factors determine foreign policy behavior and *How?* policymakers respond to it. In his analysis of the foreign policy behavior of the United States, Japan, and Germany at the Bonn summit conference of 1978, he contends that with the increase of domestic and international pressures “central decision-makers strive to reconcile domestic and international imperatives simultaneously” (1988, p. 460). Rather than simply complying with either domestic or international pressures, policymakers turn to strategies of *compromise*.

Putnam maintains that the international politics can usefully be conceived as a two-level game. At the national level, domestic groups pursue their interests by pressuring the government to adopt favorable policies, and politicians seek power by constructing coalitions among those groups. At the international level, national governments seek to maximize their own ability to satisfy domestic pressures, while minimizing the adverse consequences of foreign development. To support this argument, he introduces a metaphor of his two-level game in which he describes the exposure of policymakers to both international and domestic pressures: “Each national political leader appears at two board games. Across the international table sit his foreign counterparts, and at his elbows sit diplomats and other international advisors. Around the domestic table behind him sit party and parliamentary figures, spokespersons for domestic agencies, representatives of key interest groups, and the leader’s own political advisors” (Putnam, 1988, p. 434):



According to Putnam, the extent to which policymakers cooperate fully depends on three factors: I. the distribution of power, preferences, and possible coalitions of possible actors at the domestic level, II. political institutions at the domestic level; and, III. the strategies of the negotiators at the international level.

Societal pressures on policymakers can consist of the electoral costs of ignoring dominant coalitions of societal interest groups. These costs can also consist of ignoring threats to the country's domestic economic, political, and social stability stemming from such groups. International pressures refer to the severity of threats and/or actions invoked by a sanctioning country against a target country. These threats and actions can include the exercise or threat of military force, the exercise or threat of economic sanctions, and the exercise of diplomatic sanctions. (Putnam 1988, p. 441-443)

Putnam (1988, p. 435-41) contends that policymakers seek to mitigate pressures through *compromise*. Policy of *compromise* is defined as choosing the policy that falls in the range of acceptability of both the contending groups that compromise the policy

maker's domestic constituency and the policy maker's counterparts in international negotiations.³

Described by Helen Milner as "one of the best recent attempts at a domestic theory of international cooperation" (Milner, 1992), however, Putnam's two-level game model does not provide a clear analytical framework for identifying "reciprocal causation" of domestic and international factors. Also, he focuses only on a short period of time of international negotiations. Furthermore, he states that institutional changes also influenced the policy making process, but does not explain *how* these changes come about and *who* is behind those changes. But most important, he fails to address the questions of how policymakers in *developing countries* and in an asymmetric relationship with their international counterparts, respond to increases in domestic and international pressures and how the *specificity of the issue area* influences international cooperation.

The goal of this dissertation is to overcome this shortcomings by putting i. the analysis of Colombian-U.S. relations in a larger period of time, ii. by providing a complex analytical framework in which the interplay of domestic and international factors is carefully traced and sorted out, and, iii. by analyzing the role of policymakers to bring institutional changes about that one way or the other affect the policy outcome.

³ Putnam's two-level game approach is an important variant of liberal transnationalism that shares some similarities with the society-centered approaches. Putnam maintains that policy outcomes are influenced by transnational coalitions (nationalist versus international forces). External pressures may change the balance of forces within the domestic arena such, that a combination of external and internal pressures determines policy outcomes. However, rather than interpreting the motivation of societal groups as a question of maintaining or promoting a specific social order, as the contested-social-order approach does, he is concerned with specific issues or policies. Therefore, the policy alliances he traces are purely conjunctural and do not endure across time and issue areas (Nolt, 1996 Mimeo).

1. THEORETICAL DEBATE AROUND SYSTEM-CENTERED, SOCIETY-CENTERED AND STATE-CENTERED APPROACHES 1-1

1.1 HOW USEFUL IS A SYSTEM-CENTERED PERSPECTIVE? 1-1

1.2 WHAT ABOUT SOCIETY-CENTERED AND STATE-CENTERED PERSPECTIVES?..... 1-7

1.3 TOWARD A MORE COMPLEX EXPLANATION 1-13

2. Drug Abuse and the Dynamics of Drug Control in the United States

To interpret the U.S. government's response to illegal drug trafficking and the dynamics of United States-Colombian relations since the mid-1980s it is necessary to understand how the United States has dealt with the drug issue over the last decades at the domestic and international levels. Using a historical-descriptive method and following broadly the premises of Robert Putnam's two-level game explained in Chapter One, I aim to sort out in general terms the domestic and international factors that affected the dynamics of American public attitudes and drug policies over the last eighty years.¹ However, I will not analyze—as Putnam proposes—in detail the different positions of domestic groups (*nationalists* versus *internationalists*) and how specific institutional arrangements have determined their influence over foreign policy-making. Rather, the goal of this chapter is to examine the general public attitude toward drugs in different periods of time and the government's response in terms of drug legislation and institutions as well as international drug control strategies.

¹ In this chapter I am to provide a general overview over the dynamics of United States' drug policies since the late nineteenth century. I do not analyze the different positions of domestic groups, how specific institutional arrangements have channelized their pressure, or specific international negotiation behavior of the different administrations—as I outlined for my empirical-analytical section. Instead, I will describe in broad terms the general public attitude toward drugs and the government's domestic and international response.

I will argue that throughout American drug history a certain pattern in the public attitude toward drugs can be established: generally, the demand for tough drug control has come at times of economic or political turmoil in the United States. As I will show, in these periods drug use was perceived as *un-American*, foreign as well as anti-social, and was associated negatively with ethnic minorities, anarchists or fringed elements of American society. Furthermore, it was assumed that drug use would lead to criminal behavior or insanity which was derived more from prevailing prejudices than from actual threats to persons or property.

By analyzing the different domestic anti-drug legislation and establishment of drug control institutions, I am to identify which specific drugs were prohibited, and how specific drug laws were used as a mechanism to control other social, economic and political problems. I will argue that the United States' congress passed a number of prohibitory laws by which people could express social disapproval. In general, a drug law was proposed to control the use of a certain substance—such as opium, cocaine, or marijuana and then, in a number of cases, turned out to be directed at a minority group identified with the use of the drug. The rhetoric surrounding the proposed anti-drug law usually called for restoration of “lost” dominant social and moral values and was offered as a solution to a wide range of social, moral, racial, political, and economic problems—from unemployment to crime in the streets. It can be argued, in general, that the belief that some drugs were/are so innately harmful that American citizens or the *healthy body* of American society should be protected from it has characterized American drug prohibition laws for the past eighty decades.

Similarly, I will maintain that the United States has shifted over time from a multilateral drug control strategy toward a primarily unilateral approach in pressing drug-producing and drug-trafficking countries to cooperate in its fight against drugs. The goals has been with distinct emphasis at different times to achieve full cooperation of foreign governments in three principal areas: domestic drug legislation and law enforcement, eradication of crops, interdiction of drugs directed to the U.S. market, and persecution of drug trafficking organizations or traffickers. U.S. market It can be argued that the basic tenet of the United States drug control strategy has been characterized by blaming foreign nations for a domestic evil—which harmonized with the ascription of drug use to ethnic minorities— and by the premise that a supply-oriented strategy that controls drugs *outside* the U.S. borders will lead to the reduction of drug availability. It is assumed that reduction in drug availability will lead to an escalation of market prices and that in response, consumers will forego drug use and abuse.

For each time period, I will first analyze the changes of the American public's attitudes towards drugs. In a second section, I will describe broadly the government response in terms of specific drug legislation and the emergence of specific drug control institutions. Thirdly, I will describe the different foreign policy strategies regarding international drug control. According to these objectives, in the first part, I will describe briefly the use of opium, heroin, cocaine, and marijuana in the United States and the origins

of drug prohibition.² In the second part, I will discuss broadly why and how the United States' drug policy changed during the period 1940 to 1980. And, finally, I will summarize briefly the findings of the chapter.

2.1 The Origins of Drug Prohibition

2.1.1 Opiates, First Federal Drug Legislation, and Active Leadership in Multilateral Drug Control

During the nineteenth century opium and its derivatives, such as morphine, were widely popular and were “as freely accessible as aspirin is today” in the United States.³ Physicians prescribed opiates mainly for relief of pain, coughing, and diarrhea. So-called patent medicines containing opiates—such as, Ayer’s Cherry Pectoral, and McCunn’s Elixir of Opium—could be bought without a prescription in drugstores, grocery stores and pharmacies, or simply be ordered by mail. In the well-known 1972 Consumer Union report on drug use, Edward Brecher cites a 1883-1885 survey of the state of Iowa (2 million

² The following sections on the origin of drug prohibition and drug consumption since 1900 draws primarily on David M. Musto’s famous book *The American Disease: Origins of Narcotic Control*. (New York/Oxford: Oxford University Press, 1987); Edward M. Brecher (et al.), *Licit and Illicit Drugs. The Consumers Union Report on Narcotics, Stimulants, Depressants, Inhalants, Hallucinogens and Marijuana incl. Caffeine, Nicotine, and Alcohol*. (Boston, 1972); and, Paul B. Stares, *Global Habit: The Drug Problem in a Borderless World* (Brookings Institution: Washington, D.C., 1996).

habitants) that nearly 3,000 stores were selling opiates. (Brecher, 1972, p. 3-4) Furthermore, a 1888 study that surveyed 10,000 prescriptions filled by 35 drugstores in Boston brought to light that 1,481 of them contained opiates. Even soothing syrups for young children—such as Hooper’s Anodyne, the Infant’s Friend or Mrs. Winslow’s Soothing Syrup—contained opiates and were sold freely on the market. Most of the opium consumed in the United States during the nineteenth century was legally imported or grown domestically in Virginia, Tennessee, South Carolina, and Georgia.⁴

Similarly, cocaine—isolated from the coca leaf—achieved popularity in the nineteenth century in the United States as a general tonic for sinusitis and hay fever. Furthermore, cocaine was considered relatively harmless and proposed as a possible cure for opium, morphine, and alcohol habits.⁵ The exhilarating and euphoric properties of cocaine made it a favorite ingredient of medicine, Coca-Cola (until 1903), wines, and so on. By 1885 the Parke-Davis Company, the biggest cocaine producer, manufactured coca and cocaine in many forms for drinking, smoking, inhaling, injecting, or rubbing into the skin.⁶ The company sold coca-leaf cigarettes and a variety of other coca products such as a

³ Morphine—the chief active ingredient in opium—came into common use particularly after the Civil War during the eighteenth century. Later, opium was used for producing heroin that has increasingly replaced morphine as drug and recreational choice. Heroin had been made available commercially by the Bayer Company of Germany in 1898 as superior cough suppressant. See for more details David M. Musto, “Patterns in U.S. Drug Abuse and Response,” in Peter Smith, Drug Policy in the Americas. (University of California: San Diego, 1987), p. 31.

⁴ Morphine was legally manufactured in the United States by Rosengarten and Company of Philadelphia (later merged into what is now Merck, Sharpe and Dohme) and others. It is interesting to note, that the U.S. Congress did not ban the cultivation of opium poppies nationally until 1942.

⁵ The active alkaloid in the coca leave is cocaine. See Musto, 1987, p. 5.

⁶ For example, the most important cocaine producer in 1894 in New York was the branch of the German pharmaceutical company Merck. See Robert Lessmann, Drogenökonomie und Internationale Politik. (Vervuert Verlag: Frankfurt am Main, 1996), p. 29 (Translation by the author).

liquorlike alcohol mixture called Coca Cordial, tablets, sprays etc. As David Musto notes, prominent medical entrepreneurs, such as the neurologist William Hammond, “swore by it and took a wineglass of it with each meal.” (Musto, 1987, p. 7) Hammond also promoted cocaine as the official remedy of the Hay Fever Association.

Since cocaine was not limited to physician’s prescriptions, middle- and upper-class employers recognized the stimulating power of cocaine and found a practical use for it: it was distributed to construction and mine workers “to keep them going at high pitch and little food.”⁷

2.1.1.1 Chinese Immigrants, the Black Community and the Spanish-American War (1898)

Within a short period of time the United States had turned into a “dope fiend’s paradise.” (Brecher, 1972, p. 3) Consumption levels of opiates—particularly smoking opium, that was introduced in the United States by Chinese railroad workers and later imported from China—increased rapidly. For example, the imports of smoking opium rose from 21,176 pounds in the period 1860-69 to 148,168 pounds between 1900-1909.

⁷ The value of cocaine had been first discovered by the Spanish and was given in sixteenth century Peru to native slaves who mined silver. See Musto, 1987, p. 8.

Similarly, the number of smokers who could be supplied increased from 8,470 to 59,267 in the same time periods: (Musto, 1993, p. 36)

Table 2-1: Imports of Smoking Opium, 1860-1909

Decade	Pounds of Smoking Opium imported	Number of Smokers Who Could be Supplied*
1860-69	21,176	8,470
1870-79	48,049	19,219
1880-89	85,988	34,395
1890-99	92,462	36,985
1900-09	148,168	59,267

*At 2.5 pounds per year.

Source: David Musto, 1987, p. 45.

According to Musto, the United States annual per-capita opiates consumption rose steadily from about 12 grains in 1840 (an average single dosis consisted of one grain) to 52 grains during 1890s. (Musto, 1993, p. 36) The highest rate of opiates addicts (primarily morphine) in the United States was at the peak rate of about 5 people per 1,000 which indicates that the United States faced a serious drug problem at the end of the nineteenth century.

What is interesting about opium addiction at the turn of the century is who the addicts were. In contrast to the typical profile of a heroin addict, for example, in the 1970s—a young urban male who may be a minority group member (see Section 2.2.2)—the opium and morphine addict around 1900 was the exact opposite: most of the opiates users

were found among “the educated and most honored members of society,” particularly women, and had an average age of forty years.

Regarding the social status of opiates addicts, the following quote of an 1881 *Catholic World* article demonstrates that the majority of them belonged to the upper class:⁸

Opium-eating, unlike the use of alcoholic stimulants, is an aristocratic vice and prevails more extensively among the wealthy and educated classes than among those of inferior social position; but no class is exempt from its blighting influence. The merchant, lawyer, and physician are to be found among the host who sacrifice the choicest treasures of life at the shrine of opium. The slaves of alcohol may be clothed in rags, but vassals of the monarch who sits enthroned on the poppy are generally found dressed in purple and fine linen.”

Interestingly enough, opiates grew particularly in popularity among middle-aged white women as it was found to be exceptionally effective as a tranquilizer. For example, the *Journal of the American Institute of Criminal Law and Criminology* wrote in 1915 about society women who “indulge in opium to calm their shattered nerves.”⁹ Also, as a 1878 survey of 1,313 opiate users in Michigan demonstrates, 803 of them (61,2%) were females. The same results were also reached by a 1880 Chicago study report indicating that among the 235 habitual opium eaters, 169 were found to be females, a proportion of about 3 to 1. Thus, it is not surprising that patent medicines containing opiates were advertised in newspapers and magazines not only as a painkiller or cough mixtures but as *women’s friends*.

⁸However, since the beginning of the twentieth century an enormous shift in the characteristics of drug addicts has occurred. For example, estimates during the 1960s indicate that males outnumbered females among known addicts by five to one or more. According to a 1970 survey of the Bureau of Narcotics and Dangerous Drugs on opiates addicts indicate that 68,864 (48,4%) were black. As Brecher points out, the majority, however, were not known to the bureau. He states that the high proportion of black people among known addicts may result at least from the greater likelihood that a black addict will get arrested. See Brecher, 1972, p. 18.

According to Paul Stares, there were several reasons why opiate consumption reached dramatically high levels not only in the United States, but also in Europe: the development of modern medical practices, including the discovery of morphine and later heroin (both derived from opium), as well as the invention of the hypodermic syringe to administer them; the massive social and economic transformation brought about by industrialization, which increased the popularity of a wide range of natural stimulants; the influx of foreign labor, notably from China; the development of long distance transportation that lowered the cost of importing goods from foreign sources; and the rise of mass consumption habits brought about by new marketing techniques and modern communication.

Another author, Charles Whitebread, has noted that “in areas where medical resources were scarce it was not uncommon for people to be hospitalized, to get morphine as a pain killer during and after an operation, and to be addicted afterwards to morphine.”¹⁰ He stresses, particularly, the impact of the expanding patent medicine industry on the increase of opiate consumption and addiction. In this industry there were no restrictions imposed on selling its products in drugstores, grocery stores or pharmacies to customers.

⁹ Opiates were also preferred by women to control menstrual and menopausal discomforts. *Ibid.*, 11-17.

¹⁰ Charles Whitebread, History of the Non-medical Use of Drugs in the United States, Speech to the California Judges Association 1995 Annual Conference, 1995. Whitebread’s speech — who is Professor of Law at the USC Law School— draws on his book (co-author Richard J. Bonnie), *The Forbidden Fruit and the Tree of Knowledge: An Inquiry in the Legal History of American Marijuana Prohibition* published in 1970. He notes that “the use of morphine in battlefield operations during the Civil War was so extensive that, by 1880, a number of Union veterans were addicted to morphine that the popular press referred to morphinism as the soldier’s disease.”

He points out, however, in contrast to addiction in recent years, that drug addiction in the late nineteenth century was *accidental*: “People became involved with drugs they did not know that they were taking, that they did not know the impact of.” (Whitebread, 1995)

By the turn of the century, the American public started to oppose opium use and trade as a result of widespread opiate addiction and concern that drugs were eroding morals and promoting criminal behavior. Most importantly, American people identified it increasingly with foreign groups and internal minorities who were already actively feared and were the objects of massive social restraints. These attitudes toward opium associated negatively with the Chinese immigrants and toward cocaine linked to the black community, has to be seen in the light of the economic depression of the 1870s and a period of racial turmoil in the South.

Opium consumption, for example, was negatively associated with the Chinese immigrants who introduced the custom of opium smoking into the United States during the 1850s and 1860s. At that time, thousand of Chinese laborers were brought into the country to build the Western railroad. When the Chinese immigrants moved to American cities, particular San Francisco, and were hired at low wages in different jobs in the times of economic depression during 1850 and 1860, hostility against the Chinese population rose. Along with this perception of threat to American workers, the public feared that the Chinese—with their life-style and custom of opium smoking—would undermine American society. For example, in 1875 the City of San Francisco issued an ordinance that prohibited the smoking of opium in smoking-houses or so-called *opium dens* maintaining that “many

women and young girls, as well as young men of respectable family, were being induced to visit the [Chinese opium-smoking] dens, where they were ruined morally and otherwise.” (Brecher, 1972, p. 42)

As Michael Hunt describes in his book *Ideology and U.S. Foreign Policy*, the image the Chinese supplied was of an “inherently inferior and intolerable foreign element *swarming* out of a *contiguous semicivilized empire* onto American shores.”¹¹ According to this image, they posed multiple threats to the Americans: they entered the country as “servile *coolie* laborers who would take away the livelihood and destroy the dignity of white workingmen;” they lived in “pestilential getthos”, the so-called Chinatowns, that “endangered the health and welfare of the larger white community;” and they sought to “debauch vulnerable white women.” (Hunt, 1987, p. 70) A similar perception was expressed in the 1908 national survey report by the State Department’s anti-drug specialist Hamilton Wright—who became “the father of American narcotic laws”: “[...] One of the most unfortunate phases of the habit of smoking opium in this country [was] the large number of women who have become involved and were living as common-law wives or cohabiting with Chines in the Chinatowns of our various cities.” (Musto, 1987, p. 43)

n a similar way, around 1900, cocaine was negatively linked to the blacks in the South. According to Musto, the South feared the black cocaine user because “he might

¹¹ See Michael H. Hunt, *Ideology and U.S. Foreign Policy*. (Yale University Press: New Haven and London, 1987), p. 70.

ignore their prescribed bounds, rise above *his place*, and attack white society.”¹² The fear of *cocainized* blacks coincided with the peak of lynching, legal segregation, and voting laws all designed to remove political and social power from them. Furthermore, as the 1908 national survey report by State Department’s anti-drug specialist Wright demonstrates, it was assumed that cocaine use would incite African-American to commit rape crimes: “It has been authoritatively stated that cocaine is often the direct incentive to the crime of rape by the Negroes of the South and other sections of the country.”

Cocaine was also perceived as dangerous because of its euphoric and stimulating properties as an article in the New York Times in 1914 reflects:¹³

The effects of cocaine do not seem very different from these of alcohol. But in point of fact, cocaine exhilaration is much more marked and the depression far more profound and destructive to the nervous system. The victim is much more likely to have peculiar delusions and develop hallucinations of an unpleasant character. He imagines that he hears people taunting and abusing him, and this often incites homicidal attacks upon innocent and unsuspecting victims.

The same article states that cocaine produced in blacks a temporary resistance to the knockdown effects of fatal wounds and emphasized that “bullets fired into vital parts, that would drop a sane man in his tracks, fail to check the *fiend*.” (NYT, February 8, 1914) Furthermore, the author argued that cocaine would turn blacks into better marksmen by giving an example of deadly accuracy of a black cocaine user in Ashville “who dropped five men dead in their tracks using only one cartridge for each.” (NYT, February 8, 1914)

¹²By the beginning of the twentieth century the issue of the place of blacks in American society rested on the same beliefs that it had three decades earlier—the association of inferiority with darkness of skin color. For more details on images of the black at that time see Hunt, 1987. Against the assumption about high cocaine consumption by blacks, Musto quotes a 1914 report that shows that of 2,100 consecutive admissions of Blacks to a Georgia asylum over the previous five years only two black cocaine users were hospitalized. See for more details Musto, 1987, p. 8-9.

¹³ See New York Times, Negro Cocaine “Fiends - New Southern Menace, February 8, 1914.

However, not only blacks were considered to be inclined to use cocaine, but also prostitutes. As the 1903 report of the Committee on the Acquirement of the Drug Habit that had studied the statistics of narcotic importation over the period 1898-1902 reveals:¹⁴

The use of cocaine by unfortunate women generally, and by Negroes in certain parts of the country, is simply appalling. ... The police officers of these questionable districts tell us that the habitués are made madly wild by cocaine, which they have no difficulty at all in buying, sometimes being peddled around from door to door.

The fear of opium and cocaine consumption at the beginning of the century has also to be interpreted in the light of the anti-alcohol crusade of the *Temperance Movement* at the same time. For example, liquor prohibitionists—such as the Anti-Saloon League, and the Women’s Christian Temperance Union—inspired by a strong puritan belief system viewed alcohol consumption as a threat to America’s healthy social body, especially its nucleus: the family.¹⁵

The image of the evil saloon was a powerful propaganda weapon, for the saloon tempted not only the native American but especially the immigrant, whose moral qualities were under continuous attack by such groups as the Anti-Immigration League. The prohibitionist movement opposed alcohol consumption by all those who had not yet succeeded to establish themselves in the pioneer society: immigrants in the harbor cities, railroad workers, and ethnic minorities. The discourse on the effect of alcohol consumption

¹⁴ The report insisted also that the habit was not only acquired by blacks and unfortunate women, but also by lawyers, preachers, and physicians in order to be bright: “Many of the leading light of the medical profession become slaves to a vice which they are supposed to combat.” See Musto, 1987, p. 17-20.

was also characterized by racially biased tenets, as the comment of the Anti-Saloon League's most impassioned and highest paid publicist, Richmond Hobson, demonstrates: (Lessmann, 1996, p. 27)

Alcoholic beverages transform the Negro into a wild animal and encourages him to commit inhuman crimes. The effect on white people is the same, but since the white man is higher developed, it takes longer until he falls down to the same level.

Thus, the anti-alcohol crusade helped to establish the beliefs that there could be no compromise with the forces of *evil* and that moderation was a false concept when applied to alcohol. In that view, prohibition was the only logical policy for dealing with the serious national alcohol problem. Furthermore, after the United States had entered World War I since 1917 "the hysteria that gripped the nation in its crusade against the Kaiser extended to a firm belief that liquor sapped the nation's strength and will power, and even depleted the cereal grains that could be used in bread for the troops and starving Europeans." (Musto, 1987, p. 68) Thus, the liquor prohibitionist movement succeeded in 1919 to modify the constitution leading to the Volstead Act prohibiting alcohol (1920-33) at the national level.¹⁶

¹⁵ The anti-alcohol movement arose in the context of America's reform movement that strongly opposed practices inherited from the 18th-century and that was convinced that government could change these habits by well-written legislation and honest enforcement.

¹⁶ In 1930, the so-called Wickersham Commission Report on Alcohol Prohibition showed that Prohibition enforcement was ineffective and brought about law enforcement corruption on a grand scale. Among the significant findings of this report were: i. alcohol use declined during the first two or three years of Prohibition, but rose every year thereafter (particularly, distilled liquors); ii. enforcement of the laws was disorganized and ineffective, with employee turnover of more than 50% in some years; iii. corruption increased up to ten percent of the enforcement employees being discharged for cause in any given year. Despite these findings, the Commission recommended that Prohibition be continued but that law enforcement efforts should be improved. See Wickersham Commission Report on Alcohol Prohibition by the National Commission on Law Observance and Enforcement, Conclusions, 1930.

Another factor that influenced the government's decision to enact the first federal drug legislation was the acquisition of the Philippines through the Spanish-American War (1898). On the one hand, the Philippines presented the United States with new trade opportunities with China—through the so-called *open door* policy—, but it also forced the country to take a stand on the opium consumption problem. Opium had been provided on the islands to the Chinese population through a Spanish government monopoly. When Spanish control suddenly ended and opium imports increased, the United States was left with the question whether to reinstitute the opium monopoly and compromise with the *evil* or not.¹⁷

In sum, the Chinese and opium smoking became negatively linked in the years of economic depression of the late nineteenth century, when Chinese were low-paid competitors for employment. Similarly, cocaine use was associated with expression of black hostility towards whites at a time when the battle for political control of freed blacks reached a peak. As Musto points out, “cocaine raised the image of the wild Negro, opium the devious Chinese, morphine the tramps in the slums; it was feared that use of all these drugs was spreading into *higher classes*.” (Musto, 1987, p. 65) Accordingly, the motivation of drug prohibition at state and federal level appears to be closely related to instances of social tensions between the drug-linked group and the mainstream of American society.

¹⁷ In the nineteenth century, China had been the center of opium trade (some time later, Dutch, Spanish, and French colonies of Southeast Asia became significant markets and later producers in their own right). When the Philippine islands were passed to United States control in 1903, Civil Governor William Howard Taft appointed an investigating committee to examine how neighboring regions of the Far East — Japan, Formosa, Shanghai, Hong Kong, Saigon, Singapore, Burma, and Java— dealt with the opium problem. The most

Drug consumption per se was perceived as entire *foreign*, that is, *un-American*. The fear about the effects of drug use—opium smoking promotes criminal behavior and erodes morals, and cocaine leads to more aggressive behavior without recognizing social limits—led to an increase of public pressure—particularly, religious groups, temperance societies, and missionaries—to end the opium trade. Furthermore, the powerful medical profession and retail pharmacist trade groups—represented by the American Medical Association (AMA) and the American Pharmaceutical Association (APhA)—were keen on driving the patent medicine manufacture industry out of business and to secure a monopolistic position in the drug retail business. Accordingly, these retail pharmacist groups intensified its lobby efforts in congress to influence the decision-making process.¹⁸ Simultaneously, the anti-alcohol crusade of powerful prohibitionist groups created an environment in which it was difficult to maintain a permissive and *immoral* attitude toward the recreational use of other drugs—such as opium and cocaine. Furthermore, the acquisition of the Philippines island accelerated the process in which the United States had to take a clear stance at federal level on the opium issue.

prominent voice of that committee became Right Reverend Charles Henry Brent, who became Episcopal Bishop of the Philippine Islands.

¹⁸ For example, lay reformers like Samuel Hopkins Adams were concerned about the danger of patent medicines. He attacked the suppliers of patent medicines—that is, pharmaceutical manufacturers—for selling harmful substances to the public without labels. Criticizing corrupt politicians and corporations, Adams argued that regulatory laws should be aimed at the suppliers. In contrast, for others, the addict evoked fears. Their efforts were concentrated to persecute legally the users for possessing drugs, rather than the manufacturers for producing morphine and heroin. One of the most important reformer, the Right Reverend Charles Henry Brent—who became an international leader in the antiopium movement—assessed the drug issue from a moral point of view. He considered the drug problem as any other social problem which required first of all a moral approach. For him, narcotics had no other value than as a medicine, and, therefore, recreational use should be prohibited, and their traffic reduced on a world scale. His position became the leading position in the narcotics control policy at the beginning of the twentieth century. See Musto, 1987, p. 11.

2.1.1.2 Controlling the Evil Outside the Borders, and Taxing Drug Sale and Distribution

The government's response to domestic pressure resulted at first in labeling regulation for food or medicines containing cocaine and opiates, then in prohibition of the importation of smoking opium, and, finally, in the first major federal drug legislation that was design to tax and regulate the sale and distribution of opiates and cocaine. The first step towards federal drug legislation was the enactment of the Pure Food and Drug Act in 1906 which required the listing of opiates or cocaine on the labels ("Warning—May be habit forming") of patent medicines shipped in interstate commerce.¹⁹ This law reflected that the government dealt with the drug issue as a nutrition problem since the Act's main premise was to guarantee the purity of food. Accordingly, the enforcement of this law was placed in the Bureau of Chemistry of the Department of Agriculture. As Musto point out: "Within a few years of the inclusion of this simple device, it was estimated that patent medicines containing such drugs dropped in sale by about a third" (Musto, 1987, p. 22)

¹⁹The first significant piece of prohibitory drug legislation was an ordinance enacted in 1875 by the city of San Francisco prohibiting the operation of the Chinese opium *dens*. One western state after another followed San Francisco's lead and enacted legislation prohibiting opium smoking. However, state drug laws proved to be ineffective in controlling drug consumption and trafficking. The reasons for that were, first, that patent medicine manufacturers mostly were exempted from the state's regulation that generally required cocaine or morphine to be ordered on a physician's prescription, which then had to be retained for perhaps a year for inspection. By avoiding the state or municipal laws patent medicine manufacturers were able to obtain certain quantities of narcotics for their products which then were sold freely on the market. Secondly, the states did not have sufficient manpower to maintain surveillance. And, finally, although a state was able to enact an antinarcotic law and even enforce it, bordering states without such laws often provided drugs for users and sellers. The *dope doctors* could simply purchase drugs by mail from another state and then give them to their patients, thereby bypassing laws which relied on prescriptions and pharmacies to monitor drug use. See Cliff Schaffer, "Federal Drug Strategy: Origins, Evolution, and Current Status," Chapter IV Part 1. In: President's Commission on Organized Crime, *Drug Abuse, Drug Trafficking, and Organized Crime*, 1986.

However, the large sale of opiates and cocaine and high consumption levels continued which led to the State Department's conviction that a separate federal law was required. Simultaneously, the State Department was faced with increased levels of opium imports and consumption on the Philippine islands. It was precisely at this moment, when the basic tenet of United States' drug policy was born: the idea of protecting the *healthy body* of American society from an *evil* that comes from *outside* its borders. The Opium Exclusion Act in 1909 which prohibited the importation of *smoking* opium—for other than medicinal purposes—became the first federal anti-drug legislation and gave birth to the United States supply-oriented drug control strategy: it was assumed that by suppressing opium availability, it would make it harder for the users to get opium which would lead to a decrease in opium consumption. Also, the enactment of this anti-opium law served the United States as an instrument in the negotiations on curbing opium production and sale at the First International Opium Conference in Shanghai in 1909: with this prove of the nation's *sincerity* it was much easier to convince other countries to stop opium production and sales.

But soon after congress had passed the Opium Exclusion Act the law was criticized for not being effective in regulating domestic opium production and manufacture or in controlling the interstate shipment of opium products. Opium products were still available without a physician's prescription and were being marketed throughout the country through retail outlets and a growing mail order trade. Accordingly, the American congress and State Department were convinced that it was “pressing necessity” to control strictly habit-forming drugs at domestic level. This led to intense lobbying and pressure on the congress

by drug manufacturers, wholesale and local druggists groups as well as the American Medical and Pharmaceutical associations that wanted to protect their own interests. Actually, the failure of the Foster Bill—which congress did not pass in 1911—was the first attempt to impose stricter control on drug production and sale in the United States and which reflected the difficulty of congress to enact an anti-drug law and at the same time the power of the drug trades and health profession. For example, the National Wholesale Druggist Association amongst other opponents wanted a simple law, "one that can be enforced and will not inflict too much hardship on the trade." (Musto, 1987, p. 45) As Musto argues: "Smoking opium could be denied to the Chinese, but babies were not to be protected from narcotized "Mrs. Winslow's Soothing Syrup" or "Hooper's Anodyne, the Infant's Friend." (Musto, 1987, p.48)

With the Harrison Act in 1914, congress was finally able to pass—in a much *softer* version than the Foster bill—the first federal drug law that would criminalize the non-medical use of opiates and cocaine. It marked the official entry of the government into the area of domestic narcotics control and was primarily targeted against the purchase of opiates or cocaine for recreational use. Similar to the Volstead Act in 1919, that is the alcohol prohibition law, the Harrison Act was enacted to achieve a moral end.

Since the congress had limited power to enact a criminal law that would usurp state police powers, it chose its taxing power as source of authority for the legislation of the

Harrison Act—also called the Harrison Tax Act.²⁰ Charles Whitebread states, that “1914 was probably the high water mark of the constitutional doctrine we today call *states’ rights* and, therefore, it was widely thought congress did not have the power, number one, to regulate a particular profession, and number two, that Congress did not have the power to pass what was, and is still known, as a general criminal law.” (Whitebread, 1995) In the face of possible constitutional opposition congressmen who supported the Harrison Act “came up with the idea to masquerade this whole thing as though it were a tax.” Accordingly, drug law enforcement was performed under the supervision of the Treasury Department and the Commissioner of Internal Revenue.

The Harrison Act provided that any purchaser of opiates or cocaine—that is, druggists, pharmacists or doctors who dispense these substances to their patients or clients—had to pay a tax in exchange for a government stamp, to fill out standard orders and keep those as records for two years so that the revenue agents could inspect them at will. Another much higher tax was paid for every single non-medical exchange of opiates and cocaine. Numerous patent medicines containing no more than the permitted amounts of morphine, cocaine, opium, and heroin could continue to be sold by mail order and in general stores. This meant, that if a drug user were found in 1915 in possession of an ounce of cocaine the federal crime would not have been possession of a controlled substance, but

²⁰ The Harrison Act became the model for every single piece of federal legislation from 1914 through 1969. See Whitebread, 1995.

tax evasion.²¹ The Harrison Act has been criticized for not being a law that was designed to prohibit opiates or cocaine sale, but “for the orderly marketing of opium, morphine, heroin, and other drugs.” (Brecher, 1972, p. 49)

Even if the Harrison Act was attacked as a *weak* response to high drug consumption, it did provide the federal government—by being enacted as part of international obligations—the power to override the states’ police powers.²² That way, not only a uniform compliance of the states with strict narcotics control was accomplished, but it also increased significantly the federal powers vis-à-vis states rights.

2.1.1.3 Beginnings of Multilateral Drug Control: Shanghai and The Hague Conferences (1909/1911)

By turning a domestic problem into an international one, the United States reflected its deep concern to protect itself from an *evil* that came from *outside* its borders. Thus, it was not a surprise that the United States quickly and actively promoted a drug policy that would focus on controlling drugs at international level and on pressing other drug-producing and drug-processing countries to cooperate fully in these efforts. In that context, the United States took the initiative in sponsoring the First International Opium Conference

²¹ Interestingly enough, the law enforcement arm for the criminalization of drugs remained for over forty years in the Treasury Department, illustrating the weakness of congress.

²² According to Article Six of the Constitution treaties concluded by the United States give supremacy over the laws of states.

in Shanghai in 1909 which also was a sign for its choice of a multilateral drug control strategy.

Hamilton Wright, the State Department's anti-drug specialist, was sent as United States negotiator to the Shanghai conference where an International Opium Commission, consisting of representatives of 13 nations, was convened. Although originally conceived of as an organization for investigating Far East opium use and trafficking, the Shanghai Commission was transformed into a body for examining worldwide opium use and trafficking. The Shanghai Convention unanimously adopted several resolutions for consideration by the governments of the participating nations. The most important goals were: i. to review each country's system of regulation of the use of opium in light of the differences among countries' regulatory systems; ii. to adopt measures to prevent the exporting of opium and its derivatives to countries which prohibit the importation of such items; and, iii. to take measures for the gradual suppression of opium smoking in each country's own territories and possessions. (Schaffer, 1986)

Because of the agreement achieved by the Shanghai Commission, the United States proposed to the other participating countries that an international conference be held to conventionalize the resolutions adopted at Shanghai. The conference, which was held at The Hague, began in December 1911, and resulted in the signing of the first International Opium Convention in 1912 that was ratified by the United States Senate one year later. The International Opium Convention committed its signatories to the enactment of domestic

laws designed to control the manufacture, sale, and use of manufactured opium (especially morphine) and cocaine.

As Paul Stares notes, the majority of those present at The Hague, however, remained at best *lukewarm* since most directly opposed more stringent controls.²³ Although the final resolution committed each of the signatories to enact domestic legislation in the drug field, the implementation of the convention depended on its worldwide acceptance. The refusals of Germany (being at that time the largest manufacturer) and Turkey (being a major opium producer) to accept the treaty limited its practical impact. However, as Bertil Renborg has noted, it was an important milestone since the “general principles [that] remain the guide of international drug control to the present day.”²⁴

²³ See for more details Paul B. Stares, Global Habit: The Drug Problem in a Borderless World. (Brookings Institution: Washington, D.C., 1996), p. 17.

²⁴ Bertil A. Renborg, International Drug Control: A Study of International Administration By and Through the League of Nations. (Washington, D.C. Carnegie Endowment for International Peace), 1947, p. 16. Cited in Jack Donnelly, “The United Nations and The Global Drug Control Regime,” in Peter Smith (ed.), Drug Policy in the Americas. (University of California, 1993), p. 284.

2.1.2 Heroin, Strict Drug Trade Control, and the Decline of U.S. International Leadership Role

2.1.2.1 Images of the Living Dead and Fear of Bolshevism

The outbreak of World War I, on the one hand, and the Bolshevich Revolution in Russia, on the other hand, had great impact on how drugs were perceived by the Americans in the 1920s.²⁵ For example, having been defined in the early years as immoral, drug addiction by 1918 was perceived during World War I as a threat to the national war effort. The Americans' concern grew that "servicemen would become addicted by pushers, at the instigation of disloyal elements or spies at home through use of morphine and heroin on the battlefield." (Musto, 1987, p. 115; 1993, p. 36) On the other hand, the Bolshevich success in Russia and the announcement by "American Communists that a similar revolt would occur there, strengthened the fears of Americans already in guard against the dangers of the Kaiser, immigration, and a growing radical labor movement." (Musto, 1987, p. 133)

This fear is clearly expressed by President Wilson's Secretary of State who described Bolshevism as "the most hideous and monstrous thing the human mind has ever conceived" which had inflicted on Russia "demoralization, civil war, and economic

²⁵ In October 18, 1918 the American government declared war on Germany. At the same time, the czarist regime collapsed and was replaced by a provisional government in March 1917. At first, the President Woodrow Wilson welcomed the March revolution for making "Russia a fit partner in a democratic crusade against Germany" and sent in July 1918 troops to join other Allied forces operating in Russia. See for more details Hunt, 1987, p. 113.

collapse.” (Musto, 1987, p. 115) As America went through a national crisis of self-confidence as prosperity and high patriotism of wartime gave way to economic crisis and labor unrest, it was not a surprise that its people were alarmed by the Bolshevik *disease* that was spreading to Germany and Hungary. In 1919, for example, the *New York Times* posed the question “Shall we wait for the Bolsheviks to conquer Europe and then carry their despotism elsewhere?”

As a result of the growing concern about revolutionary and anarchic behavior of domestic agitators the Wilson administration as well as state and local governments, “brutally suppressed strikes, arrested radicals, and sought to deport the foreign-born who were implicated in revolutionary activities” during the so-called Red Scare (1919-1920). (Musto, 1987, p. 115) Thus, this intensely fearful period in American history must be borne in mind when evaluating the fear and suppression of drug consumption at that time. In this context, the negative link between drugs and ethnic minorities expanded to a negative association between drugs and anarchic behavior, in both cases leading to criminal behavior.

Musto points out, that particularly increasing heroin consumption amongst *turbulent* adolescents “in reckless and promiscuous urban gangs” with an average age of twenty-two years gave rise to the growing public concern. Heroin, a derivative of opium, had been made available commercially by the Bayer Company of Germany in 1898 as a superior cough suppressant. In the 1920s, heroin became popular—replacing morphine as a recreational drug—because it could be inhaled by sniffing, as well as, injected by needle.

With the stricter control of opium and cocaine with the Harrison Act, drug addicts increasingly substituted these substances for heroin which led to the fact that probably over 90 percent of addicts on the Atlantic Coast were heroin addicts.

Images of the heroin addict as a *Living Dead* and criminal subject rapidly became popular. For example, Richmond P. Hobson—the Anti-Saloon League’s famous prohibition propagandist — was one of the most active popularizers of the belief that narcotics, particularly heroin, prompted crime and “drove users to commit the most horrible acts,” as his statement in a national radio broadcast of 1928 reflects.²⁶

To get this heroin supply the addict will not only advocate public policies against the public welfare, but will lie, steal, rob, and if necessary, commit murder. Heroin addiction can be likened to a contagion. Suppose it were announced that there were more than a million lepers among our people. Think what a shock the announcement would produce! Yet drug addiction is far more incurable than leprosy, far more tragic to its victims, and is spreading like a moral and physical scourge. There are symptoms breaking out all over our country and now breaking out in many parts of Europe which show that individual nations and the whole world is menaced by this appalling foe ... marching ... the capture and destruction of the whole world. Most of the daylight robberies, daring holdups, cruel murders and similar crimes of violence are known to be committed chiefly by drug addicts, who constitute the primary cause of our alarming crime wave. Drug addiction is more communicable and less curable than leprosy. Drug addicts are the principal carriers of vice diseases, and with their lowered resistance are incubators and carriers of the streptococcus, pneumococcus, the germ of flue, of tuberculosis, and other diseases. Upon the issue hangs the perpetuation of civilization, the destiny of the world and the future of the human race.

Although the United States had attempted with the Opium Exclusion Act in 1906 to limit the imports of opium and with the Harrison Act in 1914 to restrict the non-medicinal use of opiates and cocaine, these drugs (particularly heroin) were still available on the

²⁶Throughout his life, Hobson had established a number of lay groups— consisting of prominent and politically active men and women—that sought to “awaken America to the dire menace of narcotics,” such as The International Narcotic Education Association (1923), The World Conference Defense Association (1927). See Musto, 1987, p. 190-191.

American market. As Musto notes, most of the drugs illegally used in the United States in the 1920s were not of foreign origin but were domestic manufactures smuggled back after legal export. (Musto, 1987, p. 194) In general, American drug trade activities with Japan that would smuggle drugs into China, increasingly threatened United States business relations with China, as the comment of the secretary of the *China Club*, a business interest group, demonstrates: “We are poisoning our best customer [...] a customer that is potentially able to take more American goods than any other nation.” (Musto, 1987, p. 194)

2.1.2.2 Prohibition of Heroin, Strict Drug Trade Controls, and Punitive Addiction Treatment

The government’s response to public pressure was to increase drug law enforcement, to control stricter the international trade in narcotics, to prohibit import of crude opium for heroin manufacturing and to shift from a health-oriented to a *punitive* addiction treatment approach. First, the commitment to increase drug law enforcement was reflected in 1919 in the establishment of the Narcotic Division of the Prohibition Unit—under the leadership of Levi Nutt and supervision of the Bureau of Internal Revenue.²⁷ The Narcotics Division for the enforcement of the Harrison Act had in 1919 a staff of 170 agents and an appropriation of \$270,000. (Schaffer, 1986) Thousands of

prosecutions were undertaken by the agents of the Narcotics Division of the Prohibition Unit and it has been estimated that over 50,000 individuals, including many physicians and others who were required to register under the Act, were charged with violating the Act. (Schaffer, 1986) As Musto notes, expenditures for narcotic enforcement nearly doubled from about \$270,000 in FY 1919 to more than \$500,000 in FY 1920; similarly, the number of drug control agents, and inspectors rose from about 170 in 1920 to almost 270 in 1929. (Musto, 1987, p. 184)

Secondly, the government's decisiveness to intensify the suppression of drug supply and control illegal substances—this time more a domestic problem since American manufactured drugs were illegally smuggled *back* into the country—is reflected in the Narcotic Drugs, Import and Export Act of 1922. The target of this Act was to limit exports to nations which had ratified the Hague Convention and which had an adequate license system. That way, on the side of the United States the Surgeon General would be given authority to permit crude opium and coca leaves to enter the country for domestic narcotics production for medicinal purposes. And, on the side of the import-countries of American drug products, the drug traders had to prove that the purposes of the drugs were legitimate and had to guarantee that they would not be re-exported. Thirdly, in 1924, due to the initiative of Republican Representative Stephen G. Porter—chairman of the House Committee on Foreign Affairs who also had assumed congressional leadership—

²⁷ During the 1920s, public dissatisfaction with the activities of the Narcotics Division increased when the division's involvement in falsification of arrest records and payoffs by drug dealers became public. See Schaffer, 1986.

congressional hearings were held on the prohibition of crude opium for the manufacture of heroin. As Musto notes, “testimony from a few witnesses and extracts from other hearings and letters to Representative Porter were all combined to show that heroin was the most dangerous of all habit-forming drugs.” (Musto, 1987, p. 200) Shortly after, congress approved the bill on crude opium imports.

Fourth, on the drug addiction treatment side, the American government shifted away from a health-oriented toward a punitive treatment program. Once perceived as a valuable form of addiction treatment, after World War I and the *Red Scare* period voices increased to close these clinics down. The first physician who had established such a drug clinic was Charles E. Terry who was the City Health Officer of Jacksonville, Florida.²⁸ In his opinion, public institutions provided a better place for addiction treatment than private home treatment, sanitary, or physicians. Rather than perceiving addicts as criminals, Dr. Terry saw them as an alien and pitiful group: (Musto, 1987, p. 99)

The social misery, the inefficiency and communal depletion resulting from this civic malady, may not be properly realized by one who has not seen for himself this pitiful array of wrecks waiting, as in a breadline, for the free dope prescription, wives fearful lest their husbands discover their conditions; fathers and mothers hiding, by every artifice a stimulated cunning may devise, their habit from their children; young men and women asking in a whisper for a fifty-cent prescription for *coke*, a vicious circle of carelessness, ignorance, and cupidity involving a responsibility that has been shifted from shoulder to shoulder until no one seems willing to admit it, yet intimately associated with the public welfare and health conservation and deserving of the most careful investigation and expert treatment.

Similarly, in the State of New York maintenance clinics were actively supported. In 1917, a joint committee of five members of the State’s Assembly, the so-called Whitney

Committee, concluded that the problem of narcotic drug addiction had passed “all bounds of reasonable comprehension in the state of New York and in the United States [and has become] the greatest evil with which the Commonwealth has to contend at the present time.” (Musto, 1987, p. 112) The committee believed that “it to be one of the first duties of the state ... to establish a supply of narcotic drugs, to which the confirmed addict shall have access, under proper state regulation, pending the establishment of rational and recognized scientific treatment for his disease.” Thus, at the national level, the Internal Revenue Bureau had supported actively the establishment of maintenance clinics.

However, with the increasing fear of drugs (particularly, heroin) in the context of war and the Bolshevic revolution, maintenance clinics were suddenly no longer perceived by the public as a valuable form of addiction treatment, but were interpreted as a sign of the nation’s *weakness*. As Musto points out, “indulgence in narcotics tended to weaken the nation and was associated with other un-American influences which would dissolve the bonds of society.” (Musto, 1987, p. 131) In addition, the ratification of the thirty-six states of the National Prohibition Amendment, the so-called Volstead Act, in 1919 marked also a turning point in the national acceptance of maintenance programs: maintenance of drug addiction could no more be defended than could maintenance of alcoholism.

²⁸ His work is a direct forerunner of the methadone maintenance clinics that existed during the 1960s and 1970s in many American cities. In these maintenance clinics a large numbers of addicts who could not afford private care were treated and extensive drug abuse research was conducted there. See Musto, 1987, p. 97.

Accordingly, in March 1924, Republican Representative Stephen G. Porter—chairman of the House Committee on Foreign Affairs who also had assumed congressional leadership—proposed a revision of the legality of heroin and the state maintenance clinics throughout the nation. As a result, the Narcotics Division launched a successful campaign to close down maintenance clinics throughout the nation. However, when Harrison Act violators overpopulated American prisons, the government had to solve the prison space problem and to deal again with the question of addiction treatment. For example, the three federal penitentiaries—in Atlanta, Leavenworth and Washington State—had a cell capacity of 3,738, but were overcrowded with 7,598 prisoners who were registered on the first of April 1928; about 2,300 of these prisoners were narcotic violators, of whom 1,600 were addicted. (Musto, 1987, p. 200)

In 1929, the congress passed the Porter Act (according to the proposal of Representative Porter) which was designed to establish two so-called *narcotic farms*—with maximum security standards—in which those convicted of the *crime* of drug addiction would be housed in order to receive compulsory treatment. The underlying assumption of the act seemed was that treatment—that is, enforced abstinence—required isolation and a controlled environment. As Musto notes, these narcotic farms became additional prison space for convicted addicts and “not until the late 1960s were the bars removed from the Lexington facility and the cells turned into rooms.”²⁹

²⁹Although the Porter Act became law in January 1929, the first farm did not open until 1935 in Lexington, Kentucky. A second farm opened in 1938 in Fort Worth, Texas. See Musto, 1987, p. 206.

2.1.2.3 The League of Nations and the Decline of U.S. Leadership in International Drug Control

The 1920s marked for the United States a retreat from multilateral drug control activities and new era of isolationism. Republican Representative Porter who had assumed a leadership position in domestic and international narcotics matters had only one goal in his mind for the United States international drug strategy. He sought in particular to revise the Hague Treaty which regulated world narcotic traffic and production: He became “obsessed with the idea that the production of raw opium and coca leaves must be controlled” before any other aspect of drug traffic was dealt with. (Musto, 1987, p. 198) In his view, without these basic restrictions, international regulation of pharmaceutical manufacturing were pointless. Similarly to the Harrison Act in 1914, the Narcotic Drugs Import and Export Act in 1922 and prohibition of crude opium for heroin manufacturing in 1924 were used by the United States in the international negotiations with other drug-producing countries as a sign of the country’s *sincerity* in the fight against drugs.

The involvement of the League of Nations marked the beginning of a new approach to international drug control. Instead of relying on voluntary national laws as promoted in the previous Opium Conferences, the emphasis was now placed on the establishment of mandatory international controls supervised by standing international bodies. However, with President Wilson’s failure to obtain the Senate approval to join the League of Nations—ironically Wilson’s own proposal to form this association of nations to acquire

mutual guarantees of political and territorial integrity—the leadership position of the United States in international drug control changed. Porter who was concerned about the negative image of the executive branch after Wilson's failure, sought increasingly congressional support for his own position. That way, he could indicate that the American position had strong legislative support before the League's Advisory Committee in 1923, to which the United States—although not member of the League of Nations—was still invited.

The League of Nations had established the Opium Advisory Committee to oversee compliance with the terms of the Hague convention. In 1925 two separate commissions met in Geneva under the League auspices: one commission dealt with the issue of limiting the sale of opium in the Far East to government monopolies, with the goal of eliminating production over a fifteen-year period, and the other commission was concerned with the establishment of an international accounting system to which states would be obliged to submit statistics on the production, refinement, and consumption of drugs.

However, although the Geneva Opium Conferences advanced the scope of international drug control by institutionalizing control mechanism, little progress was made to reach consensus on banning opium production. For example, when the American delegation led by Representative Porter arrived to the Second Geneva Conference in 1924, the opium-producing nations—with the exception of China and Egypt—were not inclined to agree with the American position to curtail opium production. Moreover, the conference participants did not reach consensus over the following points: to ban manufacture of heroin, to lower the amounts of narcotics, and to take measures to stamp out opium

smoking in the Far East. As Musto points out: “Disgusted by the negotiations, and particularly by the British and Indian delegation, Porter walked out of the conference on 6 February 1925.” (Musto, 1987, p. 203) As a result, the United States refused to sign the Geneva Convention—which established a system of import certifications and export authorizations—and stopped sending a delegation to the following meetings of the League’s Advisory Committee. It was the first time, that the United States would not participate actively in the official body responsible for international opium control.³⁰ From this point on the United States withdrew increasingly into a posture of isolationism which led to the decline of its leadership in international drug control.

2.1.3 Marijuana, World War II and the Interruption of International Drug Control

At the international level, the 1930s marked a decade of expansionism of the totalitarian regimes in Germany, Japan, and Italy.³¹ Although at first reluctant to get involved in the European conflict, the United States entered World War II after Hitler declared war on the United States. This involvement was triggered by Japan’s attack of American defense installations at Pearl Harbour in 1941, which led to the United States’ declaration of war to Japan. Because of treaty agreements with Japan, Germany declared war on the United States which marked the its official entry in World War II. Accordingly,

³⁰ The League’s multilateral efforts worldwide resulted in the reduction of opium production from a total of 42,000 tons in 1906 to 8,000 tons in 1934. See Stares, 1996, 19.

³¹ For example, in 1938 Hitler incorporated Austria into the German Reich and then attacked Poland (later Denmark, Norway, Holland, Belgium, and France).

in the light of these events, during the late 1930s and 1940s international drug control was only of marginal concern to the United States.

At the domestic level, the United States was facing a serious economic crisis that had begun after World War I when the demand for American farm products had declined and that had reached its peak during the years of the Great Depression. During these years of economic hardship, public sentiment against unrestricted immigration rose constantly—particularly, from the Mexicans. Thus, in the light of the United States economic crisis—similar to the experience of the Chinese railroad workers—Mexican immigrants who had immigrated during the prosperous 1920s to the United States—particularly, to the cotton, fruit, and vegetable plantations in the Southwest and the Northwest—were suddenly rejected as an unwelcome minority and linked to drug use, in this case marijuana.

2.1.3.1 Fear of Mexican Immigrants and the Great Depression

In contrast to opiates and cocaine, the medicinal or recreational use of cannabis or marijuana was not very popular in the United States in the early decades of this century. It was mainly used in corn plasters, veterinary medicine, and nonintoxicating medicaments, and was valued later for its therapeutical use. Furthermore, marijuana was not made subject to the Harrison Act and, thus, was an uncontrolled substance.

During the depression of the 1930s, the entry of many Mexicans and Mexican-Americans into the labor market in the Southwest appears to have been a major cause of the anti-marijuana crusade. Marijuana consumption was associated with Mexicans who were assumed to use marijuana as a drug of entertainment or relaxation. For example, the 1932 report of the Federal Bureau of Narcotics revealed about the consumption of marijuana: (Musto, 1987, p. 221)

This abuse of the drug is noted among the Latin-American or Spanish-speaking population. The sale of cannabis cigarettes occurs to a considerable degree in States along the Mexican border and in cities of the Southwest and West, as well as in New York City, and, in fact, wherever there are settlements of Latin Americans.

However, hostility against the Mexicans did not only grow out of a fear that they would take jobs away, but also out of a concern that “mixture with an inferior race was causing for race suicide.” (Musto, 1987, p. 220) Citizens who were particularly concerned about keeping America *American* organized themselves in groups like *Allied Patriotic Societies*, *Key Man of America*, or the group which combined many of these associations, the *American Coalition*.

One of the leading voices of the American Coalition, Goethe of Sacramento, saw marijuana and the problem of Mexican immigration as closely related:³²

Marijuana, perhaps now the most insidious of our narcotics, is a direct by-product of unrestricted Mexican immigration. Easily grown, it has been asserted that it has recently been planted between rows in a California penitentiary garden. Mexican peddlers have been caught distributing sample marijuana cigarettes to school children, Bills for our quota against Mexico have been blocked mysteriously in every Congress since the 1924 Quota Act. Our nation has more than enough laborers.

³²The American Federation of Labor during the 1920s started to promote restrictions on immigration, in general, and on employment of Mexicans, which resulted in 1924 in the Immigration Quota Law. See Musto, 1987, p. 220.

By the mid-1920s horrible crimes were attributed to marijuana and its Mexican supplier. As Musto describes, legal and medical officers in New Orleans began publishing articles claiming that “many of the regions crimes could be traced to marijuana, for they believed it was a sexual stimulant that removed civilized inhibitions.” (Musto, 1987, p. 218) Due to the efforts of this small but vocal group of crusaders, the states began to pass legislation to prohibit all marijuana-related activity.

2.1.3.2 The Marijuana Tax Act (1937) and the First Federal Bureau of Narcotics (FBN)

The government responded to increased public’s concern about marijuana use combined with the fear of Mexican immigrants with the total prohibition of marijuana. At the same time, as response to the rise of illegal domestic drug trade it increased stricter law enforcement against illegal drug importation and smuggling. For example, the replacement of the Narcotic Unit by the Federal Bureau of Narcotics (FBN)—which was under the supervision part of the Treasury Department—the government’s demonstrated a greater institutional commitment to domestic drug supply control.³³

³³ In the 1930s there were two Federal police agencies created, the FBI and the FBN—the Federal Bureau of Investigation, and the Federal Bureau of Narcotics. Both organizations, the FBI and the FBN were headed for a long time by a single individual. In the case of the FBI, it was J. Edgar Hoover, and in the case of the FBN it was Harry Anslinger, who was the Commissioner of the Federal Bureau of Narcotics from 1930 until 1962.

The government primary focus on drug supply is reflected in the fact that the FBN assumed immediately great responsibilities in an area that was already occupied by the Bureau of Customs: from the late 1930's through the 1950's the FBN's enforcement efforts were directed almost exclusively to disrupt the illegal importation of drugs into this country and to persecute drug dealers.

With regard to marijuana prohibition, it is interesting to note, that FBN's commissioner Harry Anslinger was at first reluctant to promote anti-marijuana laws. For example, a 1932 FBN report states: (Musto, 1987, p. 221)

A great deal of public interest has been aroused by newspaper articles appearing from time to time on the evils of the abuse of marijuana or Indian hemp, [...] This publicity tends to magnify the extent of the evil, [...] whereas the actual increase in such use may not have been inordinately large.

Anslinger's reluctance was related, on the one hand, to the fact that it was *bad timing* for fighting marijuana since alcohol prohibition had failed (it ended in 1933), and, on the other hand, the fact that marijuana was grown partly domestically. Since cocaine and heroin were foreign imports, it was assumed that they could be regulated more easily and less controversially than marijuana, that appeared to be almost impossible to eradicate. (Musto, 1993, p. 39)

However, only five years later, Anslinger changed his position on marijuana and declared in the congressional hearings on the effects of this substance: "Marihuana is an

addictive drug which produces in its users insanity, criminality, and death."³⁴ The only witness to appear in opposition to the government's testimony was the AMA spokesman William C. Woodward who stated: "The American Medical Association knows of no evidence that marihuana is a dangerous drug." However, after the congressional hearings, the marijuana bill was passed by Congress in October 1937 with no opposition in congress. The passage of the 1937 Marihuana Tax Act in effect imposed a total prohibition on marijuana use.³⁵

Before the Marijuana Tax enact was passed, twenty-seven states had already passed marijuana state laws. According to Charles Whitebread, not all state marijuana laws were motivated by the fear of unwelcomed Mexican immigrants. After researching the legislative records in those states and newspapers in which the marijuana laws were passed, he came to the conclusion that there were three explanations for the their motivation. States like Rocky Mountain, Texas, New Mexico, Colorado, and Montana had received after 1914 a substantial number of Mexican immigrants who worked as rural laborers, beet field workers, or cotton pickers. Accordingly, the motivation for passing marijuana laws these states lay in the hostility to the newly arrived Mexican community group. This is reflected

³⁴ Whitebread notes that the hearings—normally extremely voluminous—on the national marijuana prohibition were very brief since "the lasted one hour, on each of two mornings." His anecdote on his attempt to get a copy from the Library of Congress for his research demonstrates on how brief the hearings actually were. When he and Professor Bonnie asked at the Library of Congress for a copy of the hearings, the Library of Congress was not able to locate it. As Whitebread describes: "It took them four months to finally honor our request because ... the hearings were so brief that the volume had slid down inside the side shelf of the bookcase and was so thin it had slid right down to the bottom inside the bookshelf. That's how brief they were. They had to break the bookshelf open because it had slid down inside." See Whitebread, 1995.

in the following statement made by a proponent of Texas first marijuana law: "All Mexicans are crazy, and this stuff is what makes them crazy." (Whitebread, 1995)

Other states, like Connecticut, Rhode Island, and New York, were afraid that marijuana would serve as a substitution drug for all drug addicts cut off from heroin and cocaine after the Harrison Act 1914. This fear was expressed in a New York Times editorial in 1919:

No one here in New York uses this drug marijuana. We have only just heard about it from down in the Southwest. ... we had better prohibit its use before it gets here. ... all the heroin and hard narcotics addicts cut off from their drug by the Harrison Act and all the alcohol drinkers cut off from their drug by 1919 alcohol Prohibition will substitute this new and unknown drug marijuana for the drugs they used to use.

Finally, the first state that had enacted a criminal law against the use of marijuana was Utah. According to Whitebread, the state legislators' motivation, however, was not based on the fear that Mexicans might induce Americans to become addicted or that marijuana might replace heroin and cocaine, but was related to the large Mormon community settled in Utah. In 1910, as a result of the ban of polygamy by the Mormon Church in Salt Lake City a large number of Mormons left the United States and moved into northwest Mexico. Unable to adapt to their new environment, most Mormons went back to Utah—and brought with them marijuana.

³⁵ It is interesting to note that the Firearms Act of 1934—that decreed that a change of ownership of machine guns required a transfer tax—set the legal precedent for the Marijuana Tax Act which required a transfer tax of marijuana. Similar to the Harrison Tax Act, the Marijuana Tax Act gave the Treasury Department the legal basis for drug law enforcement.

In 1915, the Mormon Church decreed the use of marijuana contrary to the Mormon religion and a few months later state legislature enacted every religious prohibition as a criminal law.

2.1.3.3 World War II and United States Withdrawal from International Drug Control Activities

As already mentioned at the beginning of this section, during the 1930s and 1940s—that is, during World War II—the United States participation in multilateral drug control activities remained marginal, at best. As an 1942 editorial in *Time* magazine remarked: “The war is probably the best thing that ever happened to U.S. drug addicts.”³⁶

During the 1930s, however, an illegal national and international drug market had emerged due to the effects of the anti-drug laws of the 1920s reflected in clandestine manufacturing laboratories and trafficker networks. This marked the beginning of a *black market* in drugs and the increasing involvement of national as well as international organized crime. As Stares notes, by 1934 U.S. officials in China—which still remained the world’s largest market—reported “a major influx of European drug traffickers of mainly

³⁶ Meanwhile, the League of Nations had sponsored in 1936 a conference on the suppression of illicit drug trafficking that led to the following recommendations for each participant: to establish severe penalties for participation in the illicit drug trade, to design extradition procedures to bring drug traffickers to justice, and to direct each of the signatories to set up a central office to supervise and coordinate enforcement of the convention. However, of the forty-two governments that participated in the conference only twenty-six signed the convention, excluding the United States which again felt that the League’s convention did not go far enough. See Stares, 1996, p. 19.

Greek and Russian nationality” who established supply routes back to Europe and also to the United States. (Stares, 1996, p. 19) Once European pharmaceutical companies were cracked down and stopped supplying drugs, China and particularly Shanghai emerged as a major center for the illicit manufacture of heroin and morphine.

2.2 Continuity and Change of United States Drug Control Policies, 1940-80

After having described the origins of drug prohibition, this section analyzes in the following how the original drug policies have changed during the period of 1940-1980. Particularly, I aim to answer the questions if the pattern of the American public’s attitude towards drugs—that is, the negative link between a certain drug and an (socially or politically) outcast or ethnic minority group—has persisted over time or has altered. At the same time, I seek to analyze how the United States has responded in the post-war and Cold War period to the drug problem in terms of drug legislation, drug control institutions and international drug control strategies.

I will argue that popular notions about drugs were not significantly altered, nor were traditional responses to the drug problem seriously questioned. The beliefs in the almost mystical effects of illicit drugs over people may have become more sophisticated, but they did not change radically. In the 1950s, heroin use was associated with political agitators who seemed to threaten to overthrow the government; in the 1960s and 1970s, heroin use

was linked to African-American, Puerto Ricans or Mexican-Americans. In the case of marijuana consumption, the 1960s and 1970s brought about also a new group of users: native-born, middle-class, white college students who lived in the suburbs. However, this new group of marijuana users became identified during that period with Anti-Vietnam War protesters and young people who attacked the traditional *American Way of Life*. Only until the 1980s, as I will show, the identification of drug use (particularly, marijuana and cocaine) with America's white urban middle-class youth is a shift away from the traditional association with outcast or ethnic minority groups.

In the case of the government response to the drug issue in the post-war period, I will argue that there can be identified a change from *tough* approach in the immediate post-war period to a more moderate and comprehensive drug policy beginning in the mid-1960s. For example, the Nixon administration paid more attention to drug abuse, federal anti-drug programs and the expansion of the federal drug bureaucracy—which had gradually grown since the 1920s. With the Ford and Crater administration drug tolerance reached its highest level when the limits of federal drug control efforts were widely accepted. However, as important as these steps were in modernizing the American approach to drug control and in moderating the Draconian criminal penalties of the 1950s, the decades afterwards did not meant a significant break with the past in any fundamental way. The law enforcement and supply-oriented approach to drug control—particularly reflected in Nixon's *War on Drugs*—continued to receive highest attention and gross of federal money. Even Carter—who proposed the decriminalization of marijuana use—continued to stress, like

Presidents Nixon and Ford before him, international law enforcement efforts to eradicate the illicit cultivation of drugs and interrupt international trafficking networks.

2.2.1 The Tough Approach: Cold War Politics, Drug Intolerance, and Return to Multilateral Drug Control, 1940-1950

In the following section, I will concentrate on the public's attitude and the government domestic and international response to the drug problem in the immediate post-war period.

2.2.1.1 The McCarthy Era, Communism and Regeneration of International Drug Trafficking

In the international context, the years following World War II were characterized by intense post-war reconstruction and increasing tensions between United States and the Soviet Union.³⁷ As a result, by the end of the 1950s the pattern of the Cold War was set as arms costs increased, aid programs and alliances multiplied (for example, the United Nations and NATO). The doctrine of the Cold War policy became *containment* and Soviet

³⁷ In the United States, concern mounted as the Soviet Union used its troops in Eastern Europe to install pro-Soviet governments. Within three years of the war's end Communist-dominated governments were in control of Poland, Czechoslovakia, Hungary, Yugoslavia, Bulgaria, Albania, and the Soviet-occupied zone in Germany.

communism was defined as the chief threat to freedom around the world.³⁸ Thus, the public's fear of drugs has to be interpreted in the light of the beginning of the Cold War era and *McCarthy era*, a time when the concern about infiltration of communism and nonconforming behavior was high.

Similar to the *Red Scare* period in the late 1920s, drugs were linked to communism. David Musto notes that the Boggs Act “which contained mandatory sentences, was passed in 1951 at the beginning of the McCarthy era and fears of Soviet aggression, the 'betrayal' of China to the Communists, and suspicion of domestic groups and persons who seemed to threaten overthrow of the government.” (Musto, 1987, p. 231)

At the same time, the “Federal Bureau of Narcotics linked Red China's attempts to get hard cash, as well as to destroy Western society, to the clandestine sale of large amounts of heroin to drug pushers in the United States.” (Musto, 1987, p. 231) In general, illegal *old* domestic and international drug trafficking networks had re-established themselves after World War II and spread out throughout the 1950s. For example, China remained the world's major opium producer and provider until Communist leader Mao Zedong introduced a comprehensive anti-opium campaign linked to land reform that virtually

³⁸ George F. Kennan—who became the father of this doctrine—described in his famous article in *Foreign Affairs*, the journal of the Council of Foreign Relations, the United States foreign policy as “the droit and vigilant application of counter-force at a series of constantly shifting geographical and political points, corresponding to the shift and maneuvers of Soviet policy.” Kennan viewed “the Soviet pressure against the free institutions of the western world [as] a test of the over-all worth of the United States as a nation among nations.” See Hunt, 1987, p. 154.

eliminated poppy cultivation in China.³⁹ Furthermore, Italy and France (which became the so-called *French Connection*) became major heroin-processing centers and routes to the American market during the 1950s. Hereby, Italian organized crime groups played a leading role in organizing shipment to America via Cuba.⁴⁰

Furthermore, crime statistics showed that “between 1946 and 1950 there had been a 100 percent increase in the number of narcotic laws-related arrests.” (Schaffer, 1986) Organized crime became a major concern to the American public and was heightened by the first televised Senate hearings in 1956 in which Senator Estes Kefauver of Tennessee

³⁹ The immediate result was to displace the Shanghai-based operations to Hong Kong which in the mid-1950s was turned by smaller criminal syndicates into a major heroin-processing center and one of the principal gateways of drugs to the West. Although it is not clear what role the U.S. Central Intelligence Agency and the French Intelligence officers played in northern Burma and Indochina (the Golden Triangle) in turning these areas into major drug trafficking areas, it is believed that the CIA has “provided at least tacit support and perhaps more.” Stares describes that with covert U.S. assistance the defeated Nationalist forces—who fled into northern Burma—“mounted a series abortive armed incursions into China aimed at inciting a general insurrection and ultimately regaining control.” Once these operations failed, the United States decided to cut back its financial support. Being already established as poppy-growing area during Thailand’s brief occupation during World War II, northern Burma was perceived by the Chinese Nationalist forces as ideal location for opium production and trafficking. For similar reasons—that is, financial cutbacks—tribal groups in the highlands of Indochina (today known as Laos and Northern Vietnam) turned to opium trade as a financial source. Also, it is believed that French intelligence agents have facilitated the emergence of the drug productions and trafficking: “With French intelligence providing the aircraft, the poppy fields of Laos became connected to the opium dens of Saigon.” See Stares, 1987, p. 23. See also for more details Alfred W. McCoy—author of *The Politics of Heroin in Southeast Asia and Drug Traffic: Narcotics and Organized Crime in Australia*—in an interview conducted by David Barsamian at University of Wisconsin-Madison (reprinted by Prevaling Winds Research POB 23511, Santa Barbara, CA 93121), February 17, 1990.

⁴⁰ For example, Marseilles became the major European center of heroin production and trafficking once the Italian Mafia established links to Corsican criminal groups there. Marseilles presented in many respects an ideal place for the illegal drug business: “Besides being a major seaport with links throughout the Mediterranean and beyond, its proximity to the perfume-producing area of southern France provided ready access to acetic anhydride, a key ingredient for refining morphine into heroin.” This was the beginning of the so-called *French Connection*.” See Stares, 1987, p. 22.

spread fear about organized crime in America. (Whitebread, 1995)⁴¹

2.2.1.2 The Boggs Act (1951): United States' Harshes Drug Legislation

The government's response to the American concern about drug use associated with political agitators as well as organized crime led in 1951 to the harshes drug penalties in American drug history. With the passage of the Boggs Act—named after its sponsor, Representative Hale Boggs—for the first time, penalties for violation of the marijuana laws—use, possession, and sale—were made the same as those for narcotic drugs: two to five years for the first offense, five to ten for the second, and ten to twenty for the third, with no possibility for a suspended sentence or probation after the first conviction.

In addition, a theory that addicts began with marijuana use and moved inevitably to the use of heroin (or morphine or cocaine), the so-called *stepping-stone* theory, was believed and spread by the FBN. In contrast to his former statement on marijuana and its effect on crime and insanity, FBN's director Anslinger now declared that marijuana use was "the certain first step on the road to heroin addiction." (Whitebread, 1995) This *stepping-stone* theory became the sole rationale for the enactment of the Boggs Act which increased penalties for all drug law violators. During this period, several states enacted in addition extremely harsh laws, imposing heavy penalties for both sellers and users. For example, as

⁴¹Furthermore, toleration of addiction was interpreted as a "dangerous weakness of soft-hearted or ill-informed persons ... at least some of them must harbor evil intentions." See Musto, 1987, p. 231.

Whitebread notes, in the period 1958 to 1969 in Virginia the most heavily penalized crime was possession of marijuana, or any other drug which led to a mandatory minimum sentence of twenty years. (Whitebread, 1995) In comparison, in the same time period first degree murder in Virginia had a mandatory minimum sentence of fifteen years, and rape a mandatory minimum sentence of ten years.

In 1956 an even more severe federal narcotics bill was enacted which empowered a jury to impose the death penalty on anyone over the age of eighteen selling heroin to anyone under the age of eighteen.⁴² Furthermore, for any first-offense drug sale or smuggling the drug dealer would be convicted for five to twenty years.

The logic of the severe penalties imposed by the Boggs Act and the Narcotic Control Act in the 1950s reflected an constant reliance on law enforcement activities and harsh penalties to deal with the perceived *drug menace*. As Peter Goldberg notes, the Boggs Act and later the Narcotic Control Act passed after only superficial hearings, which did not deal seriously either with the causes or the nature of the use of illicit drugs:⁴³

The widespread fear of communism and intolerance of nonconforming views and behavior at the time made it politically feasible—even desirable—to advocate reliance on the criminal justice system to control and punish narcotics users. [...] Most Americans directly affected by these laws were politically impotent, disliked, and distrusted because of prevailing racial and ethnic prejudices.

⁴² See for more details Kevin B. Zeese, "Drug War Forever." In: Melvyn B. Krauss and Edward P. Lazear (ed.), Searching for Alternatives; Drug Control Policy in the United States. (Hoover Institution Press: Stanford University, California, 1991), p. 257ff.

⁴³See Peter Goldberg, "The Federal Government's Response to Illicit Drugs 1969-1978. In: Drug Abuse Council, The Facts About Drug Abuse, 1980.

2.2.1.3 United States' Reintegration into the International Drug Control Movement

After World War II, the United States joined again in multilateral efforts to curb international drug production and trafficking. The newly created United Nations took over the functions of the League of Nations, including the various international drug control conventions. In 1946 the Commission on Narcotic Drugs was created to replace the former Opium Advisory Committee and in 1948 a protocol was signed including the coverage of the 1925 and 1931 Conventions—that sought to limit world manufacture to the level required to satisfy medical and scientific needs only. In the view of Jack Donnelly, the 1925 and 1931 Conventions had produced in the past a remarkably effective system of control. “For example, world trade in morphine declined from 6,972 kilograms in 1928 to 1,911 kilograms in 1938, and the cocaine trade dropped from 3,230 kilos to 843 in the same period.”⁴⁴

However, in the immediate post-war period the United States focused more on domestic drug law enforcement, attempting to disrupt illegal drug trafficking networks and to fight organized crime. The country's chief foreign policy goal was to limit Soviet power and influence in other regions of the world—particularly, in developing countries. For example, due to its concern about revolutionary activities and Soviet's influence in developing countries, as for example, in Latin America, the United States designed programs to overcome poverty and misery in these regions. Programs promoting trade,

social stability, administrative efficiency, education, road building, and agricultural and industrial development were seen as the key to long-term success to counteract against Communism.⁴⁵ Thus, it can be concluded that although the United States achieved its reintegration into the international drug control regime in the immediate post-war years, Cold War politics and national security issues dominated the country's foreign policy agenda.

2.2.2 The Two-Sided Approach: America's Urban Crisis, Drug Demand Policy, and Nixon's War on Drugs, 1968-1973

Internationally, two major events dominated the 1960s: Fidel Castro's overthrow of the government of Cuba's dictator Batista, and the Vietnam War.⁴⁶ The Nixon administration faced strong domestic opposition to the Vietnam war and began slowly to withdraw American troops while continuing strong military campaigns.⁴⁷ Meanwhile the international drug trade had expanded dramatically—heroin smuggling from France and Turkey, and marijuana trafficking from Mexico. Paul Stares states that “by 1972 French

⁴⁴ See Jack Donnelly, “The United Nations and The Global Drug Control Regime.” In: Peter Smith (ed.), *Drug Policy in the Americas*. (University of California, 1993), p. 285.

⁴⁵For example, Cold War policy towards Latin America focused entirely on development programs that would ensure control over communist forces. The Truman administration's Point Four, Eisenhower's campaign to facilitate the flow of foreign capital, and later the Alliance for Progress pursued through the Kennedy and Johnson years sought to promote the chief goal of policy defined as “an orderly political and economic development which will make Latin American nations resistant to the internal growth of communism and to Soviet political warfare.” See Hunt, 1987, p. 166.

⁴⁶ President Kennedy was alarmed after the Bay of Pigs of “the rising din of Communist voices in Asia and Latin America” and decided that Vietnam was a challenge the United States could not afford to neglect.. See Hunt, 1987, p. 170.

heroin processed from Turkish morphine base was estimated to account for 80 percent of the total amount entering the United States.” (Stares, 1996, p. 25) In the context of the Vietnam War that provided a new source of demand for opium and heroin, South Asia—or the countries of the Golden Triangle—turned into the largest source and provider of heroin in the world.⁴⁸

2.2.2.1 America’s Urban Crisis, Protest against the American Way of Life, and the Vietnam War

Thus, in the light of the Vietnam War, the American public’s fear of heroin increased when heroin use among American soldiers stationed in Vietnam were reported. A great number of American soldiers developed a substantial habit for heroin, as a White House-sponsored committee report reveals: in the 1973 an estimated 34 percent of all U.S. troops in Vietnam had *commonly used* heroin. (Stares, 1996, p. 26) The fear that “*soldier-junkies*, trained in guerrilla warfare, returning to the streets of urban America heightened public concern and led to further demands for government action.” (Goldberg, 1980)

In the same context, growing marijuana consumption became identified with Anti-Vietnam War protesters and young people who attacked the traditional *American Way of*

⁴⁷Finally, in 1973, after “56,000 Americans [were left] dead and another quarter of a million wounded” a peace settlement with Hanoi was reached. See Hunt, 1987, p. 170-173.

Life. For the first time, marijuana use was not associated with ethnic minority groups and fringe elements of society, but with native-born, middle-class, white college students who lived in the suburbs. Nonetheless, the public perceived this new group as a threat to the *status quo*.

What is remarkable during the 1960s is the high level of multi-drug use. For David Musto, there is no single factor that explains the sudden increase of drug consumption in the 1960s. Rather a combination of determinants came together in this period: the extraordinary large number of young people—that is, the *baby-boom* generation—in the age groups most likely experimenting with drugs (15 through 24 years); the widespread rejection of the values, norms, and socializing institutions of the 1950s which came to be seen as conformist, and hypocritical; a *new* culture that stressed feelings, spontaneity, and intuitiveness which drugs were seen to promote; and, the enormous economic growth throughout the decade that affected significantly American's consumption behavior. He notes: "All this productivity and money created an unparalleled market for consumer goods and anything else that promised to make a person feel comfortable, including drugs."

The United States' impressive economic growth during this decade led, however, also to America's urban crisis which influenced the growing involvement of minority teenagers in the *underground* drug economy. As Sam Staley has argued in his study *Drug*

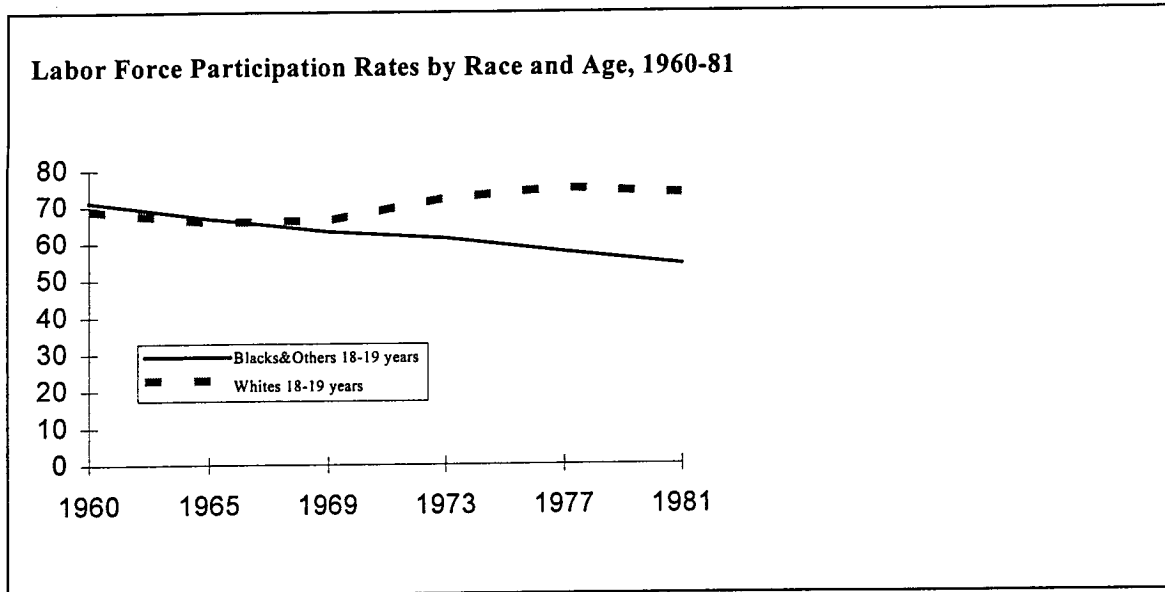
⁴⁸ Another factor that helped Burma to become one of the major heroin source was the military coup in 1962 in which the following nationalization of its business and banks left opium trade as the "only viable crop and medium of exchange." See Stares, 1996, p. 25.

Policy and the Decline of American Cities, one of the consequences of United States unprecedented economic *boom* was the emergence of a wealthy middle-class that increasingly “looked towards rural areas to provide an *escape* from the congested, noisy city.”⁴⁹ With the significant out-migration of population and jobs inner-city residents—minority and low-income families who could not afford to move to the suburbs—were left with declining job opportunities. As Staley puts it, they represented “a rich source of human capital for underground informal economy,” that is, particularly, for the illegal drug economy. (Staley, 1991, p. 22)

For example, between 1960 and 1981 job opportunities for minority teenager (18-19 years old) have declined sharply from over 70 percent in 1960 to 54 percent in 1981, whereas in the same time period white labor force participation remained much more stable and, in fact, has increased over time:

⁴⁹See Sam Staley, *Drug Policy and The Decline of American Cities*. (Transaction Publishers: New Brunswick, USA and London, UK, 1991), p. 10ff.

Figure 2-1



Source: Sam Staley, *Drug Policy and The Decline of American Cities*, 23.

Furthermore, these minority groups were not only linked to illegal drug dealing activities, but also to the rapid increase of heroin use. As Musto points out, the rise in drug use, especially heroin, by needle injection was reflected in the rise in narcotic-related hepatitis cases from about 4,000 in 1966 to about 36,000 in 1971.(Musto, 1987, p. 254) According to the 1972 Drug Abuse Survey, in November 1970 there were recorded approximately 150,000 to 250,000 active heroin addicts in the United States—of which half lived in New York.⁵⁰ The report revealed further that 60 to 70 percent of all heroin addicts were African-American, Puerto Ricans or Mexican-Americans and almost 85 percent were male. Accordingly, around 1970, in the mind of the Americans the relationship between heroin addiction and street crime was generally accepted. As Goldberg states, “heroin had

become inextricably linked in the public's mind with the urban crisis; and as public anxiety about crime grew, so too did the fear of heroin and heroin addicts." (Goldberg, 1980)

2.2.2.2 High Profile Drug Control Agencies Under Presidential Leadership

The intensification of domestic pressure on the U.S. government *to do something* about high drug consumption, growing crime in American cities and the growth of international drug trafficking, led to a more moderate and comprehensive drug control approach during the administrations of Presidents Kennedy, Johnson, and Nixon between 1962 until 1974.

For example, with the Kennedy administration an era started in which the American government would step away from the *Draconian* drug policy approach of the 1950s, and would pay higher attention to the drug abuse and demand side. For example, in 1961, two of most important professional societies—the American Bar Association and the American Medical Association—presented a report that would challenge the *tough* approach of the FBN by pointing out that drug addicts should be viewed not merely as criminals, but as *sick* individuals: “Drug addiction is primarily a problem for the physician rather than the

⁵⁰Patricia M. Wald and Peter Barton Hutt, “Summary of Findings, Conclusions, and Recommendations.” In: Drug Abuse Survey Project, Dealing With Drug Abuse: A Report to the Ford Foundation, 1972.

policeman, and it should not be necessary for anyone to violate the criminal law solely because he is addicted to drugs.”⁵¹

Although drug law enforcement was still the major focus—as the increase of federal drug control agents and the expansion of prohibition to depressants and stimulant drugs, (specifically barbiturates and amphetamines) demonstrates—the federal restructuring plan of the Johnson administration reflected a more comprehensive drug control strategy.⁵² For example, the drug enforcement agency in the Department of Health, Education, and Welfare (HEW) and the FBN were united as the Bureau of Narcotics and Dangerous Drugs (BNDD). The transfer of the BNDD from the Treasury Department to the Department of Justice, finally, after forty years was a major breakthrough in the legislative basis of drug control in the United States. Until then, federal regulations and controls on drugs were based primarily on the power to levy taxes and prohibit traffic in smuggled goods. Thus virtually all federal drug law enforcement programs were administered by the Treasury Department—until the creation of the BNDD in the Justice Department.

This shift in the constitutional basis of drug law enforcement allowed the federal government to become more directly involved in suppressing one presumed major cause of urban street crime about which there was great public fear. Simultaneously, higher attention

⁵¹ The report concluded that drug addiction was a disease, not a crime, and that harsh criminal penalties were destructive. Furthermore, it was recommended to reexamine drug prohibition and experiments that should be conducted with British-style maintenance clinics for narcotic addicts. See Drug Addiction: Crime or Disease? Interim and Final Reports, Joint Committee of the American Bar Association and the American Medical Association on Narcotic Drugs, 1961.

was paid to the drug abuse problem as reflected in the establishment of the Bureau of Drug Abuse Control (BDAC) in the Department of Health and the creation of a small Center for Studies of Narcotic and Drug Abuse in the National Institute of Mental Health (NIMH).

However, not until the election of Republican Richard Nixon in 1968 as president, the United States drug policy was given a radical *new* direction. During his administration the drug issue was given a higher priority and greater visibility than any other administration had done in American history. This was particularly influenced by the increase of urban riots and rising crime-rate figures issued by the FBI which fueled the campaign rhetoric about the growing *lawlessness* and *violence* of America. As a result, during his presidential campaign in 1968, Richard Nixon had placed *law and order* as the top issue on his agenda. Once elected, his message to Congress on June 17, 1971 demonstrated his strong public commitment to raise the drug issue to the highest level of government concern and responsibility: (Goldberg, 1980)

Narcotics addiction is a problem which afflicts both the body and the soul of America. It is a problem which baffles many Americans. In our history we have faced great difficulties again and again, wars and depressions and divisions among our people have tested our will as a people-and we have prevailed. The threat of narcotics among our people is one which properly frightens many Americans. It comes quietly into homes and destroys children, it moves into neighborhoods and breaks the fiber of community which makes neighbors.... And we are not without the will to deal with this matter. We have the moral resources to do the job. Now we need the authority and the funds to match our moral resources. I am confident that we will prevail in this struggle as we have in many others. But time is critical. Every day we lose compounds the tragedy which drugs inflict on individual Americans. The final issue is not whether we will conquer drug abuse, but how soon ... If we cannot destroy the drug menace in America, then it will surely in time destroy us. I am not prepared to accept this alternative.

⁵² Congress passed in 1965 the Drug Abuse Control Amendments of 1965 that would regulate stimulants and depressants.

Nixon's message drew upon traditional fears of illicit drugs and drug addicts—the image of *healthy homes and innocent children* that are under attack—in order “to rally public support for a renewed crusade against this social *evil*.” (Goldberg, 1980) Referring to the *moral resources of the Americans*, Nixon's declaration of the *War on Drugs* was also about restoring traditional and moral values of American society. He sought to provide an image of a strong leader in the fight against drugs: “This *war* was going to be quick, requiring immediate and decisive action and sufficient financing.” (Goldberg, 1980)

Nixon's *new* approach to deal with drugs consisted of a strategy that would be directed against the supply side as well as the demand side of the drug problem. According to this so-called *two-sided* approach, separate federal drug control institutions were established to control illegal production, distribution, and use of drugs, on the one hand; and, to focus on drug treatment, rehabilitation, prevention, and research, on the other hand. The twin goals of the Nixon administration were to cut off the foreign supply of drugs and to reduce consumer demand.

Congress supported Nixon's strategy by passing in 1970 the Comprehensive Drug Abuse Prevention and Control Act. This Act gave the transfer of the Bureau of Narcotics and Dangerous Drugs from the Treasury Department to the Department of Justice in 1968 a statutory basis. Furthermore, it addressed a broad range of drug program efforts, providing

increased support for drug treatment, rehabilitation, and education as well as enforcement.⁵³ The U.S congress and the Nixon administration sought through this legislation to recodify the existing drug laws into one comprehensive law. The fact that most narcotics law enforcement powers were given to the Justice Department, allowed the Attorney General to exercise control over all illicit drugs.

The Comprehensive Drug Abuse Prevention and Control Act was the first federal law making it illegal to traffic in or possess certain drugs which did not refer to the taxing authority. Instead, the justification for federal—as opposed to state—enforcement was shifted to the power of Congress to regulate interstate commerce. Thus, this shift in the constitutional basis of drug law enforcement allowed the federal government to become more directly involved in combating trafficking in illicit drugs.

⁵³ The 1970 Act comprised four titles: Title I authorized the Department of Health, Education, and Welfare to increase its efforts in drug rehabilitation, drug treatment and the prevention of drug abuse. Specifically, it authorized the appropriation of funds for drug abuse prevention and education programs and for special project grants to programs designed to treat and rehabilitate narcotic addicts or drug dependent persons. As a result of these steps, Congress provided for a greatly increased federal effort in the fields of prevention and rehabilitation and made the National Institute of Mental Health (NIMH) the agency primarily responsible for drug education and prevention activities in the Federal government. Title II of the 1970 Act, the Controlled Substances Act, along with Title III, comprehensively addressed the law enforcement aspects of the attack on drug abuse. Among other things, Title II established five schedules which gave information whether certain substances were controlled, required the registration or record-keeping by manufacturers, distributors and dispensers of controlled substances, imposed penalties for violations of the Act, and established a Commission on Marihuana and Drug Abuse. For example, in the first category were all drugs that were not permitted to be used in medical practice, such as heroin and LSD. The second category contained the most dangerous prescribable drugs, such as morphine and cocaine. In category three less dangerous drugs, such as most barbiturates, were included. In the fourth category chloral hydrate and meprobamate were listed. And, the fifth category contained mixtures of low levels of narcotics, such as codeine in cough syrup. Finally, Title III, the Controlled Substances Import and Export Act, governed the importation and exportation of controlled substances. See Musto, 1987, p. 261.

President Nixon's goal to give high visibility to the drug issue was particularly reflected in the establishment of two new White House Agencies that would be directly under presidential supervision and would deal separately with drug law enforcement and drug prevention. On the one hand, the Special Action Office for Drug Abuse Prevention (SAODAP) was designed to centralize *temporarily* all federally sponsored efforts in drug abuse prevention—that is, drug treatment, rehabilitation, education, prevention, training, and research. And, on the other hand, the Office of Drug Abuse Law Enforcement (ODALE) was established for drug law enforcement efforts.

In the area of drug abuse, it was the first time in America's drug control policy that the executive and legislative branch would give such high importance to the demand side of the drug problem. For example, in 1972 congress passed the Drug Abuse Office and Treatment Act—providing the legal base for his creation of the White House agency SAODAP—which represented an important event in the history of federal drug abuse policy. It called for a balanced response to the problem of drug abuse by adding a vigorous prevention and treatment component to the existing law enforcement effort. As Cliff Schaffer notes: "In passing the Act, Congress concluded that the emphasis must, indeed, be changed to strategies to reduce demand if there is to be meaningful progress in the effort against drug abuse." (Schaffer, 1986)

The congress commitment to pay higher attention to the demand side of the drug problem was also reflected in the expenditures authorized for drug prevention programs: the drug law enforcement budget—that had increased by more than 50 percent in FY 71—was

for the first time surpassed in absolute numbers by expenditures for treatment and rehabilitation and education, prevention, and training; the annual federal budget for all drug-related efforts—including drug treatment, education, research, and law enforcement—rose from US\$ 81.4 million in January 1969 to US\$ 760 million in 1974. (Goldberg, 1980)

Furthermore, by appointing Dr. Jerome Jaffe as director of SAODAP—who was an expert on drug treatment programs, especially methadone maintenance—the Nixon administration made a highly dramatic turn from the traditional form of treatment that emphasized abstinence towards the use of methadone for drug treatment, particularly, heroin addiction.⁵⁴ Methadone, a long-acting opiate taken by mouth, had rapidly gained popularity in the treatment of heroin addiction due to the reduction of the danger of needle-transmitted diseases such as hepatitis. Under Jaffe's leadership, SAODAP stimulated an increase in the number of cities with federally funded programs from 54 to 214 in the first 18 months of operation; and, similarly, the number of clients in those programs rose from nearly 20,000 in October 1971 to over 60,000 by December 1972. (Goldberg, 1980) In addition, two new institutions in the field of drug treatment, prevention and research were established: the National Institute of Mental Health (NIMH) and the National Institute on Drug Abuse (NIDA).

⁵⁴ Methadone is a synthetic analgesic developed by the Germans during World War as a substitute for morphine.

However, although the drug demand side was given higher attention, Nixon's drug policy remained focused primarily on the *drug supply*, that is drug law enforcement, side. In addition to control the number of users and distributors of illicit drugs through the criminal justice process, the Nixon administration—following the policy of former governments—sought to reduce the quantity of illicit drugs available for use. On the one hand, his government strengthened its efforts in intercepting the illegal drugs as they were coming into the country, and, on the other hand, in destroying them at their source in other countries.

For example, the establishment of the White House Office of Drug Abuse Law Enforcement (ODALE) in 1972 by executive order was directed against the illegal drug distribution networks in the United States. This agency became the most prominent and highly visible part of Nixon's *war on drugs*. The principal target of ODALE's *strike forces*—consisting of federal investigators and agents, assistant U.S. attorneys, state and local police officers—in thirty-three U.S. cities was to attack the lower and middle levels of the domestic drug distribution systems. By combining the specialized enforcement authorities and powers of various federal agencies—for example, the Internal Revenue Service, Customs Bureau, BNDD, the Immigration and Naturalization Service, the Alcohol, Tobacco, and Firearms Agency, etc.—ODALE was in a unique position to *bypass normal channels*.⁵⁵ In addition, with the creation of the Drug Enforcement Administration (DEA) in

⁵⁵Peter Goldberg notes that the strike forces were sufficiently funded to be able to make extensive use of undercover agents and buy money to purchase drugs and pay informants. Furthermore, ODALE was empowered to use court-authorized wiretaps and no-knock warrants in making arrests. See Goldberg, 1980.

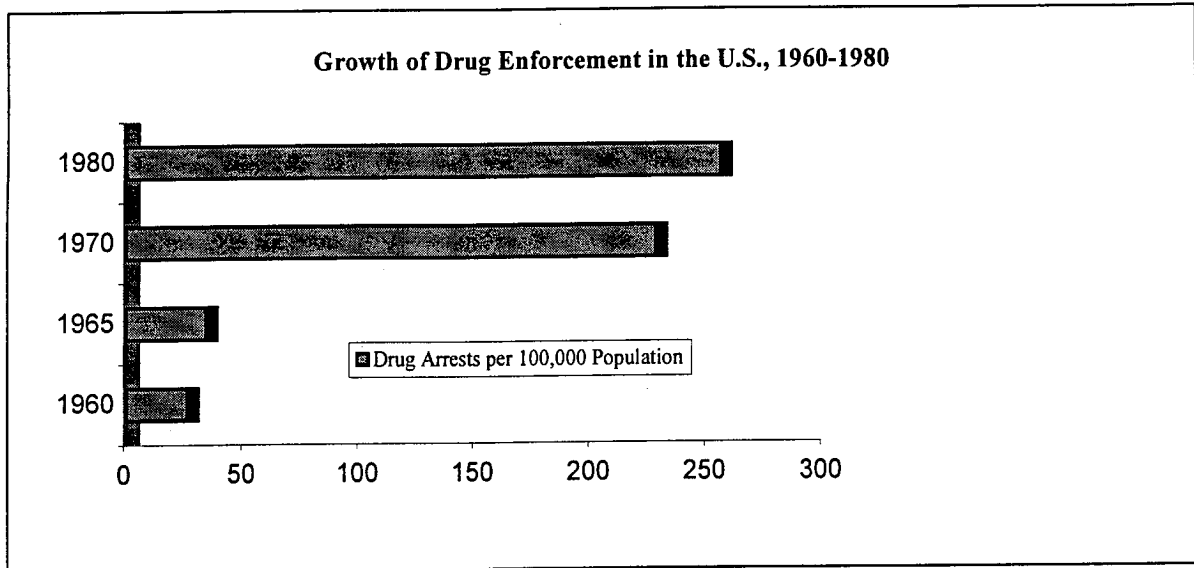
the Department of Justice in 1973, a single, comprehensive federal agency was designed for leading the *war* against illicit drug traffic, absorbing the associated manpower and budgets of the BNDD, ODALE, and the Bureau of Customs with respect to drug investigations and intelligence.⁵⁶

Thus, the escalation of drug enforcement reflected in prison data between 1960 and 1970 demonstrates that the Nixon administration did not break with the United States traditional drug law enforcement approach. For example, drug arrests per 100,000 population rose from 26 in 1960 to 228 in 1970 which meant a 114 percent average annual rate of increase.⁵⁷

⁵⁶The tasks of DEA included basically the establishment of: regional Intelligence Units (RIUs) in each of the DEA regions; the El Paso Intelligence Center (EPIC) with worldwide capabilities to collect, process, and disseminate information concerning illicit drug trafficking as the smuggling of aliens and weapons; iv. the Narcotics and Dangerous Drugs Information System (NADDIS) and the System to Retrieve Information from Drug Evidence (STRIDE); in 1978, the National Narcotics Intelligence Consumers Committee (NNICC) to coordinate the collection, analysis, dissemination and evaluation of drug-related intelligence, both foreign and domestic, and to publish annually a National Intelligence Report that estimates the supply of drugs to the United States from foreign and domestic sources. See Schaffer, 1986.

⁵⁷ See for more details David W. Rasmussen and Bruce L. Benson, The Economic Anatomy of a Drug War: Criminal Justice in the Commons. (Rowman and Littlefield Publishers, Inc., 1994), p. 7.

Figure 2-2



Source: Rasmussen and Benson, 1994.

For example, state-level prison data on marijuana-offenders reflected also the growth of drug law enforcement: the number of individuals who were arrested for marijuana possession rose by nearly 100 per cent from 18,000 in 1965 to 188,000 in 1970. (Musto, 1987, p. 254)

In the search for appearing *tough* on drugs, it was not surprising that President Nixon did not value in 1971 the recommendation of the National Commission on Marijuana and Drug Abuse to decriminalize marijuana possession for personal use (except

sale and distribution).⁵⁸ He refused to receive in public the report from former Pennsylvania Governor, Raymond Shafer, the Commission's chairman and made it clear that marijuana would not be decriminalized while he was in office.⁵⁹

2.2.2.3 From Multilateral Towards Bilateral Initiatives: Mexico, France, and Turkey

President Nixon's international drug control strategy reflected a major shift from a traditional multilateral approach toward a bilateral strategy to reduce the international flow of illicit drugs—particularly heroin—into the United States.

The United States' *new* supply reduction strategy was directed, as the case of Mexico demonstrates, at *eradication at the source*. Basically, the main premise of the eradication strategy rested on the assumption that if opium poppies or marijuana plants are eliminated in sufficient numbers, the drug they produce will also be largely eliminated.

⁵⁸ At the same time, the Consumers Union Report on *Licit and Illicit Drugs* was published by Edward M. Brecher. The report recommended essentially to stop: i. publicizing the horrors of the drug menace, ii. viewing the drug problem as primarily a national problem, iii. maintaining harsh drug laws, as imprisonment as a punishment for marijuana possession, and iv. treating marijuana possession—pending legalization of marijuana—as a criminal act rather than a civil violation. In sum, the report advocated to repeal all federal laws governing the growing, processing, transportation, sale, possession, and use of marijuana.

⁵⁹ The second and final report, published in 1973, recommended a single federal agency to combine all drug efforts—enforcement, research, and treatment. Furthermore, it aimed to rationalize the discussion over drug policy as well as to lay the groundwork for the inclusion of cigarettes and alcohol in the anti-drug crusade. The commission's recommendations were endorsed by the American Medical Association, the American Bar Association, The American Association for Public Health, the National Education Association, and the National Council of Churches. See Musto, 1987, p. 262.

There may have been several reasons why the Nixon administration chose a bilateral agreement approach and eradication-oriented drug control strategy: first, due to the unsuccessful experience of multilateral efforts in controlling drug supply; secondly, the failure to stop the flow of drugs through traditional domestic enforcement and international interdiction; thirdly, the emergence of America as superpower and hegemon in the post-war period and its growing recognition of its global influence; and, fourth, President Nixon's personal commitment to engage in a crusade against the *drug evil*.

The major target became heroin smuggling from France and Turkey, and marijuana trafficking from Mexico. In his war-like rhetoric President Nixon declared in his June 1971 message to Congress *an all-out global war* on international drug trafficking, particularly heroin trafficking: (Goldberg, 1980)

I consider the heroin addiction of American citizens an international problem of grave concern to this Nation, and I instructed our Ambassadors to make this clear to their host governments. We want good relations with other countries, but we cannot buy good relations at the expense of temporizing on this problem.

Around 1970, the main countries where opium poppies were grown were Thailand, Cambodia, Vietnam, Mexico, Turkey, India, and Iran. In 1969, up to 80 percent of the heroin used in the United States was believed to be of Turkish origin. In the case of marijuana, Mexico became the major target of the United States-supported eradication efforts. For example, in September 1969, the government launched *Operation Intercept*, requiring every person and vehicle crossing into the United States from Mexico to be searched at the border. During that time United States-Mexican relations seriously deteriorated and the operation was called off shortly after. However, as a result of the

United States' pressure, Mexico agreed to allow U.S. agents to be stationed on its territory, to conduct surveillance of its poppy as well as marijuana fields and to carry out eradication programs.

With regard to opium, for more than sixty years, beginning with the Hague International Opium Convention of 1912, the United States had attempted through multilateral international agreements to keep illicit opiates out of the country. Due to the failure to force opium-producing countries to curb opium cultivation and production, Nixon's strategy was focused on disrupting international trafficking in opium, its chemical conversion into heroin in foreign laboratories, and its subsequent shipment into the United States. In 1969, up to 80 percent of the heroin used in the United States was believed to be of Turkish origin. The major processing country for converting Turkish opium into heroin for shipment to American East Coast port cities became (presumably) France.

In early 1971, just as public concern about heroin was reaching its peak, separate agreements were reached with France and Turkey enlisting their formal assistance in keeping heroin out of the United States. The French government agreed to take steps to close down the clandestine laboratories operating principally around Marseilles and to prevent the traffic of opium into, and heroin out of, France. Accordingly, the Nixon administration provided French law enforcement with more support to dismantle the *French Connection*, and at the same time, it put pressure on the Turkish government to end poppy cultivation. Responding to the *carrot* of financial compensation for its poppy growers and the *stick* of threatened withdrawal of U.S. foreign aid, Turkey announced that

it would no longer produce opium after 1972.⁶⁰ In return the United States promised US \$35.7 million in aid over a five-year period to compensate Turkey for the projected financial loss on legitimate sales of opium, and to help Turkish farmers develop substitute crops offering new sources of income. (Stares, 1996, p. 25)

The Nixon administration did not entirely abandon multilateral diplomacy which is reflected in the United States efforts to strengthen the enforcement provisions of the United Nations' Single Convention on Narcotic Drugs that had codified, harmonized, and strengthened the earlier international drug control conventions and treaties. In 1971 the United States submitted proposed amendments to the Single Convention which were largely directed towards improving controls on illicit opium cultivation in source countries. These amendments were formally agreed upon at a plenipotentiary conference in 1972 and submitted to the signatory countries for their ratification.⁶¹ In general, the United Nations had continued since its establishment the treaty-based, supply-side approach of the League of the Nations to international drug control—at the end of the 1980s, this strategy would shift towards a approach that would integrate both the demand and supply side of the drug problem.

⁶⁰ It has been suggested elsewhere that Turkey was selected because, as a NATO ally, it was more susceptible to U.S. leverage than many other countries.

⁶¹ In return for strengthening the 1961 Single Convention, the opium growing countries urged the United States to support a second international agreement which would for the first time place multinational control on synthetic, *psychotropic* drugs—such as hallucinogens, amphetamines, barbiturates, and tranquilizers. However, the U.S. Senate did not approve the Psychotropic Convention of 1971 because it was argued that it would limit domestic flexibility in regulating various psychoactive drugs. See Goldberg, 1980. By 1989, there were 126 countries that had ratified the 1961 Single Convention and 94 countries the 1972 protocol.

Although United States bilateral agreements, particularly with Turkey, proved to be successful in control opium cultivation and heroin production, the United States decided that other countries were not to be offered the same type of broad-based financial aid. Rather, offering law enforcement assistance to improve the intelligence capability and law enforcement capacity of the host was viewed as a more useful strategy. This change in strategy suggested that the administration was aware of the severe limitations of its drug control approach. It would have been economically too costly to negotiate similar agreements with all other potential *source* countries. Furthermore, because of the remoteness of many areas from their governments, not every country could successfully impose an opium ban even if it agreed to try. Gradually, therefore, international interdiction efforts replaced prevention of opium cultivation as the major objective of the U.S. international drug control effort.

2.2.3 The Tolerant Approach: Deemphasis, Decriminalization of Marijuana Use, and Drug Eradication Programs in the Americas, 1973-80

With President Nixon's re-election in 1972, the United States experienced a shift in its Cold War politics. Nixon actively supported an arms control policy which marked the beginning of the *detente* era—a period in which political, economic, and cultural contacts

between the two global powers expanded.⁶² At the domestic front, Nixon announced in September 1973 a major change in his drug policy: “We have turned the corner on drug addiction in the United States.” (Goldberg, 1980)

The announcement meant an important milestone in the history of the government’s response to illicit drugs and was interpreted as a statement of *victory*, although as well as a disengagement from the drug war. As Goldberg argues, Nixon’s statement was supported by *evidence* from government officials that included “claims of an apparent shortage of heroin on the East Coast, an increase in the street price of the drug, an increase in the number of drug seizures and arrests, the expansion of drug treatment availability and utilization, a reported decline in the incidence of new heroin use, and heroin-related crime being down.” (Goldberg, 1980)

Goldberg has argued that the *turn the corner*-speech was not merely based on statistics, but that other factors were at work in the time between June 1971 and September 1973: first, the 1972 presidential election had passed and there was no need anymore to make it a major political issue; second, the severity of addicted Vietnam had been overestimated; third, public interest in the drug issue had waned which showed that the problems had been overdramatized and public fears exaggerated: “The rate of urban crime had leveled off, other domestic issues had taken precedence, the media had run out of

⁶² He rejected the illusion of former governments that nuclear superiority meant greater national security and sought to stabilize the nuclear-arms race. The treaty that emerged from SALT in 1972 laid the foundations for

things to say, or it was simply part of the natural ebb and flow of public interest. Whatever the reasons, there is little question that the public's attention had become diverted elsewhere"; fourth, federal law enforcement efforts through ODALE against street-level drug activities had backfired; the White House drug agency had gone too far in *bypassing the normal channels* and had turned—instead of becoming a positive symbol of winning the war on drugs—into the focal point of criticisms due to the excesses of that war;⁶³ sixth, the Turkish opium ban did contribute to a shortage of heroin in 1973, principally in the eastern United States; and, seventh, drug treatment programs, methadone programs in particular, had been expanded to a point where everyone voluntarily seeking treatment could get it; also, the administration through SAODAP had also achieved a more coordinated federal effort on the *demand* side. (Goldberg, 1980) Accordingly, there seemed little need for a strong White House identification with the drug issue and the conviction grew that the issue could be returned to a more *normal* status within the bureaucracy and be dealt with like most other urban and social problems. In addition, one has to keep in mind that the mid-1970s were characterized by a global energy crisis which particularly affected the United States. In that context, one can assume that cutbacks in the overall U.S. federal budget played an important role in the downsizing of federal drug control programs.

the period of *detenté*. Nixon's determinism to improve relations with the Soviet Union and China was reflected in his personal visits to both countries in 1972.

⁶³ In April 1973, for example, ODALE agents were involved in two highly criticized *no-knock* entries into homes in Collinsville, Illinois.

2.2.3.1 Deemphasis of the Drug Issue and Towards Drug Tolerance

With the election of Republican Gerald Ford as President of the United States in 1974, a man came into power who was “much more relaxed about recreational drug use.” (Musto, 1987, p. 263) President Ford’s recognition of the limits of federal drug control efforts had an crucial impact on the drug control efforts during the 1970s. Ford awareness of the limits of controlling illegal drug abuse and drug trafficking was contained in the *White Paper on Drug Abuse*, prepared by the Domestic Council Drug Abuse Task Force and published in September 1977.⁶⁴ The *White Paper’s* conclusions and recommendations were primarily based on the 1972 drug survey report *Dealing with Drug Abuse* that openly acknowledged that the elimination of drug abuse was illusory: “It seems inevitable to us that all segments of society will continue to be exposed to a myriad of drugs in the future, and that society must learn to cope with these chemicals as part of everyday life.” In a wide-ranging review of the anti-drug efforts starting in 1969, the drug survey report came to the following conclusions: (Wald and Barton, 1972)

The world is full of drugs, large numbers of which are psychoactive. ... The availability and variety of these drugs will probably not only continue but increase. ... Many of the drugs used have profound therapeutic benefits that allow people to offset physical or mental pathology and function more normally. ... Some engage in self-medication with drugs they have become acquainted with through legitimate medical use. This pattern often occurs in the case of tranquilizers. Some wish to escape an unwelcome reality with heroin or barbiturates. Others desire the very acute functioning associated with the amphetamines. Still others, especially the young, seek the pleasurable effects of hallucinogens or marijuana.

....

⁶⁴ The Domestic Council grew out of a research project in 1972 that was financed by the Ford Foundation and conducted by the Drug Abuse Survey Project. Four major foundations created and funded a broadly based, independent National Drug Abuse Council. The council reviewed and assessed laws, programs, and projects-federal, state, and local, private and governmental-related to use and misuse of psychoactive drugs. See Wald and Barton, 1972.

The basic philosophy underlying our present drug-control laws is that all of these self-induced effects are to be shunned, or at least are not to be sought through drugs other than alcohol. This is a decision based partly on the fear of actual physical damage caused by the drugs, but primarily on the belief that drugs damage society because they contribute to crime and alienation.

....
We do feel, however, that current national policy—which singles out particular drugs and makes their possession or use a crime—should be changed for very important empirical reasons. We believe that the individual and social harm caused by imposing criminal sanctions on drug users far outstrips the benefits of this approach. Handling drug users as criminals has created widespread disrespect for the drug laws, and has resulted in selective enforcement.

Guided by the Domestic Council's conclusions, the Ford administration accepted the fact that the drug problem could not be eliminated. Instead of trying to gain public support to end drug abuse, the administration started seeking to develop greater public *tolerance* of this ineradicable phenomenon. Simultaneously, President Ford aimed to deal with illegal drug abuse in a less politicized way than had marked the crisis atmosphere during the Nixon administration and sought to back away from the war-like rhetoric of the Nixon administration.

When Democrat Jimmy Carter was elected President in 1976, he was expected to bring about significant changes in the U.S. drug policy. As Musto describes, “a stranger to Washington politics, he could accomplish great things in government; a fervent Christian, he also appeared to tolerate drugs, particularly marijuana.” (Musto, 1987, p. 266) The belief that Jimmy Carter would be *softer* on the drug issue than his predecessors was based also on his appointment of Peter Bourne, a highly regarded drug program expert who was in favor of a tolerant approach to drugs. For example, in August 1974, Bourne wrote on the effect on cocaine: “Cocaine ... is probably the most benign of illicit drugs currently in widespread use. At least as strong a case could be made for legalizing it as for legalizing

marijuana. Short acting—about 15 minutes—not physically addicting, and acutely pleasurable, cocaine has found increasing favor at all socioeconomic levels in the last year.”

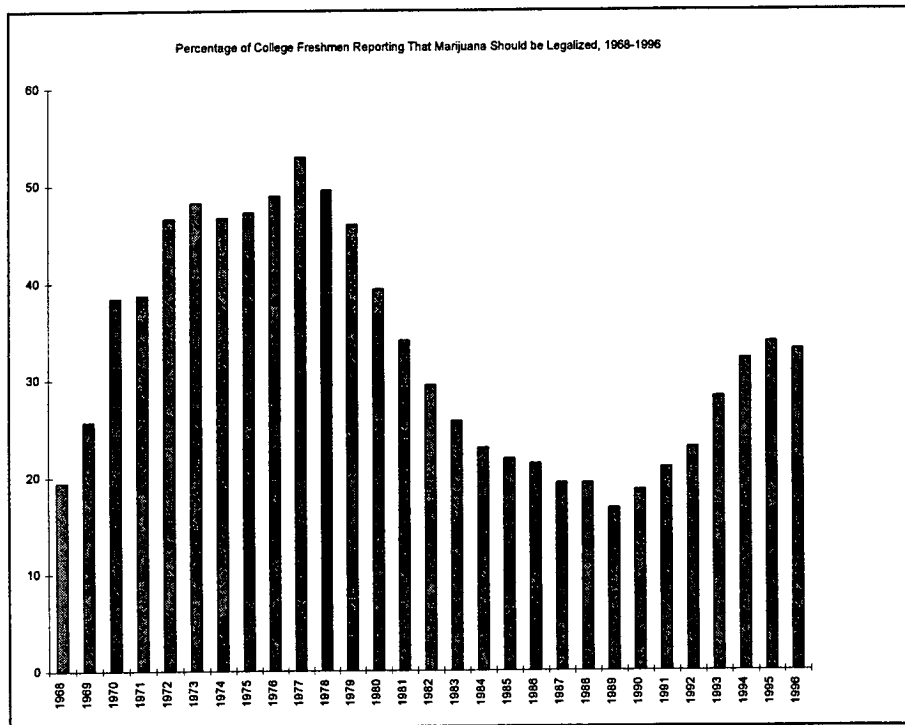
(Musto, 1987, p. 266)

Accordingly, Carter caused a major impact when he himself endorsed the decriminalization of marijuana for personal use. He argued against the severe law enforcement for marijuana possession maintaining that “penalties against possession of a drug should not be more damaging to an individual than the use of the drug itself.” (Goldberg, 1980) As a result, Bourne and high officials from DEA, the State Department, NIDA, NIHM, the Customs Service, and the Justice Department appeared before the House Selected Committee on Narcotics Abuse and Control to argue for the *decriminalization* of marijuana.⁶⁵ It is interesting to note, that during the Carter administration American youth reached a peak in its positive attitude toward marijuana legalization.

⁶⁵ In addition, the Carter administration paid higher attention to the use of non-traditional drugs—that is, barbiturates, amphetamines etc. Each fall, the Higher Education Research Institute surveys approximately 300,000 full-time students entering the freshman classes from a nationally representative sample of 2-year and 4-year colleges and universities in the United States. The data presented above are estimated of all first-time, full-time students entering higher education institutions in the fall of each year.

For example, as the Cooperative Institutional Research Program Freshman Survey shows, with nearly 53 percent of all responding college freshmen favoring legalization of marijuana the year 1977 was the peak of tolerance as the graphic below demonstrates:⁶⁶

Figure 2-3



However, with the national scandal that surrounded Dr. Bourne's departure, President Carter avoided increasingly to appear *soft* on the drug issue and changed his tolerant approach. It was precisely Dr. Bourne's progressive attitude towards drugs that brought his career to a sudden end in July 1978. After having written a prescription for fifteen methaqualone tablets for an aide—under a fictitious name in order to avoid that

⁶⁶ See Alexander W. Astin (et.al.), The American Freshman: Thirty Year Trends, Higher Education Research Institute (Los Angeles: University of California, 1997. Cited in Sourcebook of Criminal Justice Statistics 1996, p. 198.

emotional problems would be registered in her record—, the issue became public and developed into a national scandal. (Musto, 1987, p. 269) In the midst of much controversy, the executive director of National Organization for the Reform of Marijuana Laws (NORML), Keith Stroup, confirmed to a *Washington Post* reporter that an allegation was true that “Dr. Bourne had snorted cocaine at a party marking NORML’s annual meeting the previous December.” (Musto, 1987, p. 269) After this was reported on television on 20 July 1978, Bourne decided to resign from the government. This scandal had a negative impact on President Carter’s tolerant drug policy who stopped pressuring Congress to decriminalize marijuana.

2.2.3.2 Towards A Strong Cabinet Management and Reduction of Executive Power

The deemphasis of the drug issue during the 1970s was reflected in the changes and *downsizing* of drug control institutions and drug control budget. Drug law enforcement programs were moved away from active White House involvement to the newly formed DEA, and federal efforts against street-level drug dealers and users were abandoned. As Goldberg points out, the overall treatment and rehabilitation budget for FY 1975 was \$33 million less than in the previous fiscal year, marking the first major drug budget cutback in the Nixon administrations. Furthermore, the administration sought increasingly to shift drug programming responsibilities to the states, under the guidance of its *new federalism* policy. The highly visible White House agency SAODAP lost its influence after the *turn the corner*

speech and its responsibilities were transferred to the National Institute on Drug Abuse (NIDA) within the Department of Health, Education, and Welfare (HEW).⁶⁷

Furthermore, the Ford administration shifted away from direct White House involvement in drug politics. Ford's rejection of the congress demand of keeping a drug agency within the White House, resulted from his major policy goal of reducing the executive office power.⁶⁸ His objective was to restore the powers of the various cabinet departments and federal agencies and to reverse the concentration of power in the White House to which SAODAP had contributed in a symbolic as well as real way. As Peter Goldberg states: "To the Ford administration, the negative symbolism of a new White House drug office—even a small one—overrode any positive symbolism it might have conveyed to the drug field." (Goldberg, 1980)

Ford's strong preference for a *strong Cabinet management* was reflected in the separation of drug control areas headed by a *lead agency*: for example, the DEA was designated as the *lead agency* for drug law enforcement, the NIDA for prevention and treatment, and, the State Department for international activities. To strengthen interagency coordination within each functional area, President Ford convened three separate cabinet committees, each with oversight and coordination responsibilities within one area.

⁶⁷ SAODAP remained in existence until June 30, 1975.

⁶⁸Exposed to the pressure of associations and private organizations working in the drug treatment, rehabilitation, education, prevention, and research fields, congress strongly supported a the continuance of a White House drug agency, functioning as a symbol of governmental continuous support and commitment to support all drug demand programs.

Although Congress succeeded in passing legislation that created in the White House a modified version of SAODAP—the Office of Drug Abuse Policy (ODAP)—and forced President Ford to sign this legislation by including in that bill the necessary funding authorizations to continue federal efforts in drug treatment and prevention, the president's resistance endured. Even when he signed the legislation he made it clear that he did not support the congress' decision: (Goldberg, 1980)

I have voiced strong opposition to the re-establishment of a special office for drug abuse in the White House. I believe that such an office would be duplicative and unnecessary and that it would detract from strong Cabinet management of the Federal drug abuse program. Therefore, while I am signing this bill because of the need for Federal funds for drug abuse prevention and treatment, I do not intend to seek appropriations for the new Office of Drug Abuse Policy created by the bill.

As a result, President Ford continued his plan for supervision of government response to illicit drug use through three cabinet committees, whereas ODAP became a *paper* agency with neither staff nor funds.

Like Ford, President Carter pursued a strong cabinet management with *some* executive coordination and sought, simultaneously, to streamline and reduce the White House staff. His primary concern was the fragmentation and lack of coordination among drug programs and agencies that he wanted to overcome by strengthening the cabinet management.

2.2.3.3 Drug Eradication Strategy Towards Latin America

At international level, the 1970s were characterized by the continuance of *detenté* politics, increased East-West cooperation, and the higher concern for foreign-policy issues, other than anti-communism—as, for example, reflected in Jimmy Carter’s human rights policy. In terms of international drug trafficking, the Ford and Carter administrations stressed the continuance of bilateral initiatives and the *eradication at source*-strategy, but in a less emotional tone and approach than the Nixon administration. Since 1971, the United States’ international drug control policy was accompanied by an increase in the number of special agents assigned by the FBN to U.S. embassies and the establishment of a Cabinet Committee for International Narcotics Matters in an effort to “bring narcotics control considerations to bear systematically on the development of foreign policy.”⁶⁹ The Cabinet Committee, chaired by the Secretary of State, had the role to direct policies through the State Department’s regional bureaus and respective embassies—and in the case of Latin America, additionally through the Bureau of Inter-American Affairs. In addition, the Deputy Assistant Secretary of State was supposed to supervise drug-related activities in the Bureau of Inter-American Affairs, whereas a senior diplomatic officer acted as narcotics coordinator within most embassies, chairing a working committee generally composed of representatives from DEA, Customs, Agency for International Development, Agriculture, Defense, CIA, Legal Affairs, and United States International Communications Agency. In some cases, Foreign Service officers worked full-time on narcotics matters, acting as

special assistants to the ambassador. Their primary objective was to “create an awareness and gain the commitment of the host government to take action against illegal drug cultivation and trafficking.” (Craig, 1981, p. 250) Once this was accomplished, the State Department narcotics control funds were supposed to act as a catalyst to illicit drug producing and transit nations to begin supply reduction and enforcement operations.

Although the opium ban in Turkey, together with the United States major enforcement efforts in France—breaking up a ring of French and French-Corsican chemists and traffickers in 1973—and in Mexico—launching a major marijuana eradication campaign—, led only to a temporarily reduction in the supply of heroin and marijuana in the United States. In the meantime, Mexican opium growers and traffickers rapidly took over the French market. As Stares notes: “From having accounted for only a modest share of the U.S. market in 1970, by 1975 Mexico had become the source of an estimated 70 to 80 percent of the heroin entering the United States. (Stares, 1996, p. 28) In response to this new influx of heroin, the Ford and Carter administration increased pressure on Mexico to initiate a aggressive new crop eradication program—the so-called Operation Condor—consisting of aerial spraying instead manual uprooting of poppy and marijuana

⁶⁹Richard B. Craig, “Colombian Narcotics and United States: Colombian Relations.” Journal of Interamerican Studies and World Affairs, Vol. 23: No. 3, August 1981, p. 260.

plantations. As a result, Mexican's heroin's share of the U.S. market dropped from 75 percent to 24 percent in 1980.”⁷⁰

The aggressive marijuana eradication campaigns in Mexico since the 1970s opened at the same time “the door for Colombia’s ascendancy to the big leagues of drug trafficking.” Around 1970, Colombian drug traffickers had already started a highly sophisticated marijuana production and trafficking operation that was located on the Guajira peninsula, an area in the far north of the country. As Stares describes: “Using DC-7 and Super-Constellation aircraft as well as large seagoing vessels known as *motherships*, they began shipping multi-ton quantities of marijuana into the United States” which led, by the late 1970s, to the fact that Colombian marijuana was estimated to account for three-quarters of the U.S. market. (Stares, 1996, p. 29) This marked the beginning of an era in which the drug issue would emerge as the dominant topic in the United States and Colombian relations.

⁷⁰Stares, 1996, p. 28. With regard to marijuana eradication in Mexico, President Carter and his special adviser Dr. Bourne—although both supporters of decriminalization of marijuana—actively supported the marijuana eradication campaign, but were facing soon strong opposition to their eradication strategy. Mexican marijuana sprayed with the herbicide paraquat was entering the United States and endangering the health of millions of marijuana smokers. This fear was fueled by the National Organization for the Reform of Marijuana Laws (NORML) and a National Institute on Drug Abuse study in March 1978 that indicated that paraquat contamination may pose a significant health danger to marihuana smokers.

2.3 Summary

In sum, from the origins of American drug history until 1980 the public attitude toward drugs was characterized predominantly by a fear of ethnic or marginalized groups of American society that presented a threat to the social and economic *status quo* of mainstream America (see chronology diagram on the following pages). Interestingly, the demand for tough drug control came mostly at times of economic or political turmoil in the United States. In these times of social or economic crisis drug use was perceived as foreign, that is *un-American*, as well as anti-social. Specific drugs were associated negatively with ethnic minorities, anarchists or fringed elements of American society. Except for the decade for the 1970s and 1980s, in each instance the use of a particular drug was attributed by Americans to an identifiable threatening minority group that attempted *to undermine the dominant healthy social and moral body* of American society by distributing and selling drugs to its people. Furthermore, it was assumed that drug use would lead to criminal behavior or insanity which was derived more from prevailing prejudices than from actual threats to persons or property.

For example, at the beginning of the twentieth century, smoking opium was linked to Chinese immigrants who were rejected as low-paid competitors for employment, and cocaine was supposed to instigate freed blacks to overcome social barriers. In the 1920s, in the light of the so-called *Red Scare* period (1919-1920) and fear of bolshevism, heroin was associated with a turbulent and anarchic youth, and a decade later to communism. In the

1930s, Mexican immigrants in the Southwest were believed to be incited to violence by smoking marijuana and were identified as a visible unemployed minority. Once again—similar to the experience of Chinese immigrants—foreign laborers that were at first welcomed to work on cotton, fruit, and vegetable fields were perceived after the Great Depression and the increase of unemployment rates as fringe elements that were dedicated to distribute marijuana cigarettes to *innocent school children*. In the immediate post-war period and during the *McCarthy era*, drugs were associated by the American people with communism and nonconforming behavior. Even more, it was assumed that Red China was set out purposefully to destroy Western society by selling large amounts of heroin to drug dealers in the United States. In contrast to the American's previous racially biased perception, in the context of the Cold War drug consumption and trafficking was linked to a foreign communist conspiracy whereby illegal drug sale was used like a weapon for *defeating* its enemy—the United States. At the same time, the association between drugs and communism helped to stigmatized those who were critical of social and political issues in the country. In the 1960s, heroin was linked to the African-American community, street crime and America's urban crisis. In contrast, marijuana was not identified anymore with Mexicans or other *Latinos*, but native-born, middle-class, white college students who lived in the suburbs. However, this new group was associated with a young culture that attacked traditional values of American society and protested against the Vietnam War. In times of extreme anti-Communists fear and national security politics, which found its highest expression in the Vietnam War, this young generation of protesters and peace marchers were perceived as a threat to the *status quo* and *American Way of Life*.

In contrast, the 1970s witnessed a decade of high drug tolerance and reflected the perception that drug-related problems could be dealt like most other urban and social problems. Interestingly enough, when Harry J. Anslinger—former Narcotics Commissioner of the FBN—was asked about the change in public attitude by David Musto, he answered: “Years ago, when I started arresting possessors of narcotics, I was a hero; now the public thinks I’m a rat. Yet, I’m doing the same thing I have always been doing. I don’t understand it.” (Musto, 1987, p. 253) In this respect, the 1970s represented a shift from an intolerant to a more relaxed attitude towards drugs, focusing more on the drug demand issue by promoting intensely drug treatment and prevention programs.

However, as I will show in Chapter Three, with the increase of cocaine consumption among American white urban middle-class teenagers in the 1980s, a decade of drug toleration came to an abrupt end and the Reagan administration returned to a *tough* approach of drug control, launching the second *War on Drugs*. In contrast to the past, in which drugs were linked and associated with ethnic minorities, anarchists, protesters or fringed elements of American society, the 1980s marked a turning point in the profile of drug users: high school and college-student children of the politically important white urban-middle class.

It is clear from the historical analysis that the government's response to public fear of certain drugs and drug users has primarily consisted of law enforcement strategies intended to prohibit both new and continued use of illegal substances and to enforce such

laws through specific drug control institutions. The belief that some drugs are so innately harmful that American citizens should and could be prevented from using them has been the basic tenet of American domestic drug policy for the past eighty decades. Furthermore, it has to be noted that in many cases domestic anti-drug legislation served as a mechanism to control other social, economic and political problems (for example, Chinese or Mexican immigration). Generally, a drug law was proposed to control the use of a certain substance—such as opium, cocaine, or marijuana—and then, in a number of cases, it turned out to be directed at a minority group identified with the use of the drug. The rhetoric surrounding the proposed anti-drug law usually called for the restoration of *lost* dominant social and moral values and was offered as a solution to a wide range of social, moral, racial, political, and economic problems, such as unemployment, urban street crime or political unrest.

One of the principal premise of United States drug policy over the last eighty years has consisted of the belief that the *drug menace* must be fought outside its borders. The United States projection of blame on foreign nations for domestic evils harmonized with the ascription of drug use to ethnic minorities in the previous decades. It is interesting how the United States has turned from the beginning the domestic drug problem into an international one, reflects also the belief that other foreign countries were *using* drugs to attack and undermine American society. Shifting from a multilateral toward a bilateral drug control strategy, the United States primary focus throughout history has been reduction of drug supply—first through taxation, later by prohibition and strict legal control. Thus, the

basic premise of the supply-oriented drug policy is that by reducing supply and availability of drugs also their use would decrease.

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3. The Emergence of the Drug Issue in U.S.-Colombian Relations in the 1980s

During the 1980s, the drug issue—particularly cocaine consumption—became again a *hot* political issue which led to the second *War on Drugs* during the Reagan and Bush administrations. This new drug *crusade* was directed against powerful drug trafficking organizations in Latin America, particularly Colombia. Accordingly, the drug problem emerged as the key issue in U.S. Colombian relations whereby the Andean country became the *showcase* of United States drug policy toward Latin American.

The goal of this chapter is threefold. First, I aim to explain why suddenly the drug problem became such a salient issue again in the 1980s in the United States. Although it is not the goal of this study to provide an overall explanation of the reasons why the 1980s witnessed a return to drug intoleration, I will summarize in the first part of this chapter the main explanations that have been advanced. This will allow me to examine how this new attitude toward drugs led the U.S. policymakers to declare the drug problem—especially, drug trafficking—as a national security issue and how Colombia—as the primary cocaine producing and exporting country—became the main target throughout the 1980s in a widespread fight against drugs.

Secondly, I seek to provide answers to the important questions for this dissertation on how this new *drug scare* led to a re-definition of the drug trafficking problem as a national security issue in 1986. Once declared a national security issue, I will show how this new interpretation of the drug problem influenced the expansion of the role of the U.S. Congress in the country's international drug control policy, the increase of drug legislative initiatives as well as institutional changes, and the rise of aggressive drug law enforcement. And, at international level, how due to expanded legislative and oversight power, the Congress was given a powerful instrument to pressure drug-trafficking and drug-producing countries to cooperate fully with the U.S.: the *certification process*.

Thirdly, I will show how the re-definition of the drug problem as a national security issue and focus on illegal drug trafficking organizations led to the emergence of Colombia—the primary location of the illegal drug trafficking industry—as the *showcase* in the U.S. drug control efforts in Latin America throughout the 1980s. For this reason, I will examine the rise of Colombia's illegal drug trafficking industry—particularly, the cocaine industry—, its structure and interests, its relations with the powerful Colombian guerrilla movements, and, most importantly, its economic size and power.

3.1 Cocaine: America's Drug Menace in the 1980s

Given the central role the drug issue played in U.S.-Colombian relations in the 1980s, it is important to review the evidence supporting the resurgence of the drug problem in the United States. There are several explanations why precisely during the 1980s this new *drug scare* emerged again as an important issue in the political agenda of U.S. policymakers. Hence, first, I will examine official governmental data on drug abuse—such as, NIDA and DAWN—which were cited by American politicians and parents organizations, as well as the media, in order to support their concern about cocaine consumption, especially among white middle-class teenagers.¹ Secondly, I will outline an explanation that is advanced by Harry G. Levine and Craig Reinerman (1989) who argue that the *drug crusade* of the 1980s has to be interpreted in light of the New Right and its moral ideology, as well in the context of party competition in a conservative context. (Reinerman and Levine, 1989) They suggest that similar to *drug scares* in American history in which the public linked a drug with a minority group that was perceived as a threat—working-class immigrants, racial or ethnic minorities, rebellious youth—this time inner-city African-Americans and Latinos were feared.

¹The National Institute on Drug Abuse (NIDA) provides national surveys on drug use among general population households and among young people, whereas the Drug Abuse Warning Network (DAWN) monitors projects in survey hospitals, crisis and treatment centers, and reports across the country about drug-related emergencies and deaths.

Particularly during the 1980s, these social groups were most affected by the conservative social policy of reducing social spending:²

[...] Their growing numbers, visibility, and desperation made them appear more and more menacing to the white middle-class majority. Inner-city churches, community organizations, and parent groups tried to defend their children and neighborhoods from drug dealing on the one hand and budget cutting on the other.

For example, the *crack crisis* in the mid-1980s was, in Levine's and Reinerman's view, an *invention* of American politicians and the media.

3.1.1 Some Official Data on Cocaine Drug Abuse

In opinion polls in 1986, 1988 and 1989 more American people considered *drugs* as the "most important problem facing the country" than any other public issue.³ Particularly, cocaine was perceived as the new drug menace. The two major sources for national data on drug abuse available—NIDA and DAWN—registered that cocaine consumption was on the rise throughout the 1980s. The 1993 NIDA survey reported that in contrast to the declining number of marijuana and heroin users—from 24.3 million in 1979 to 22.3 in 1985—total cocaine users (past month use) increased sharply from 4.3 million in 1979 to nearly 5.3 million in 1985—that is, 2.7 percent of the whole American population and an increase of 25 percent in six years.⁴

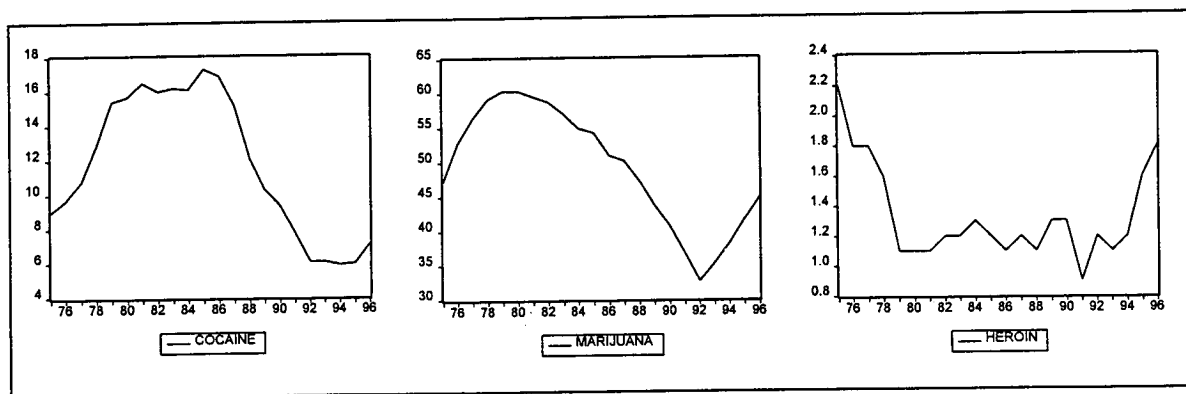
² Ibid., 1989.

³ See Sourcebook of Criminal Justice Statistics 1996, p. 114.

⁴ See U.S. Department of Health and Human Services, National Institute on Drug Abuse (NIDA), National Household Survey on Drug Abuse, 1993.

Parents were especially concerned about the early age at which young people started to use drugs.⁵ The annual NIDA High School Survey that since 1975 produces data on drug use and attitudes toward drugs of young American people (17-18 years), shows that for the period 1975-1996, cocaine consumption—in contrast to marijuana and heroin use—among high school seniors nearly doubled from 9 percent in 1975 to 17 percent in 1986 (see figure 3-3).⁶ Interestingly enough, the peak of cocaine consumption does not coincide exactly with the years when the American public was most concerned about drugs (see Gallup opinion polls). This might be explained by the fact that the American public became aware, through media reports, some time later about the consumption levels and danger of the drugs use.

Figure 3-1
Percentage of High School Seniors Who Have Ever Used
Cocaine, Marijuana or Heroin, 1975-1996

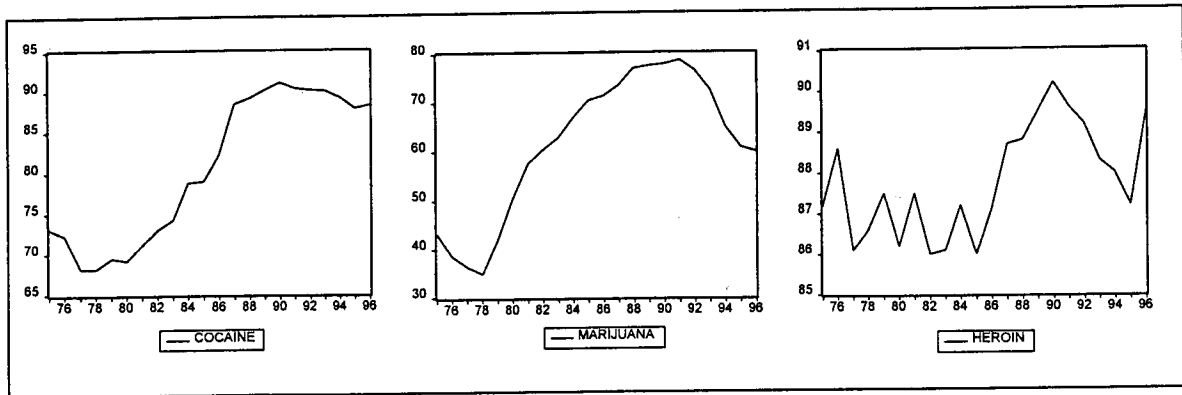


⁵ A study of 27,000 participants in federally supported drug-treatment programs reported already in the mid-1970s that American teenagers were taking drugs at a very early age. The study that was undertaken between 1973 and 1975 showed that American teenagers consumed the first time marijuana at the age of 11 to 15 years, and cocaine and heroin at the age of 16 to 20. See Staley, 1991, p. 89.

⁶ See U.S. Department of Health and Human Services, National Institute on Drug Abuse (NIDA), *Monitoring the Future, A Continuing Study of the Lifestyles and Values of Youth, 1975-1996*. This High School Survey is based on a stratified random sampling method asking about 17,000 high school seniors, and on data that is collected during the spring of each year in public and private junior and senior high schools in the United States.

In the following figure, it is interesting to observe that most high school students—from around 70 percent in the 1970s sharply rising to 90 percent in 1990—were convinced that the effects of cocaine consumption were harmful. This contradicts somehow the increasing consumption levels until 1986. In the case of marijuana consumption, the decline of its consumption coincided with the students' perception about the negative effects of marijuana smoking. At the same time, heroin was perceived by the majority of high school seniors (about 88 percent) as harmful.

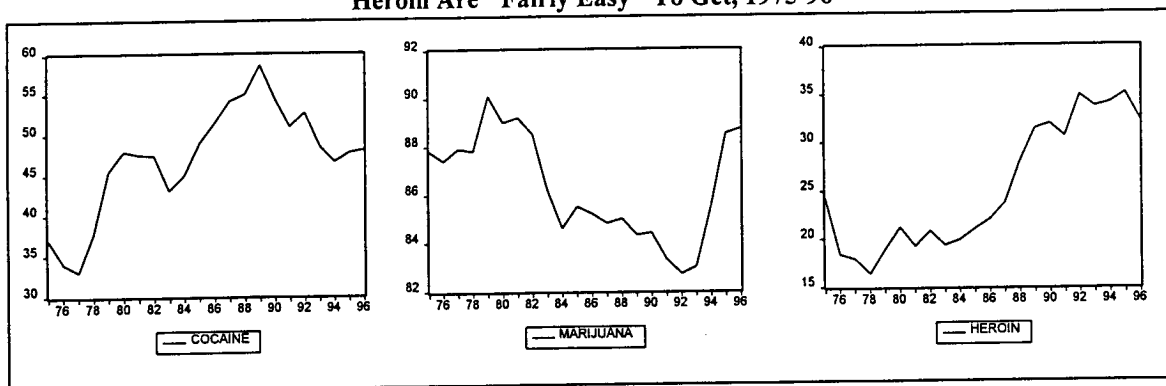
Figure 3-2
Percentage of High School Seniors Who Say that Regular Use of Cocaine, Marijuana or Heroin is a "Great Risk", 1975-96



The increasing level of cocaine consumption also coincided with the students' perceptions about its availability. Since 1975 the students' belief that it was *fairly easy* to get cocaine augmented constantly, reaching in 1989 with nearly 60 percent its peak.

Similarly, the decrease of marijuana and heroin use coincided with the decline in teenagers' belief that it was increasingly difficult get these drugs (see figure 3-5).⁷

Figure 3-3
Percentage of High School Seniors Who Say That Cocaine, Marijuana or Heroin Are "Fairly Easy" To Get, 1975-96



Contrary to the common belief that most of the high school student drug users were African-Americans or *Latinos* during the 1980s, a study released by the Parents' Resource Institute for Drug Education revealed for the academic year 1988-89 that the majority of marijuana and cocaine users were white middle-class teenagers.⁸ For example, 7 percent of white high school seniors admitted using cocaine, compared to 4 percent for African-

⁷ In this context—just as a secondary note and evidence that the times of *drug toleration* had come to an end in the 1980s—it is interesting to observe the dramatic attitude change of American college students regarding marijuana legalization (see figure 3-6). A survey by the Cooperative Institutional Research Program Freshman Survey indicates that between 1968 and 1996 American students have changed completely their opinion about marijuana legalization: from the peak of nearly 50 percent at the end of the 1970s, only 16 percent favored marijuana legalization. See Alexander W. Astin (et al.), The American Freshman: Thirty Year Trends, Higher Education Research Institute (Los Angeles: University of California, 1997). Cited in the Sourcebook of Criminal Justice Statistics 1996, p. 198. These figures are taken from the Cooperative Institutional Research Program Freshman Survey, which is conducted annually by the Higher Education Research Institute (HERI) at the University of California, Los Angeles. Each fall, the HERI surveys approximately 300,000 full-time students entering the freshman classes from a nationally representative sample of 2-year and 4-year colleges and universities in the United States.

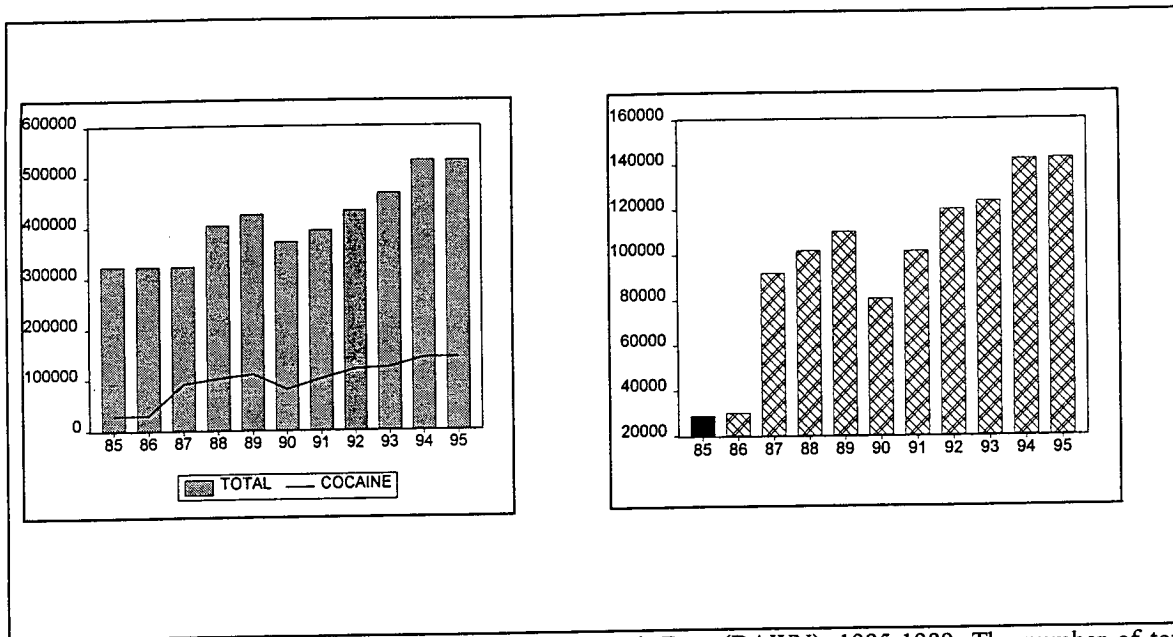
American students, respectively. A cofounder of the Institute, Marsha Keith Schuchard on commented these result as follows: “There is not enough money in the ghetto areas to sustain the multi-billion-dollar market for illegal drugs. The drug cartels depend mainly on middle-class and affluent whites to produce the profits.” (Staley, 1991, p. 120)

Another source that provided evidence for increased cocaine consumption among the general population during the 1980s is the Drug Abuse Warning Network DAWN that collects consequence data in hospital emergency rooms across the country (see figure 3-6).⁹ As the following figure indicates, increases in cocaine-related episodes appear to have been the primary cause for the increase in total drug-related emergency room episodes from 1985 through 1995. Cocaine-related episodes increased dramatically from about 28,800 in 1985 to 110,000 in 1989.

⁸ See Staley, 1991, p. 120. This study surveyed 350,000 high school students in 958 schools in thirty-eight states during the 1988-89 academic year.

⁹According to DAWN, *episodes* measure the number of people involved in a drug-related emergency case. The other form of measurement, so-called *mentions*, is produced at each occurrence; this means, that a single individual may account for more than one drug mention at any given time. Therefore, it is more convenient to look at the number of episodes. DAWN collects and publishes information from about one-sixth of the nation’s emergency rooms, concentrating heavily on 26 metropolitan areas. According to the information presented here, it is unclear whether the use of the drug directly caused the situation that needed an emergency room visit. See NIDA, Drug Abuse Warning Network Data 1985-1995.

Figure 3-4
Number of Cocaine-related Emergency Room Episodes of Total, 1985-1995

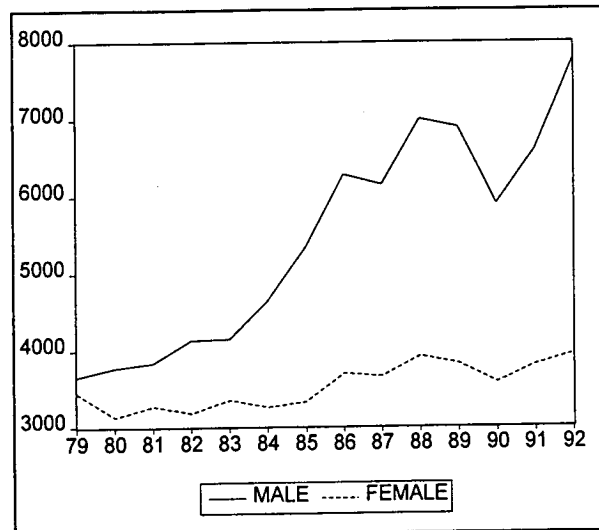


Source: Based on NIDA, Drug Abuse Warning Network Data (DAWN), 1985-1989. The number of total episodes for 1985-1987, and cocaine-related episodes for 1986 are estimated by the author.

Even more dramatic were the numbers on drug-related deaths during the 1980s as the mortality statistics of the U.S. Health Department demonstrate.¹⁰ Whereas the number of female drug-induced deaths ranged between 3000 and 4000 during 1979-1988, the cases of drug-related male deaths nearly doubled from about 3,650 in 1979 to 7,000 cases in 1988 (see figure 3-7).

¹⁰ See U.S. Department of Health and Human Services. Public Health Service. Centers for Disease Control and Prevention. National Center for Health Statistics. "Advance Report of Final Mortality Statistics, 1992," Monthly Vital Statistics Report, 43, No. 6, 1995, Table 20, 59. The Centers for Disease Control defines drug-induced deaths by the following causes: drug psychoses; drug dependence; nondependent use of drugs (not including alcohol and tobacco); suicide, poisoning or accidental poisoning by drugs, medicaments, and biological. In the data shown above accidents and homicides are not included.

Figure 3-5
Drug-induced Deaths by Gender, 1979-92



Source: National Center for Health Statistics. "Advance Report of Final Mortality Statistics, 1992," 1995, Table 20-p. 59.

In sum, the increase of cocaine consumption since the beginning of the 1980s, especially amongst America's white middle-class teenagers, created in the United States a wave of fear that resulted in enormous media and public attention paid to the cocaine problem. The public and political decision-makers were disturbed by the fact that the high school and college-student children of the politically important white urban-middle class were comprising the majority of cocaine users. As a response, parents' started to mobilize against the policy of drug toleration in the Carter administration. According to Musto, it was the energy and organizational skills of some parents who shared similar concerns and

gathered other parents into an effective political force.¹¹ However, when Americans were most concerned about drugs (in 1989), cocaine consumption amongst teenagers was already in decline. On the other hand, drug abuse consequence data indicate that during the 1980s more American people were affected by cocaine use which reached its peak at the end of the 1980s.

Another explanation for the high concern of American politicians and public in 1988 and 1989 about cocaine consumption is the emergence of the crack crisis in the mid-1980s. As described by Allen (1987), when the cocaine's derivative *crack* use spread out in the United States, the fear of the American public about cocaine consumption grew even more:¹²

The freebase of crack epidemic hit the United States (shortly after November 1985) [...] Wreaking havoc first in New York City and California, the new form of the drug has spread to other parts of the United States, causing a public outcry and eliciting pledges from the White House to intensify the war on drugs.

¹¹ Musto describes for example the motivation of two parents who became crucial in the powerful parents organization: "A Silver Spring, Maryland, housewife named Joyce Nalepka, who later presided over the National Federation of Parents for Drug-Free Youth (NFP), attended a rock concert in 1978 with her two young children and discovered rampant drug use all around them." Furthermore, in Georgia, Atlanta Marsha Manatt started to organize parents and contacted drug abuse professionals out of her concern that teenagers parties were turning into drug parties. Under the commission from NIDA, she wrote in 1978 a handbook for parent's organization, *Parents, Peers, and Pot*, of which million copies were distributed. Her political engagement apparently led to the defeat of her Congressman, Newton Steers, who had co-sponsored a bill favoring the decriminalization of an ounce of marijuana. Marsha Manatt had pooled her efforts with those of other activist parents to form PRIDE (Parents Resources Institute on Drug Education) in 1978, and two years later they formed a national umbrella for all parent's groups, the National Federation of Parents for Drug-free Youth (NFP). See for more details Musto, 1987, p. 271.

¹² Allen (1987: 4) cited in Rasmussen and Benson, 1994, p. 142. It has been also argued by some authors that *crack* became popular in the United States due to early drug law enforcement successes against marijuana. See Thornton, 1991; and, Nadelmann, 1993.

When University of Maryland basketball star Len Bias died of a cocaine overdose in 1986, the *crack crisis* had reached its peak and was perceived by the public as a serious national menace.

Some authors, however, have argued that it is not enough to refer to drug consumption and consequence data in order to explain the *anti-drug frenzy* since the mid-1980s. In the following section, I will outline the argument made by Craig Reinerman and Harry G. Levine (1989) in order to provide an alternative explanation for the *drug scare* during the last decade.

3.1.2 America's Crack Crisis - a Construction?

As already mentioned at the beginning of this chapter, both Reinerman and Levine have argued that the crack crisis has to be interpreted in the light of the New Right and its moral ideology, and the competition between political parties in a conservative context. They suggest that America's *crack* crisis was constructed by politicians and the media that started to carry "lurid stories alleging that an epidemic or plague of drug use, crack cocaine in particular, was literally destroying American society:" (Reinerman and Levine, 1989)

In July 1986 alone the three major TV networks offered 74 evening news segments on drugs, half of these on crack [...] In the months leading up to the November elections, a handful of national newspapers and magazines produced roughly 1,000 stories discussing crack [...] over 400 separate stories on crack and cocaine produced by NBC alone - an unprecedented 15 hours of air time - in the seven months leading up to the 1986 elections [...] This media frenzy continued into 1989, with even the nation's best newspapers joining in. During the 12 months between October 1988 and

October 1989, for example, the Washington Post alone ran 1565 stories - 28,476 column inches - about the drug crisis.

In their view, crack cocaine attracted the attention only when the drug was “sold in smaller, cheaper, precooked units, on ghetto streets, to poorer, younger buyers who were already seen as a threat.” (Reinarman and Levine, 1989)

Both authors maintain that the *crack* crisis has to be interpreted in the light of the New Right and its moral ideology, and the competition between both political parties in a conservative context. They argue that in the attempt to rebuild the Republican Party after the Watergate scandal, extreme right-wing political organizations and fundamentalist Christian groups set about to impose what they called *traditional family values* on public policy. This so-called New Right formed a core constituency for Ronald Reagan: (Reinarman and Levine, 1989)

Once he was elected President in 1980, Reagan and his appointees attempted to restructure public policy according to a radically conservative ideology [...] Unemployment, poverty, urban decay, school crises, crime, and all their attendant forms of human troubles were spoken of and acted upon as if they were the result of individual deviance, immorality, or weakness.

According to these authors, drug abuse was not seen as a result of unemployment, homelessness, poverty, depression, or alienation, but of weakness and immorality. Furthermore, Reinarman and Levine suggest that the need of the Democratic Party to recapture some of the electorate that had gone over to the Right, drove them to move to the right and to compete with the Republicans *to get tough* on the drug issue. For example, in the 1986 elections many candidates challenged each other “to take urine tests - a symbol of their commitment to a *drug-free America* [...] and] the media dutifully displayed President

Reagan and Vice President Bush proudly leading the way into the White House toilets to provide urine samples after they had proposed drug testing two million federal employees.” (Reinarman and Levine, 1989) And, in the 1988 elections during which “no domestic or foreign policy crises” was rising on the political agenda of the two parties, the drug issue filled again the political vacuum.

Thus, the drug problem has served both political parties and the media as an all-purpose scapegoat whereby they could blame an “array of problems on the deviant individuals, and then expand the nets of social control and incarceration to punish those people for causing the problems.” (Reinarman and Levine, 1989) Similar to *drug scares* that have recurred throughout American history in which the American public has typically linked a drug with a minority group they perceive as a threat—working-class immigrants, racial or ethnic minorities, rebellious youth—*crack* was associated with inner-city African-American and Latino young people.

Besides the explanation of Reinarman and Levine for why the 1980s witnessed a renewed *crusade* against drugs, there exist also other explanations—for example, the need for a *new enemy* for justifying military spending—which I do not intend to analyze due to the limited scope of this dissertation. However, the fact is, that the election of Ronald Reagan in 1982 marked the entry into a new era of drug intolerance in which organized drug trafficking organizations in the United States as well as in drug-producing and drug-trafficking countries in Latin America—especially, Colombia—became the main target.

3.2 National Security Issue, Role of Congress, and the War on drugs

After Ronald Reagan was elected President of the United States in 1982, he made the drug issue a top priority in his political agenda. With his wife Nancy, he actively sought a *Drug-free America*. Nancy Reagan began a personal campaign (“Just Say No”) against drugs by declaring: “Each of us has a responsibility to be intolerant of drug use anywhere, any time, by anybody ... We must create an atmosphere of intolerance for drug use in this country.” (Musto, 1987, p. 273) President Reagan declared the second *War on Drugs* in which drug trafficking in Latin America was declared a national security problem.

In the following sections, I will outline briefly how, at the domestic level, the definition of drug-trafficking as a national security problem resulted in: i. the expansion of the role of Congress in the country’s international drug control policy, ii. the increase of drug legislative initiatives and institutional changes, and, iii. the rise of aggressive drug law enforcement. Through expanded legislative and oversight power in international drug control efforts, the Congress was given a powerful instrument to pressure drug-trafficking and drug-producing countries to cooperate fully with the U.S.: the *certification process*.

3.2.1 The Drug Problem as a National Security Issue

The most significant shift in U.S. international drug policy in the 1980s was the identification of the drug problem as a national security issue. Particularly, the drug trafficking organizations in drug-producing and drug-trafficking countries in Latin America—especially, in Colombia—became the target of the U.S. drug policy.

As the final report of the U.S. President Commission on Organized Crime—established by President Reagan on July 28, 1983—reveals, drug trafficking was viewed at the beginning of the 1980s as the most important organized crime problem of the United States:¹³

Drug trafficking is the most serious organized crime problem in the world today. The drug trade generates billions of dollars for organized crime each year, imposing incalculable costs on individuals, families, communities, and governments worldwide.[...] This Commission has found drug trafficking to be the most widespread and lucrative organized crime activity in the United States. [...] Drug trafficking accounts for almost 38 percent of all organized crime activity across the country and generates an income estimated to be as high as \$110 billion.

Drug trafficking organizations were identified as the primary target of the U.S. international drug policy: (U.S. President's Commission, March 1986)

Just as we must clearly define victory, so must we identify the enemy. [...] We must unite against drugs themselves, and anyone who is their ally. Producers, refiners, smugglers, and sellers, all those we know as traffickers, are obvious targets. [...]The powerful, sophisticated, and thoroughly evil

¹³See U.S. President's Commission on Organized Crime. America's Habit Drug Abuse, Drug Trafficking, Organized Crime. Chapter 1: "The Impact of the Drug Trade," March, 1986. The research on Commission Report was performed on the Commission's behalf by Chief Investigator Manuel Gonzalez (FBI), research assistants Abigail Johnson and Mary Karol, Deputy Counsel Kevin McEnery, Investigator Thomas Sheehan (DEA), and Contract Consultants. As outlined in the introduction of the report, the objective of the analyses was to provide a complete national and region-by-region analysis of organized crime, to define the nature of traditional organized crime as well as emerging organized crime groups, to examine the sources and amounts of organized crime's income, and the uses to which organized crime puts its income, and to evaluate federal laws pertinent to the effort to combat organized crime.

organized crime drug trafficking groups [...] are a reflection of nothing more than our self-destructiveness.

The most important element of the final report of the President's Commission of Organized Crime is the fact that drug trafficking was perceived as a national security issue: (U.S. President's Commission, March 1986)

The situation confronting us is a crisis both nationally and internationally. Our response can be no less than national and international mobilization. [...] [T]he menace of drugs is not restricted to a particular segment of society, but is now of a scope and severity that is a threat to our national security and therefore a legitimate national security issue.

As a result, during the 1980s the drug issue was no longer viewed as a primarily moral, family, health and/or law enforcement problem, but as a national security problem. In the following section, I will show how the interpretation of the drug problem as a national security issue resulted in a number of domestic legislative and institutional changes.

3.2.2 Legislative and Institutional Responses

The new orientation of the United States' policy to target high-level organized drug trafficking organizations was reflected in a number of significant legislative and institutional changes during the 1980s. (U.S. President's Commission, Chapter IV, Part 2, March 1986) For example, in 1982 the FBI—traditionally focused on organized crime—was given jurisdiction along with DEA for drug law enforcement whereby the DEA administration had to report to the FBI director. This institutional change followed a recommendation of a committee—headed by then Associate Attorney General Rudolph W.

Giuliani—that studied the need for increased coordination of DEA and the FBI in the drug field: “The FBI’s 20-year experience in combating organized crime will [...] prove critical to drug enforcement.” (U.S. President’s Commission, Chapter IV, Part 2, March 1986)

Furthermore, in late 1982, the Reagan administration established the Federal Organized Crime Drug Enforcement Task Force Program (OCDETF Program)— a joint venture program involving Federal, State and local personnel— in order to fight effectively illegal drug trafficking organizations.¹⁴ The Congress was particularly concerned with the creation of an Office of Director of National and International Drug Operations and Policy, a so-called *drug czar*, because it found “that drug trafficking was estimated to be an \$ 80 billion a year industry; only 5 to 15 percent of the drugs imported into the country were interdicted; and controlling the supply of drugs was thought to be a key to reducing the drug-related epidemic.” (U.S. President’s Commission, Chapter IV, Part 2, March 1986)

Furthermore, congress aimed to overcome the problem of coordination of drug control efforts as the comments by the U.S. Senate Judiciary Committee shows: (U.S. President’s Commission, Chapter IV, Part 2, March 1986)

[T]he Committee believes the Administration’s anti-drug effort falls short in one crucial respect: the lack of central direction. At least 15 Federal agencies play a role in the regulation of commerce in dangerous drugs or in the enforcement of other restrictions [...] These agencies are located in six different departments. Under such circumstances, it is inevitable that divergences as to priorities will arise and that there will be conflicting interpretations of national policy.

¹⁴ Other Federal law enforcement efforts were reflected, for example, in the formation of Organized Crime Strike Forces, and the South Florida Task Force that combined the efforts of the FBI, DEA, Customs, and U.S. Attorneys.

As was the previous White-House Drug Agency (SAODAP), the *drug czar* was envisioned as a mechanism for coordinating and directing Federal law enforcement operations. However, after President Reagan vetoed this bill, the administration and Congress came up with a compromise that resulted in the establishment of a National Drug Enforcement Policy Board, chaired by the Attorney General, which was included as a provision of the Comprehensive Crime Control Act of 1984.¹⁵

In addition to the Comprehensive Crime Control Act of 1984, Congress passed several other legislative initiatives. For example, one of the most important and most debated Act has been the Department of Defense Authorization Act of 1982 that amended the Posse Comitatus Act to permit cooperation among military and civilian law enforcement agencies. Until then this kind of cooperation was constrained by the Posse Comitatus Act that prohibited the use of military forces to enforce civilian laws on the territory of the United States.

¹⁵See U.S. President's Commission, Chapter VI, Part 2, March 1986. For example, the Act included: (i) Bail Reform Act of 1984 that is concerned with preventive detention provisions; Comprehensive Forfeiture Act of 1984 that made extensive revisions to Federal civil and criminal forfeiture laws and procedures, which had targeted the assets of racketeering and drug trafficking organizations; (iii) Controlled Substances Penalties Amendments Act that generally enhanced the penalties for violations of the Controlled Substances Act (provided a 20-year prison term and a \$250,000 fine for violations involving specified large amounts of specific drugs; the Dangerous Drug Diversion Control Act of 1984 that focused principally on diversion of drugs of legitimate origin into the illicit market and the manufacture and abuse of new drugs, such as controlled substance analogs (v) Currency and Foreign Transactions Reporting Act Amendments that were designed to fine tune the currency reporting law.

In that context, it is interesting to note how the President's Commission on Organized Crime in 1986—established by President Reagan on July 28, 1983—attempted to overcome the critique of Secretary of Defense Casper Weinberger who wrote to the Chairman of the House Armed Services Committee in June 1985 that direct military participation in drug seizures outside United States territory would violate the historic separation between military and civilian spheres: (U.S. President's Commission, Chapter IV, Part 2, March 1986)

There appears to be a fundamental misconception at the very top of the Department concerning the permissible scope of the military's role [...] Even where the threat is more remote, it is clear that the smuggling techniques in use are the very same ones that are or could be used to move personnel, weapons, and other supplies for insurgent groups. For these reasons alone, the activities of traffickers should bring them squarely within the national security concerns of the Department of Defense. This fact has already been recognized by the Vice President, who has stated clearly that *success against drug smuggling is intimately tied to the continuation of freedom and democracy in the hemisphere.* [...] Recognition of this attack as a "... destructive action from without ..." which is within the meaning of the Joint Chiefs' definition, would bring the Department of Defense squarely into the war in which we presently find ourselves."

Regarding foreign assistance to drug-producing and drug-trafficking countries to help them in their anti-drug efforts, the 1984 National Strategy For Prevention of Drug Abuse and Drug Trafficking has defined the objectives as follows: i. to strengthen U.S. efforts to assist foreign governments in stopping the production and transportation of illicit drugs; ii. to assist producer countries to undertake crop control programs; iii. to develop innovative mutual legal assistance and extradition treaties with foreign governments; iv. to encourage other nations to support international narcotics control programs including developmental assistance linked with crop control and cooperative law enforcement efforts; to encourage international organizations and development banks to link their assistance with narcotics control objectives, and v. to curtail the diversion of pharmaceuticals and

chemicals from legitimate international commerce. (U.S. President's Commission, Chapter IV, Part 2, March 1986) In particular, the President's Commission on Organized Crime recommends regarding extradition that "the willingness of a country to engage in and actively implement drug-related extradition and mutual assistance treaties should be a primary consideration in ultimate U.S. policy decisions regarding foreign assistance to a country." (U.S. President's Commission, Chapter IV, Part 2, March 1986)

Interestingly enough, with the two major drug laws in the 1980s—the Anti-Drug Abuse Act of 1986 and 1988—foreign assistance to drug producing and drug trafficking countries was made conditional on the progress of drug control efforts, whereby the Congress expanded even more its role in international drug control efforts. In the following section, I will examine how these new legislative initiatives affected the expansion of the role of Congress in international narcotics control efforts, and how through the certification process the Congress was given the authority to pressure drug-producing and drug-trafficking countries to cooperate *fully* with the United States in the fight against drugs.

3.2.3 Expansion of the Role of Congress and the Certification Process

In general, Congress has increased its role in foreign policy since the early 1970s due to its constitutional powers to declare war, to regulate foreign commerce, and to make

appropriations.¹⁶ There was also an expansion of its role in the field of drug control policy because of the increased concern over drug abuse since the beginning of the 1980s. As International Narcotics Policy Specialist Raphael Perl of the Congressional Research Service shows, in 1988 there was a total of 53 committees and subcommittees in the House of Representatives and 21 committees and subcommittees in the Senate which had jurisdiction over some aspect of the U.S. national drug abuse policy. (Perl, 1988, p. 21) In that context, the most important standing committees related to international drug control include: the Senate Foreign Relations Committee (and its Subcommittee on Terrorism, Narcotics and International Operations), the House Foreign Affairs Committee (and its Task Force on International Narcotics Control), the Armed Services Committees, the House Ways and Means Committee, and the Appropriations Committees.¹⁷

¹⁶This section draws primarily on Raphael F. Perl, "Congress, International Narcotics Policy, and the Anti-Drug Abuse Act of 1988." *Journal of Interamerican Studies and World Affairs* (Special Issue, Summer/Fall 1988, Vol. 30, Numbers 2 and 3), p. 19-53. For example, the War Powers Resolution, the 1976 amendments to the Arms Export Control Act, and the 1975 amendments to the Foreign Assistance Act provide the Congress with an active role in (1) decisions to deploy troops, (2) the sale of arms to foreign entities, and (3) the determination of standards of conduct, particularly in the area of human rights, as a requirement of eligibility for foreign states to receive U.S. assistance.

¹⁷Additionally, other committees, such as the Government Operations Committees, are involved with drug-related policy issues. Other major select and special committees involved in international narcotics control issues include, for example, the House Select Committee on Narcotics Abuse and Control. It is noteworthy, that in the foreign-policy field, Congress has equipped itself with substantial resources as, for example, with a staff of foreign relations, law, science, economics, and other policy specialists (Congressional Research Service), a large oversight staff (General Accounting Office) and specialists in other fields.

Another example of how the Congress has increased its oversight function is the rising numbers of hearings and investigation during the 1980s.¹⁸ Perl points out, that the number of congressional hearings, reports, and documents related to international narcotics issue being published have risen steadily: “The number of such items published in the Congress rose from 20 in 1979 to 46 in 1987.”¹⁹ Most important for the expansion of the Congress role in international drug control are the Anti-Drug Abuse Acts of 1986 and 1988, which impose sanctions on drug-producing and drug-trafficking countries that are uncooperative in the drug control efforts. In passing these Acts the roles previously played by the Congress and the Executive in the decision to deny assistance to certain drug-producing or drug-trafficking countries have been reversed. Under previous legislation it was the president who took the initiative to determine whether or not a country would be eligible for foreign assistance. Under the Anti-Drug Abuse Act of 1986, the Congress was given the authority to decide which countries would receive financial aid, and whereas the role of the president has been reduced to enforce the terms of this congressional determination.

¹⁸In general, through hearings Congress influences U.S. drug-policy abroad in regular oversight of U.S. narcotics control efforts by the executive branch. Hearings offer opportunities to both the administration and the committees to make their viewpoints known and to hear recognized authorities outside their respective organization. They also aim to draw attention to ineffective policies of the executive branch and receiving public support for proposed legislative reform or changes in administration policy. Besides the Congress increasing formal role, it has expanded its influence on narcotics policy by using informal contacts to exert its informal influence directly on State Department officials as well as representatives of foreign governments. See Perl, 1988, p. 25ff

¹⁹Perl, 1988, p.28. Two other oversight mechanism, in addition to hearings, are notification and reporting. Notification requires that an official of the executive branch (usually the president) report to Congress when a specific event occurs. Reporting usually requires that specific information be submitted to the Congress as a format report. For example, the most important report that is annually submitted by the Department of State (Bureau of International Narcotics Matter) to the Congress on 1 March is the International Narcotics Control Strategy Report (INCSR).

The Anti-Drug Abuse Acts of 1986 and 1988 have provided the U.S. with an important instrument to put pressure on drug-producing and drug-trafficking countries to cooperate *fully* with them in the fight against drugs. This process, commonly referred to as the *certification process*, links the cooperation of source countries with the U.S. in controlling drug traffic to the eligibility of those countries for U.S. foreign aid, and under certain circumstances, for U.S. trade benefits. This certification process requires the president at the start of each fiscal year (October 1) to withhold 50 percent of U.S. foreign assistance designated for the given country, pending a determination of certification on/after March 1.²⁰ On March 1 of each year, the president sends to the Congress a list of those countries which he has certified as eligible to receive full U.S. assistance. At that point, the Congress has 45 days of continuous session in which to evaluate the determinations of the president and, if it should so choose, to enact country-specific resolutions of disapproval.

Basically, certification may be justified on two grounds: first, that a country cooperated *fully* with the U.S. in curbing illicit narcotics and/or has taken adequate steps *on its own* to prevent drug production, processing, trafficking, drug-related money-laundering, bribery, and public corruption. Or, secondly, that the U.S. vital national interest precludes continuation of sanctions and that, therefore, aid should be disbursed regardless of the

²⁰Throughout the entire February-early April period, members of Congress who hold important positions on narcotics-related committees are visited regularly by government representatives seeking a better understanding of what the Congress wants and where it stands on specific issues related to cooperation on narcotics. Perl, 1988, p.25.

country's track record in fighting drugs. (Perl, 1988, p. 25) In general, there two types of sanctions that the U.S. is able to impose on drug-producing or drug-trafficking countries that are not cooperative: mandatory or discretionary sanctions. (Perl, 1988, p. 26)

Mandatory Sanctions	Discretionary Sanctions
50% suspension of all U.S. assistance for the current fiscal year (humanitarian assistance and international narcotics control assistance are exempted)	denial of preferential tariff treatment to a country's exports under the Generalized System of Preferences (GSP)
100% suspension of U.S. assistance for subsequent fiscal years	duty increases of up to 50% of value on a country's exports to the U.S.
voting against loans to a country in the multilateral development banks	curtailment of air transportation and traffic between the U.S. and the non-certified country
non-allocation of a sugar quota	withdrawal of U.S. participation in any pre-clearance customs arrangements with the non-certified country

With the Anti-Drug Abuse Act of 1988 new major provisions were included, for example, the authorization of additional funds for law enforcement and drug-abuse education/treatment programs, the creation of a cabinet-level position of federal *drug czar* in the executive office of the President, and the strengthening of international narcotics control programs.²¹ But most importantly, in Title IV of the 1988 Act major revisions were made to the certification process itself. For example, previously the president emphasized

²¹ In the 100th Congress, 2nd session the Anti-Drug Abuse Act was passed by a vote of 346 to 11 in the House of Representatives, and by voice vote in the Senate on 22 October 1988.

exclusively the maximum achievable reductions in illicit drug production in his certification determination. Since the 1988 Act other factors as the reduction of drug production became important .

The president has to evaluate under the 1988 Anti-Drug Abuse Act whether the target government, for example, has taken the necessary steps to made changes in legal codes to combat drug-traffickers effectively, has actively processed U.S. extradition requests relating to narcotics trafficking, has eliminated—to the maximum extent possible—narcotics-related bribery and public corruption, has refused to give safe haven to known traffickers in addition to processing narcotics-related extradition requests of other countries actively and/or has responded with reasonable cooperation to U.S. requests to assist DEA activities.²² In addition, Title IV of the Act contains a number of country-specific provisions. In the case of Colombia, for example, for 1989 US\$ 15 million were authorized for defense equipment, and US\$ 5 million to protect officials and members of the press against narco-terrorist attacks; the country was exempted from Foreign Assistance Act prohibitions on training or financial support to foreign police forces. And, with respect to extradition the Secretary of State was directed to place greater emphasis on updating extradition treaties and on negotiating mutual legal assistance treaties with major drug-producing and drug-trafficking countries.

²² Other factors are whether the target government has, as a matter of of policy, facilitated narcotics production or distribution, has any senior official involved in the drug trade, and/or has investigated aggressively cases in which the U.S. drug enforcement agents have suffred violence with the complicity of foerign law enforcemnt. See Perl, 1988, p. 26.

In general, the 1986 and 1988 Anti-Drug Abuse Acts have augmented the role of the Congress in controlling and directing the Executive's efforts in the design and implementation of the drug policy. Particularly, the certification process has become a powerful instrument at the domestic level to exert influence over the Executive branch. Most importantly, it has exposed Congress and presidential candidates during elections years to public concern about the problem of drug abuse and drug-related violence.

For example, during the 1988 election year a *New York Times*/CBS News poll indicated that 48% of the respondents considered drug trafficking the most important foreign policy issue facing the nation, presidential candidate George Bush made it to one of his top issues. After his victory in the March 1988 presidential elections, President Bush responded to the pressure of the Congress and the public to involve more actively the military in the fight against drugs with an dramatic increase in funds devoted to anti-narcotics efforts.

3.2.4 The War on Drugs: Tough Drug Law Enforcement

The declaration of the drug problem as a national security issue did not only lead to changes in the drug legislation or in the institutional framework of drug control policy-making, but resulted directly in an increase of *tough* drug law enforcement. As the following table and figure show, during the administration of President Reagan and Bush, the federal

drug control budget increased about eight times: from nearly U.S. \$ 1,7 billion in 1982 to ca. U.S. \$ 13 billion in 1993.

Table 3-1
Federal Drug Control Spending (in US \$ million), 1982-1993

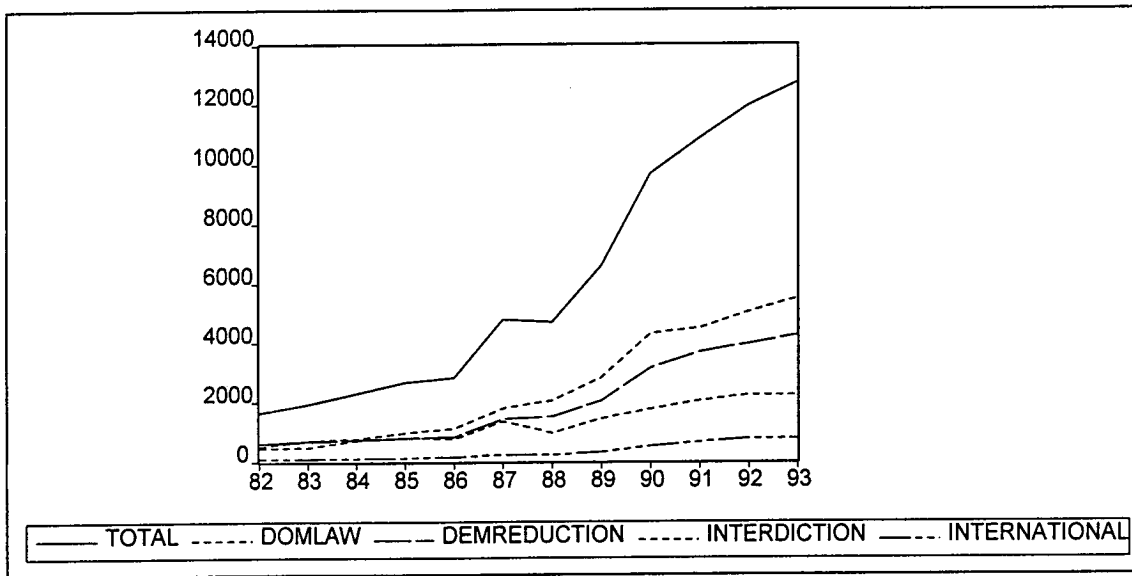
Year	International	Interdiction	Domestic Law Enforcement	Demand Reduction	Total
1982	87.8	458.0	500.9	605.3	1,651.9
1983	83.9	473.5	692.1	685.2	1,934.7
1984	95.8	706.9	768.4	726.8	2,298.0
1985	109.2	807.3	969.2	793.9	2,679.6
1986	147.7	744.0	1,109.7	824.7	2,826.1
1987	220.9	1,350.5	1,791.9	1,423.4	4,786.7
1988	209.3	948.1	2,045.4	1,499.6	4,702.4
1989	304.0	1,440.7	2,814.8	2,032.8	6,592.3
1990	500.1	1,751.9	4,302.4	3,138.7	9,693.1
1991	639.6	2,027.9	4,489.0	3,684.9	10,841.4
1992	763.2	2,216.8	5,023.0	3,950.1	11,953.1
1993	767.9	2,219.6	5,490.2	4,250.5	12,728.7

Source: U.S. Department of Justice. Office of Justice Programs. Bureau of Justice Statistics. Sourcebook of Criminal Justice-1992. Washington, D.C.: U.S. Government Printing Office, 1993, table 1.16, pp. 19-21.

It is noteworthy that the expenditures on domestic drug law enforcement, demand reduction, interdiction, and international activities varied significantly (see figure 8). During the period from 1982 to 1993, the bulk of federal dollars went to domestic drug law enforcement, and demand reduction—for example, in 1993 nearly US \$ 10 billion were spent in both areas—whereas only a third part of the total federal drug control budget was assigned to interdiction and international activities—in 1993, altogether about US\$ 3 billion. On the other hand, federal spending increased ten times in the area of international

activities and domestic law enforcement, which means that both areas were given higher priority during the Reagan and Bush administrations:²³

Figure 3-6
Federal Drug Control Spending: Domestic Law Enforcement, Demand Reduction, Interdiction, and International Activities 1982-1993

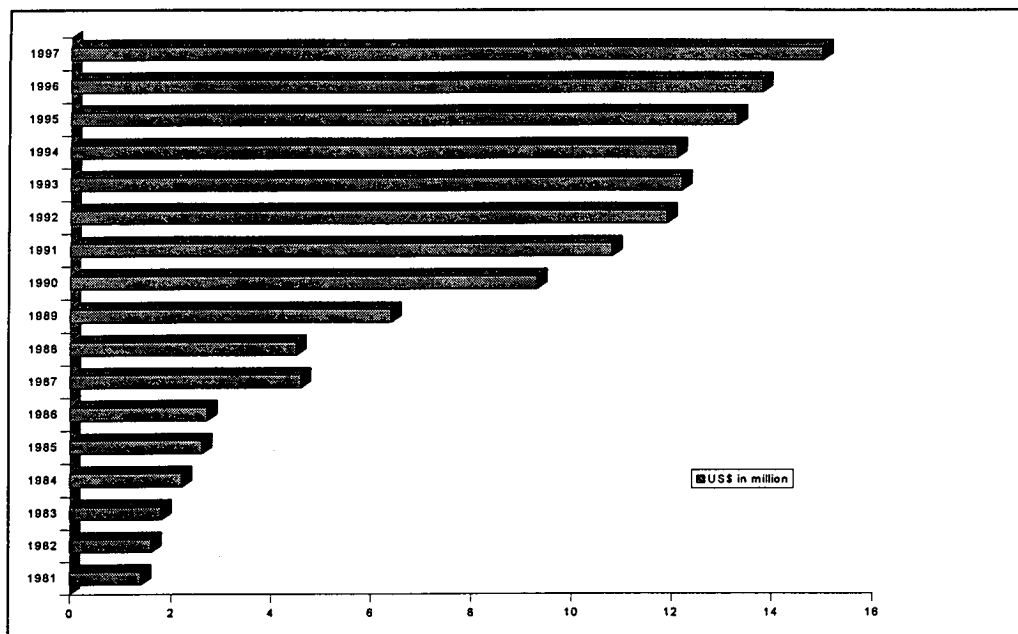


Another indicator for the increase in drug control spending is the expansion of federal expenditures for the DEA that increased significantly from US\$ 1.4 million in 1981 to 15 million in 1997 (see figure 3-9).²⁴

²³ See U.S. Department of Justice. Office of Justice Programs. Bureau of Justice Statistics. Sourcebook of Criminal Justice, 1992. Washington, D.C.: U.S. Government Printing Office, 1993, table 1.16, p. 19-21.

²⁴ See U.S. Department of Justice. Drug Enforcement Administration, Briefing Book, 1997.

Figure 3-7
Federal Budget for the Drug Enforcement Agency, 1981-1997



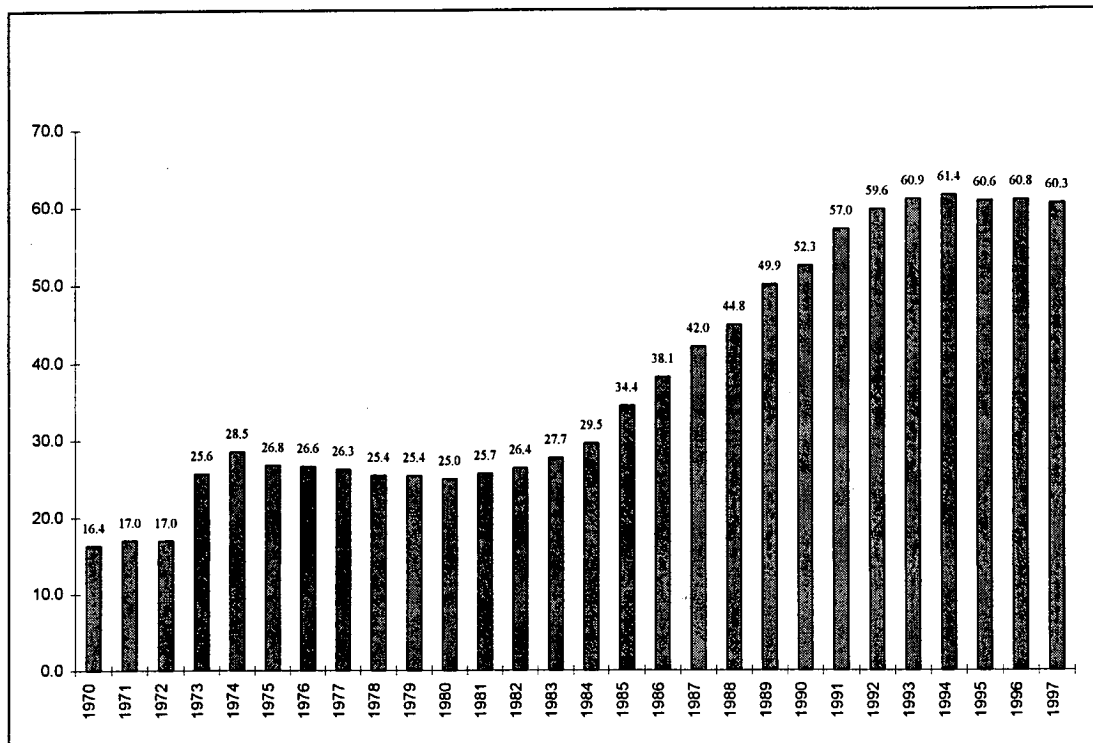
Source: U.S. Department of Justice. Drug Enforcement Administration, Briefing Book.

Not only the increase of the federal drug control budget throughout the 1980s, but also more aggressive enforcement throughout that period demonstrates the commitment of the Reagan and Bush administrations to the *War on Drugs* (see figure 3-11).

For example, the statistics on sentenced drug offenders from 1970 to 1997 reflect the increase of drug law enforcement during the 1980s: the percentage of sentenced drug offenders of the total federal prison population augmented significantly from more than 16 percent in the 1970s to over 60 percent in 1997 (see figure 3-10).

The different moments in which the number of drug sentences increased sharply— from 1972 to 1973 by 9 percent, and from 1982 to 1992 by nearly 25 percent—coincide with the three most important stages of *tough* drug law enforcement in the Nixon, Reagan, and Bush administrations.²⁵

Figure 3-8
Percentage of Sentenced Drug Offenders of Total Federal Prison Population, 1970-1997



Source: Federal Bureau of Prisons. Quick Facts. August 30, 1997.

In sum, after re-defining the drug problem as a national security issue a number of legislative drug control initiatives and institutional changes were introduced that, among other things, led to the expansion of the U.S. congressional role in international drug

²⁵ See Federal Bureau of Prisons. Quick Facts. August 30, 1997.

control efforts. A new drug control mechanism, the certification process, not only increased control of the U.S. Congress over the executive branch, but presented a powerful instrument to pressure target countries to comply with the U.S. demands in the fight against drugs. Furthermore, the enforcement data throughout the last two decades demonstrate that the Reagan and Bush administration were more than committed to fight the War on Drugs.

At the same time, the positioning of the drug issue in the realm of national security and the targeting at international drug trafficking organizations during the Reagan and Bush administration resulted in the fact, that Colombia—the primary location of the illegal drug trafficking industry—became the center of the U.S. drug control policy toward Latin America. In that context, the issue of extradition became the cornerstone of U.S.-Colombian relations and drug policy. As the final report of the President's Commission on Organized Crime recommends: (U.S. President's Commission, Chapter IV, Part 2, March 1986)

Extradition and mutual assistance treaties [...] contribute to international drug control efforts by enhancing diplomatic initiatives and providing leverage in the United States foreign policy decisions. [...] The willingness of a country to engage in and actively implement drug-related extradition and mutual assistance treaties should be a primary consideration in ultimate U.S. policy decisions regarding foreign assistance to a country [...].

In the following section, I will examine the rise of the illegal drug trafficking industry in Colombia and how this led to the emergence of the drug problem as the key issue in U.S.-Colombian relations.

3.3 Colombia's Drug Trafficking Organizations: Target of U.S. Drug Control Policy Toward Latin America

As outlined in the previous sections, the focus of United States' drug policy became the fight against the illegal drug trafficking organizations at international level. For this reason, Colombia—as primary location of the drug trafficking industry and main cocaine export country—became the principal target of U.S. pressure to cooperate in the fight against drugs. Even more, the Andean country became the *showcase* of the U.S. international drug policy throughout the 1980s. Hence, it is important to explain why and how Colombia emerged as the major drug-producing and drug-trafficking country in the Western Hemisphere.

After the decline of Colombia's short-lived experience as the largest marijuana exporter to the United States in the 1970s—due to increased eradication and interdiction efforts, as well as to the rise of marijuana cultivation and production in the United States—a new drug was developed: cocaine. Including other factors, that I discuss later in this section, these developments stimulated many Colombian drug trafficking groups to establish themselves as major operators in the cocaine trade. The organizational structures and trafficking routes for marijuana smuggling proved equally useful for cocaine trafficking, a product that provided much higher profits.

In this section, I discuss briefly some explanations of why the drug industry—particularly, the cocaine business—grew in Colombia, and examine the structure, interests, *narco-guerrilla* connection, and—most importantly—the profits of Colombian drug trafficking organizations.

3.3.1 Why did the Illegal Drug Trafficking Organizations Emerge in Colombia?

When analyzing the emergence of Colombia's illegal drug industry, one of the main questions is why the illegal drug trafficking industry grew in Colombia and not elsewhere. In contrast to Peru or Bolivia, traditionally Latin America's drug-producing countries, Colombian trafficking organizations have developed a comparative advantage in dominating the higher-value added stages of cocaine productions: refining, smuggling, and wholesaling. In the last decade, several explanations have been advanced to interpret this phenomenon.

Authors like MacDonald (1988) have argued that Colombia's strategic geographical location has affected the growth of the illegal drug trafficking industry:²⁶

[F]irst and foremost, the South American country benefits from its geographical location. It is strategically located between the coca producing nations of Peru and Bolivia and the routes through the Caribbean and Central America that lead to the lucrative North and European markets. Furthermore, the exuberant vegetation have made it easy for the illegal drug industry to conceal their laboratories and landing stripes.

Authors like Mario Arango and Jorge Child (1987), Richard B. Craig (1981) and Paul Stares (1996) have argued that the decline of the textile industry in Medellín (Antioquia) since the mid-1970s, and a long tradition of smuggling contributed to the emergence of the drug business in that region.²⁷ From the 1940s to the early 1970s Medellín had flourished primarily as a center for textile manufacturing. However, with the imposition of import tariffs by Europe in the late 1960s, and increasing competition from the Far East, the Colombian textile industry went into recession and ultimately declined. As Stares notes, this had two important consequences: (Stares, 1996, p. 30)

²⁶ Scott B. MacDonald, Dancing on the Volcano: The Latin American Drug Trade. (New York: Prager Publishers, 1988). Cited in Francisco E. Thoumi, Political Economy And Illegal Drugs in Colombia. (Boulder, Colorado: Lynee Rienner Publishers, Inc., 1994), p. 167. One might argue that the geographical factor cannot explain the emergence of the drug industry in Colombia. Other countries at less advantageous geographical location proved also successful in cocaine processing and trafficking, but were forced out of the business because of political factors. For example, Cuba (and Mexico) became during the 1960s major cocaine processing and trafficking centers, importing coca paste from Peru and Bolivia. However, with the fall of the Batista regime in 1958 an end was put to Cuba's involvement in drug production and trafficking, although "many of the Cubans involved in the drug trade emigrated to Miami and other locations and reestablished their connections later." Another country that sprang up shortly after Cuba's decline as cocaine processing and trafficking center was Chile, a country that not necessarily has geographical advantages in terms of distance and forests. The Chilean cocaine connection stopped abruptly with the fall of the Allende government in 1973 and the subsequent imposition of the military regime of the Pinochet regime. After the fall of the Allende government in Chile, Colombian groups forged their own ties to Peruvian and Bolivian coca growers and developed an independent cocaine-refining operation centered in the city of Medellín. Thus, this short development of the cocaine industry in Latin America shows that geographical factors alone cannot explained the rise of the cocaine industry in Colombia.

The first was to send a wave of unemployed textile workers to the United States, particularly New York, where Colombian immigrants witnessed firsthand the explosion of drug use in America, and, moreover, provided the nucleus of a distribution network for marijuana and later cocaine. The second consequence of the recession was to stimulate an already active black market on smuggled consumer goods.

With a long tradition of smuggling, notably of emeralds, Medellín's contraband Mafia was well organized and highly competitive. Similarly, Richard Craig argues that the prevalence and social acceptance of contraband was also a factor that increased the drug traffickers' comparative advantages: (Craig, 1981, p. 246)

They are, indeed, master smugglers. Yet even the greatest of talents requires a proper arena in which to perform. In this regard, Colombia constitutes a virtual amphitheater.

In contrast, Rainer Dombois (1990) suggests that Colombia's weak state presence in many areas of the country is the major reason why the illegal drug industry grew. For Libardo Sarmiento (1990) it is not so much the weak state presence, but the capacity of Colombians to master the principal technological know-how in "transportation, comercialization, the capability to bribe and intimidate, and above all, to mobilize the [economic] surplus."²⁸

In general, the existing explanations per se are plausible in interpreting why Colombia became involved in the illegal drug trade, but rather than focusing on a single factor it seems to be more useful to provide a more complex explanation, as Francisco

²⁷See Craig, 1981, p. 243-270. See also Arango and Child, 198 who have argued further that the entrepreneurial values and skills of the Antioqueño people had a positive impact on the evolution of the drug trafficking industry in the department of Antioquia.

Thoumi does, that combines the following factors: (Thoumi, 1994, p. 169-174) i. low risk for the drug industry to operate in Colombia due to the weakness and *delegitimization* of the political regime; ii. the traditional high level of violence that has led to the state's loss of control over large areas of the country (to powerful guerrilla organizations); these areas—without the justice and law enforcement mechanisms of a state of law—have contributed to the fact that Colombians turn to *violence* as an instrument of conflict solving; violence thus became an useful instrument in the high profit and risky cocaine business in which conflict cannot be solved by legal channels; iii. Colombia's long smuggling tradition; iv. its internal geographical configuration in terms of the isolation and relative self-sufficiency of Colombian regions without state presence; and, v. immigration of Colombian immigrants to the U.S. (New York, Miami) with weak loyalty to the host country who provided excellent distribution channels for illegal imports.

3.3.2 Structure of Colombia's Cocaine Industry

The Colombian illegal drug business in general, and the cocaine branch in particular, appears to have the typical structure of many agriculture-based industries in which the main raw material is produced by a large number of farmers.²⁹ However, there are crucial differences between the production of legal agricultural products and the production,

²⁸ See Libardo Sarmiento, "Economía del Narcotráfico." *Desarrollo y Sociedad* 26 (September): 11-40. Cited in Francisco E. Thoumi, 1994, p. 169.

distribution, and consumption of illegal drugs. The main goal of the persons engaged in the illegal drug business is to minimize the risks at each stage of production and marketing.

When looking at the differences between marijuana and cocaine production, it becomes clear why the drug industry shifted from marijuana to coca production at the end of the 1970s. (Thoumi, 1994, p. 131ff; Lee III, 1989, p. 30) Cocaine production differs from the marijuana industry because it generates higher profits since cocaine is a manufactured good with more value added per unit and weight.

In general, both marijuana and coca growing take place on relatively small plots, mostly on untitled land in newly settled regions where property rights are weak. The advantage of the not clearly defined property rights is that when the illegal planting is discovered by the authorities, it is difficult to identify and prosecute the land owner. Coca growing is mostly done in recent settlements in the Eastern Prairies and the Amazon basin, particularly in the Guaviare and Caguán regions (500 km southeast from Bogotá). Other factors that have determined the successful development of the cocaine industry in Colombia, such as weak state presence in isolated areas of the country, and emerald smuggling tradition, are present in these regions. (Thoumi, 1994, p. 139ff)³⁰

²⁹ This section mainly draws on Thoumi's discussion of the Colombian drug industry in chapters 2 and 4 of Political Economy and Illegal Drugs in Colombia, p. 133; and Rensselaer W. Lee III, The White Labyrinth: Cocaine and Political Power. (Transaction Publishers: New Brunswick and London, 1989), Chapters 1 to 3.

³⁰ See for more details Thoumi, Political Economy, p. 139ff.

Both Guaviare and Caguán, became during the last 40 years regions with a high rate of immigration. The first wave of migrants were peasants who were misplaced by the *violencia* in the 1950s, and who were kept at subsistence levels due to the isolation and lack of infrastructure of the regions. According to Alfredo Molano (1987) and Jaime Jaramillo (1989), every time there was a bad crop, peasants tended to sell their land rights, or moved further into the jungle to make a new settlement.³¹ Under these circumstances, the illegal drug crops offered a unique opportunity to the peasants to increase their standard of living and preserve their land rights. At the beginning of the 1980s, these two regions experienced a boom in coca cultivation which attracted a second wave of migrants that were not in search of land to settle, but of quick profits. Some new immigrants came from the emerald mining region and transplanted the system of illegal exploitation of the government-owned mines, the so-called *planteo* system, into the new coca growing regions.

Soon the mechanism of the *planteo* system of the emerald contraband culture was adopted by the illegal coca industry. An emerald trader would supply a number of miners with mining equipment, arms for their protection, and some cash for their subsistence; the miners received protection against other miners and developed strong loyalties to the trader; the miners were bound to sell any emeralds to the trader; if the agreement was broken the miner and family faced threat of death. (Thoumi, 1994, p. 139) Due to its strong dependency relationships and loyalties the *planteo* system was well-suited to the illegal

³¹ Cited in Thoumi, 1994, p. 139.

coca industry, and many second-wave immigrants who had prior experience in the illegal emerald industry became coca and cocaine entrepreneurs.

The mobility of the cocaine operations has influenced the emergence of the cocaine industry and the decline of marijuana cultivation since the end of the 1970s. The *footloose nature* of cocaine processing has made it easy for the cocaine industry to select laboratory location anywhere in the country to minimize risks. (Thoumi, 1994, p. 131) As Thoumi describes, the processing of coca base and cocaine are “relatively simple agricultural and chemical processes that are in many ways ideally suited to a less-developed country: they are not capital intensive, they do not have large economies of scale, they use abundant domestic raw materials, the labor skills required are not sophisticated, the chemical products needed are relatively common, and of them have many sources and other uses.”

For example, producing coca paste requires only a few prerequisites: sodium bicarbonate, a simple container, a plastic sheet, sulfuric acid, kerosene or benzene, filters, and toilet paper. Cocaine manufacturing from cocaine base is more complicated and requires, electric generators (when public electricity is not available), filters, drying equipment (heat lamps, fans, microwave ovens), a hydraulic or manual press, hydrochloric acid, ether, acetone, chemical recycling facilities, packaging material, washing machines,

and garbage cans.³² As Lee explains, at the level of paste manufacture and coca cultivation coca growers, laborers hired to pick leaves at harvest time, illicit wholesalers, leaf carriers, laboratory owners, and workers who stomp on the leaves before they are immersed in the kerosene solution (so-called *pisadores*), constitute more or less a single socioeconomic unit at a specific farm site. (Lee III, 1989, p. 30)

In order to minimize risk, the participants involved in the whole production and trafficking process have few contacts with other participants and know very little about them. For example, coca buyers or paste manufacturers attempt to deal with only a few buyers. The structure aims to limit the information about overall business that individuals could provide to authorities if caught. As Thoumi describes, the business participants know generally only about their role and about persons in the layer below them with whom they deal. They know very little about the other layers above them and lack a clear understanding of the overall industry. (Thoumi, 1994, p. 138ff) In addition, the use of relatives and close friends as partners is also widespread as a way to minimize the business risks.

³² See Thoumi, 1994, p. 131. Rensselaer Lee III describes coca processing as a three-step process: first, coca leaves are converted into paste by mashing them, then soaking them in a solution of kerosene and sodium carbonate to filter the alkaloid. This coca paste consists of about 40 percent pure cocaine; secondly, the paste is dissolved in sulfuric acid and potassium permanganate to form a cocaine base which is around 90 percent pure cocaine; finally, ether and acetone are used to convert the base into cocaine hydrochloride, the purest form of the drug. Lee III, 1989, p. 30.

As outlined by Thoumi, one solution for the drug traffickers to minimize the risk associated with transporting and smuggling cocaine to the United States has been the creation of a *cartel* in which their activities are coordinated, such as the Medellín or Cali Cartels. (Thoumi, 1994, p. 145) For instance, since every exporter knows that there is a probability that a single shipment will be seized he joins other exporters and sends several shipments in which all partners have a share. This way, everybody makes some profits even if some of their cocaine is seized. Thoumi notes that although the cartel system appears somehow well-organized, many of the relations among the drug traffickers are short-lived, and those who participate in one shipment or transaction are not necessarily participating in others. (Thoumi, 1994, p. 145)

According to Krauthausen and Sarmiento (1991), the transactions and relations of Colombia's drug industry in the illegal market always take place under two opposite poles: trust and violence.³³ That means that the drug traffickers' business is grounded in trust and, at the same time, in their readiness to use violence to enforce their agreements. As I will show in chapter 4, throughout the 1980s and the beginnings of the 1990s, the use of violence has been a powerful weapon to force Colombian policy-makers to change their drug policy, to eliminate those law enforcing agents who oppose the industry or to solve internal business conflicts, and to protect their investments in rural areas.

³³Krauthausen and Sarmiento (1991) cited in Thoumi, 1994, p. 136.

3.3.3 Profile and Interests of Colombian Drug Traffickers

Although there is no unique profile of the Colombian drug traffickers they have more or less the following in common:³⁴ i. the lack of respect for the country's legal system and formal institutions; ii. a prior criminal background; iii. highly religious, iv. relatively low level of education, and, iv. the main final objective of assimilating into the mainstream Colombian society.

Thoumi argues that the Colombian drug traffickers have no respect for the country's legal system and formal institutions. (Thoumi, 1994, p. 152) In his view, the lack of legitimacy of Colombia's political institutions have facilitated the belief amongst drug traffickers that their economic activities, income, and accumulated capital is as legitimate as other powerful economic groups or persons in Colombia. Many see law enforcers as enemies who are not morally superior to them but who represent other powers, such as the traditional elite or international *imperialism* that oppose illegal drug traffic. Krauthausen and Sarmiento (1991) maintain also that "deep inside, the drug traffickers tend to be convinced that to break the law is not reproachable per se."³⁵

³⁴This section mainly draws mainly on Thoumi's discussion of the Colombian drug industry in chapters 2 and 4, 1994, p. 123ff. It has to be noted that the information on the profile and behavior of the Colombian illegal drug industry can only be interpreted as a sketchy description since it is very difficult to obtain accurate data.

³⁵ Krauthausen and Sarmiento (1991) cited in Thoumi, 1994, p. 152.

Furthermore, most Colombian drug traffickers have a prior criminal background. One of the most notorious drug trafficker, Gonzalo Rodríguez-Gacha (known as *El Mejicano*) had extensive experience in the illegal emerald business. According to Gugliotta and Leen (1990), the most infamous drug trafficker, Pablo Escobar, the head of the Medellín Cartel, began his criminal career “stealing headstones from local graveyards, shaving off their inscriptions, and reselling the blank slabs to deprived relatives at bargain prices.”³⁶

Arango (1988) interviewed twenty middle- and high-level illegal entrepreneurs from Colombia’s drug industry during late 1987 and early 1988 regarding their beliefs, attitudes, and level of education.³⁷ The study came to the conclusion that most of the drug traffickers believed in fate and providence, and practiced frequent praying for the success of their individual business deals. All of them were over thirty years of age, although only 15 percent were over fifty. Their average education level was relatively low: 55 percent had only an elementary education, although some (10 percent) had a college education.

As Thoumi suggests, one of the principal objectives of the Colombian drug traffickers has been to be assimilated into mainstream Colombian society in order “to protect and legitimize their property, legalize their capital, and to obtain economic status and social recognition comparable to other rich Colombians.” (Thoumi, 1994, p. 156) To

³⁶Gugliotta and Leen (1992) cited in Thoumi, 1994, p. 154.

this end, they have sought to establish relationships not only with political and economic institutions and law enforcement organizations, but also with guerrillas and paramilitaries.³⁸

In Thoumi's view, the reasons for the relative success of the illegal drug industry in transcending the social stigma associated with the illegal drug trade and in establishing links with the social power structure, can be found in the growing *delegitimization* of the political regime, and the deep social crisis Colombia has faced throughout the last decade, itself a byproduct of drug trafficking. As the political scandal of the Samper administration in 1994 demonstrates, the drug traffickers have partly achieved their goal of establishing some close relationships with, and gaining influence over, the political establishment. Their tactics of financing political campaigns and politicians has become the subject of a high profile investigation since 1995 (known as the *Proceso 8.000*). This investigation has resulted in the arrest of numerous members of congress as well as the former Minister of Defense, Fernando Botero, and Samper's campaign manager, Santiago Medina, on charges of illicit enrichment. President Samper was also accused of having accepted campaign money from the Cali Cartel, but was eventually absolved by the Colombian Congress.³⁹

³⁷See Arango, 1988. This is the only existing study that is based on actual interviews with Colombian drug traffickers.

³⁸According to Krauthausen and Sarmiento (1991), these relations have not only created a "clandestine network" of members of the government, politicians, lawyers, chemists, bankers, military personnel, and others, but also the illegal drug industry has "penetrated the last crevices of society, politics, the economy, and even cultural and sports activities." Cited in *ibid.*, p. 156.

³⁹In 1996, Colombia was given a vital national interest certification which means that Colombia was not eligible for U.S. foreign aid. The *International Narcotics Control Strategy Report 1996* explained that there was "a lack of commitment by the Samper administration to support the efforts of Colombian law enforcement entities and to strengthen the nation's institutions to combat the destructive effects of narcotics traffickers [...] In 1995 GOC [Government of Colombia] did not take effective action to prosecute and sentence the incarcerated Cali leadership with prison terms commensurate with the gravity of their crimes or to obtain the forfeiture of all criminally-acquired assets. These criminals have continued to manage their crime empires while in jail, and their trafficking organizations have not been dismantled. Likewise the GOC failed to pass legislation to increase the penalties for drug trafficking or to strengthen the asset seizure and forfeiture laws [...]. Critical to the U.S. judgment that the GOC did not fully cooperate on counternarcotics in 1995 is the assessment that corruption remains pervasive despite the efforts of some dedicated Colombians to root it out." See the *International Narcotics Control Strategy Report (INCSR)*, March 1996.

3.3.4 The Guerrilla-Narco Connection

The relationship between Colombian drug trafficker organizations and guerrilla organizations has been one of the most publicized and debated issues in Colombian-U.S. relations. Colombia has experienced for decades a high level of guerrilla activities. Since the impact and power of guerrilla organizations cannot be ignored in the Colombian context, I will briefly provide a background on these movements and examine their alleged relationship with Colombian drug trafficking organizations.

During the 1980s and the 1990s, three principal guerrilla groups were active in both Colombian rural and urban areas: FARC, ELN, and EPL. The FARC is the oldest, largest, and most powerful Colombian guerrilla group with clearly defined Marxist-Leninist ideology and goals.⁴⁰ The FARC's military operations have been concentrated mostly in the Eastern Andes and the Eastern Plains. Most of the strategies used have been offensive surprise attacks on small military and police units with the purpose of destroying officers' morale as well as military equipment. The ELN is Colombia's second largest guerrilla organization with a clearly-defined pro-Cuban marxist-oriented ideology. The ELN was founded in 1964 by former members of the Brigada Pro Liberación Nacional inspired by

⁴⁰The origin of this guerrilla group can be traced back to the peasant self-defense movements of the mid-1960s in Marquetalia, Pato, and Guayabero. In 1966 these self-defense groups turned into the military wing of the Communist Party of Colombia (PCC), and particularly concentrated its activity in rural areas.

the communist experience in Cuba.⁴¹ The EPL is Colombia's third largest guerrilla organization that started in the 1970s to support the northwestern rural-based union movements, especially in the banana exporting plantations of Uraba area (Antioquia).

Between 1973 and 1980, all three guerrilla movements experienced varying degrees of crisis and internal divisions. In the middle of the crisis within the existing guerrilla movements, a new guerrilla group emerged in late 1973: the M-19, that became mainly urban, nationalist and populist.⁴² In 1989 the M-19 agreed on a peace treaty with the Barco administration and formed a new party, the Alianza Democrática (AD). After having successfully obtained 700.000 votes of a total of 4.5 million votes in the 1990 elections, the impact and power of the Alianza Democrática has completely vanished in Colombia's political sphere during the 1990s.

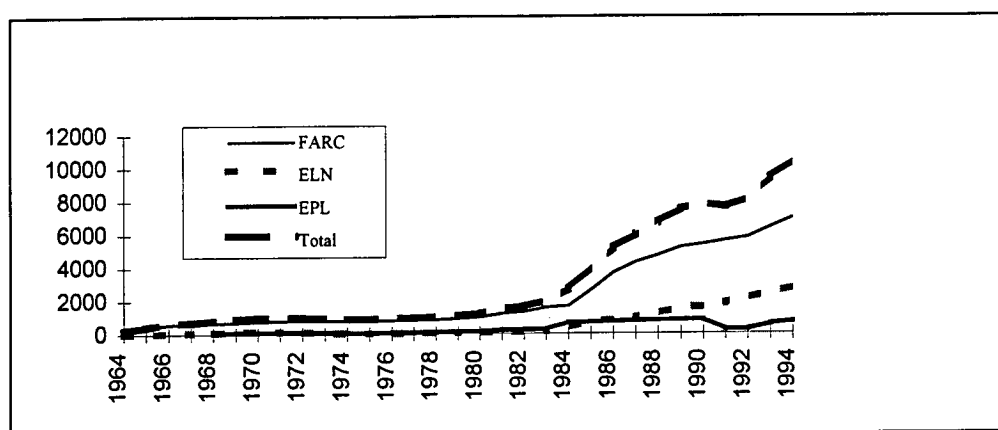
The expansion of the guerrilla's financial and territorial power during the 1980s and 1990s is reflected in the increase of their man power (see figure 3-11): for example, starting in 1964 with only 200 men, the FARC grew from an estimate of about 980 fighters in 1980 to 6.970 in 1994. Similar, the ELN increased its numbers in the same time period from 70

⁴¹One of the well known leaders of the ELN was the Roman catholic priest Father Camilo Torres Restrepo who was one of the founders of Liberation Theology.

⁴²Recruiting most of its members from the capital's universities they regarded themselves as the heirs of the ideals of the Liberator Simon Bolivar (1783-1830), fighting for an independent nation benefiting all Colombians. Actions like the seizure of some 7.000 weapons from the Colombian Armed Forces in 1979 and the occupation of the Dominican Republic's Embassy, during a cocktail party in 1980, increased their popularity and gave them a *Robin Hood*-like image. However, the attack on the Palace of Justice in 1985, in which half of the Supreme Court judges died, led to a change in the public opinion concerning the M-19.

men to 2.710; and, the EPL expanded during the same period from 140 men to nearly 720. At the end of 1994, a total of about 10.400 guerrilla fighters were active in Colombia.⁴³

Figure 3-9
Number of Guerrilla Fighters in Colombia, 1964-1994



Source: Presidencia de la República. Oficina del Alto Comisionado para la Paz.

During the last two decades, drug trafficking, extortion, and kidnapping have become significant sources of income to the guerrilla groups, enabling them to purchase modern communication and military equipment.⁴⁴ According to the study by Granada and Rojas (1994), between 1991 and 1994 the FARC and ELN accumulated with their illegal activities a total income of nearly US\$ 1,9 billion. Between 1991 and 1994, drug trafficking-

⁴³Due to the covert nature of the guerrilla activity, it is difficult to provide exact data about the number of fighters of each guerrilla group. However, the numbers in the following sections are outlining general tendencies in the evolution of the guerrilla's financial consolidation.

⁴⁴The most favored techniques of extortion were the *boleteo*, *vacuna ganadera*, and the *rescate*. The *boleteo* and the *vacuna ganadera* are principally used as *fundraising* instruments in rural areas. The *boleteo* consists of sending a written and signed kind of voucher (*boleta*) to wealthy citizens (mostly, land owner and cattle ranchers) in which the guerrilla organization informs the receiver that he must financially contribute to guerrilla operations in the area, with a specific monthly amount (sometimes this is done in person when guerrilla units are "visiting" specific cattle farms). The *vacuna ganadera* (cattle vaccination) is aimed at cattle owners, demanding a monthly payment based on the number of cattle they own. See Osterling, 1989, p. 298.

related activities alone generated an income of nearly US\$ 770 million for the FARC and ELN (see table 3-2).⁴⁵

Table 3-2
Income of the Colombian Guerrillas (FARC, ELN) according to Activity, 1993-1995 (in millions of US\$)

	1991	1992	1993	1994	Total
Drug Trafficking	162,9	164,1	206,0	235,2	768,2
Robbery and Extortion	106,0	106,4	133,7	181,3	527,5
Kidnapping	71,0	70,9	63,4	155,1	360,3
Investments	NA	NA	31,7	91,1	122,6
Corruption-related Income	15,8	15,9	23,0	23,4	79,0
Other	12,2	12,0	NA	NA	24,2
Total	367,8	369,4	457,7	685,9	1.880,9

Source: Presidencia de la República. Consejería para la Defensa y Seguridad.
 (The estimated millions of Colombian pesos of 1995 were converted at the 1995 exchange rate of 913 pesos/US\$).

In the early 1980s, the guerrilla groups and the drug-trafficking industry began to cooperate when the guerrilla organizations increasingly provided protection for the industry's manufacturing and shipment activities.

⁴⁵These numbers were estimated according to testimonies of kidnapped persons who were released by the guerrillas after they paid the ransoms, and according to the guerrillas' accounting information which was encountered after military operations.

The 1984 capture and destruction of the drug-traffickers' *Tranquilandia* manufacturing complex in the Amazon jungle provided the evidence that guerrillas had provided such protection, which led then U.S. Ambassador Lewis Tambs to formulate the theory about a *narco-guerrilla* drug conspiracy. Furthermore, a study by the Presidencia de la República on violence and the evolution of the municipalities from 1987-93 in Colombia reached the conclusion that there exists a high correlation between guerrilla presence and municipalities where poppy plantations were detected: for example, of the 174 municipalities where *amapola* was detected, 123 registered guerrilla presence (that is, 70.69 percent).⁴⁶

Despite their *cooperation* in drug production and surveillance of coca or poppy cultivation, the relationship between the drug industry and guerrilla groups has been rather loaded with frictions. One of the major conflicts between the illegal drug industry and guerrilla movements arises around the protection of the drug traffickers land acquisition where they have developed commercial agricultural activities.

In their analysis on drug trafficking and the agricultural sector, Sarmiento and Moreno (1990) have argued that the regions in which drug traffickers have increasingly invested had been previously subjected to heavy guerrilla activity. In order to protect their

⁴⁶Presidencia de la República, *Violencia y Desarrollo en el Municipio Colombiano (1987-1993)*, Santafé de Bogotá (limited circulation), March 1994, p. 20

land against (renewed) guerrilla activities—extortions and kidnapping—they have consolidated a system of private justice: the paramilitary organizations.

For example, Alejandro Reyes (1996) who has studied violence over the last years in different Colombian territories, has presented in his recent study some data on the relationship between paramilitary activities and land acquisition by Colombian drug traffickers. He states that illegal-drug traffickers have bought land in 409 municipalities: particularly, in Urabá-Córdoba, en Antioquia, en municipalities at the coast, in Medio Magdalena, and in the Valle de Cauca. He suggests that the drug traffickers have bought “maybe 4 to 5 millions hectares in land, the best land, and the best connected areas.”⁴⁷ Reyes (1996) argues that the basis of paramilitarism has been precisely the acquisition of extensive land by the organized drug traffickers.⁴⁸

The simple comparison of the data, that is, 373 municipalities [out of 1017 Colombian municipalities] with paramilitary actions and 251 with high level buying of land by the drug traffickers illustrates the major territorial coverage of paramilitarism.

For example, in the departments Antioquia, Boyacá, Huila, Tolima, Caquetá, Valle and Chocó, the presence of paramilitary groups and guerrilla groups coincide completely.

Summarizing, as Thoumi point out, alliances between the illegal drug-trafficking business and the guerrillas “have proved usually temporary and fraught with conflict” since their

⁴⁷Alejandro Reyes Posada, *Agrarian Reform and Peace Process*, presented at the international seminar *Procesos de Paz y Negociación en Colombia* that was organized by the Woodrow Wilson International Center for Scholars, Friedrich Ebert Foundation (FESCOL), and the Center of International Studies (CEI), Andes University on the 27 and 28 of June, 1996, p.54-55.

long-term goals are irreconcilable: the drug-trafficking industry represents the interests of an unrestrained capitalism; whereas the guerrilla organizations have their origins in fighting precisely that form of capitalism. (Thoumi, 1994, p. 159. Regarding the latter point, one might argue that with US\$ 1,9 billion revenues resulting from illegal activities, there exists an even greater tension between the guerrilla's fight against unbound capitalism, and their increasing efforts to accumulate capital through various illegal activities.

3.3.5 Economic Power of Colombia's Illegal Drug Trafficking Organizations

In this section, I provide data that sheds light on the level of cocaine exports directed at the U.S. market, cocaine wholesale prices and the profits generated by the Colombian illegal drug trafficker organizations. Hereby, I will concentrate only on the cocaine industry, and the most important studies on this field in Colombia. In this section, I do not only give an idea of the economic power of Colombian drug traffickers, but also about the difficulties of most economists or drug experts to estimate the size of the illegal drug industry.

Most of the data used by these studies are based on estimates of the National Narcotics Intelligence Consumers Committee (NNICC) that receive its information from

⁴⁸Reyes Posada, October 5, 1995, p. 111.

the CIA or the DEA.⁴⁹ When analyzing estimates on export production/volume, prices, and profits of the Colombian illegal drug industry, one has to keep in mind that most of the available data are weak and obtained indirectly which means that they have to be interpreted with *great caution*.

In the last years, several *fictional* estimates have been advanced by a number of authors, such as MacDonald (1989) who claimed for 1988 that estimated data demonstrated that drug trafficking comprised with 36 percent of the total GNP the most important source of foreign exchange earnings.⁵⁰ In the following, I present for the period 1981-1989 the first studies advanced by Colombian economists—Gómez (1988,1990), Sarmiento (1990), and Kalmanovitz (1990)—that have provided a clear methodology in estimating the export volume, price levels of cocaine, and incomes for Colombia's illegal drug industry.⁵¹ Their estimates are based on data from the NNICC, U.S. State Department or U.S. General Accounting Office.⁵² In addition, I show some new estimates provided by Steiner (1996) on the net incomes of the Colombian drug industry between 1980-1995. Although there are significant differences in the results of the studies, they all show similar trends.

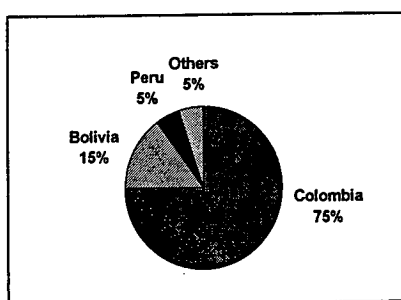
⁴⁹The CIA uses satellite pictures to estimate the area cultivated with coca, marijuana, and poppy. Critiques of the NNICC estimates have argued that their data is inaccurate because of technical difficulties in determining the nature of a particular plantation (Ethan Nadelmann, 1986); others have argued that they are not only accurate, but biased to protect the particular interest of the agencies represented in the NNICC (Peter Reuter, 1984).

⁵⁰As Roberto Steiner describes, other authors and magazines—such as *The Economist*, *Semana*, *Cambio* 16—that have provided figures that ranged from US\$ 7 billion up to US\$ 12 billion. See Steiner, 1996, p. 76.

⁵¹See Gómez, 1988, p. 93-113; and 1990, p. 226-227, p. 8-17; Sarmiento, 1990, p. 13-40; Kalmanovitz, 1990, p. 18-28. Actually, the very first study on the income levels of Colombian drug traffickers was provided by Caballero and Junguito, "Illegal Trade Transactions and the Underground Economy of Colombia." In: V. Tanzi (ed.), The Underground Economy in the United States and Abroad, Toronto: Lexington Book, 1982.

From 1983 on, Colombia has accounted for 75 percent of the total of cocaine exports in the world, whereas Peru and Bolivia played only a minor role in the export business (see figure 3-12). Both countries, however, remained throughout the 1980s the largest coca producers in the hemisphere.

Figure 3-10
Distribution of Processed Cocaine Exports, 1983



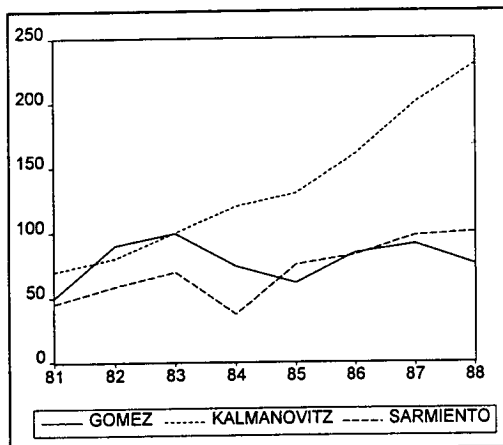
In his study, Gómez (1988, 1990) has calculated for the period 1981-1988—based on estimates of coca cultivation in Colombia, on coca paste imports from Bolivia and Peru, and on U.S. wholesale prices—that cocaine exports increased from 50 metric tons in 1981 to nearly 91 in 1987 (see figure 13). Similarly, Sarmiento's (1990) estimated average number of cocaine exports showed an increase from an average of 45 metric tons in 1981 to 100 in 1988. In contrast, Kalmanovitz (1990) has estimated much higher volume levels and increases for 1981-1988: that is, from 70 tons to 230.

⁵²A recent study on the income of the Colombian drug industry by Roberto Steiner (1996) provide an excellent discussion of the literature on the topic and provides more reliable data.

Interestingly enough, whereas Kalmanovitz shows a significant up-ward trend in exports, the export curves by Sarmiento and Gómez report only a slight increase until 1983, and after that, constant export levels. Although the variety of estimates on the cocaine export volume restates the differences and difficulty in data, calculations, and methodologies applied, in general, one can observe that Colombia drug trafficking organizations have increased cocaine exports to the United States during the 1980s.

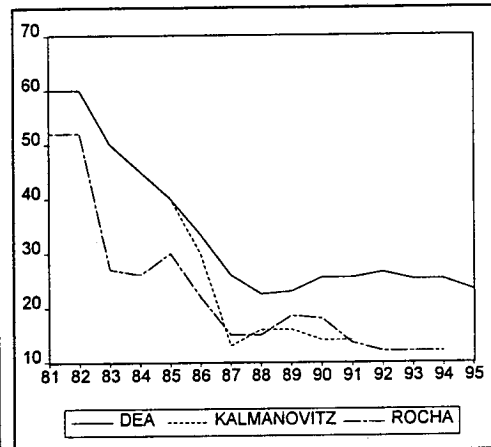
However, when looking at estimates of wholesale prices for cocaine in the United States—that are advanced by the DEA, Kalmanovitz (1992), and Rocha (1995)—it is interesting to note that wholesale prices per kilogram cocaine went constantly down during 1981-1995 (see figure 3-14). For example, according to DEA average estimates, a drug dealer in the United States had to pay US\$ 60 thousand for a kilogram of cocaine in 1980, whereas seven years later the price has fallen down to nearly a third. In 1995, the average wholesale price in the United States was around US\$ 23 thousand; and, in Miami around US\$ 17 thousand per kilogram.

Figure 3-11
Estimates of Cocaine Exports (metric tons)
to the U.S., 1981-88



Source: Thoumi, 1994, p. 187.

Figure 3-12
Estimates of Cocaine Wholesale Prices in the
U.S. (US\$000/kg), 1981-95



Source: Steiner, 1996, p. 81, 93.

If one assumes that scarcity of cocaine leads to an increase of its market price, it is peculiar that with the rise of cocaine seizures from 1976 to 1992 (that is, the withdrawal of cocaine of the U.S. market) did not lead to an increase of its price, but the contrary (see figure 3-15). Since the beginnings of the 1980s, the wholesale prices for cocaine have constantly declined (see figure 3-14).⁵³ One might interpret these numbers as follows: the increase of interdiction efforts has not led to a real decline of cocaine's availability on the U.S. market—on the contrary it shows an increased number of shipments—and affects only

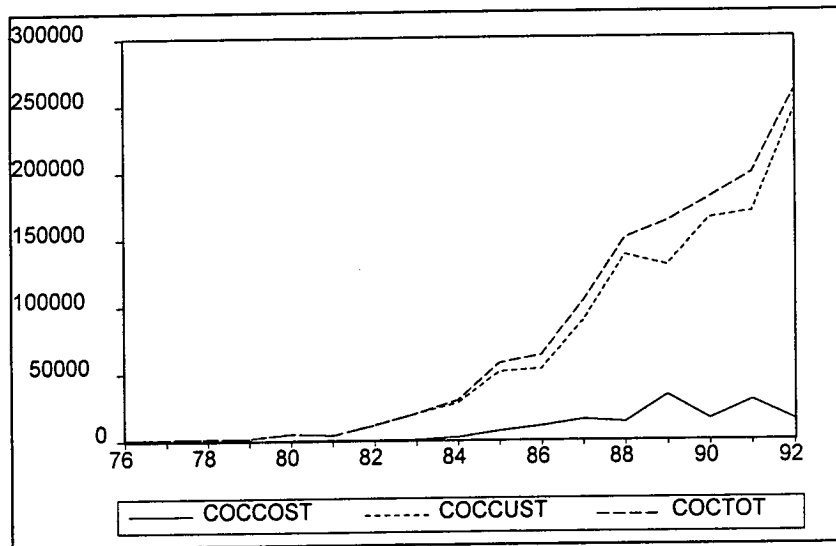
⁵³ See U.S. Department of Justice. Office of Justice Programs. Bureau of Justice Statistics-1992, Washington D.C.: U.S. Government Printing Office, 1993, p. 466-7, 470-1.

marginal drug control efforts; or, that the number of cocaine users has declined in the U.S., and cocaine is overflowing the U.S. market. These figures show that there exists a great uncertainty about the share of the land and marine seizures of the total shipments to the United States.

Furthermore, the figure shows that most of the cocaine smuggled into the United States is interdicted by the U.S. Custom Service (COCCUST). The disparity in the trend of cocaine seizures between the two agencies could mean that more people are smuggling cocaine indirectly through airport traffic than directly over the high seas.⁵⁴

⁵⁴ Another explanation might be that the situation and/or techniques by the Customs Service lend themselves to greater success than those of the U.S. Coast Board.

Figure 3-13
Land and Marine Seizures of Cocaine Exported to the United States, 1976-1992

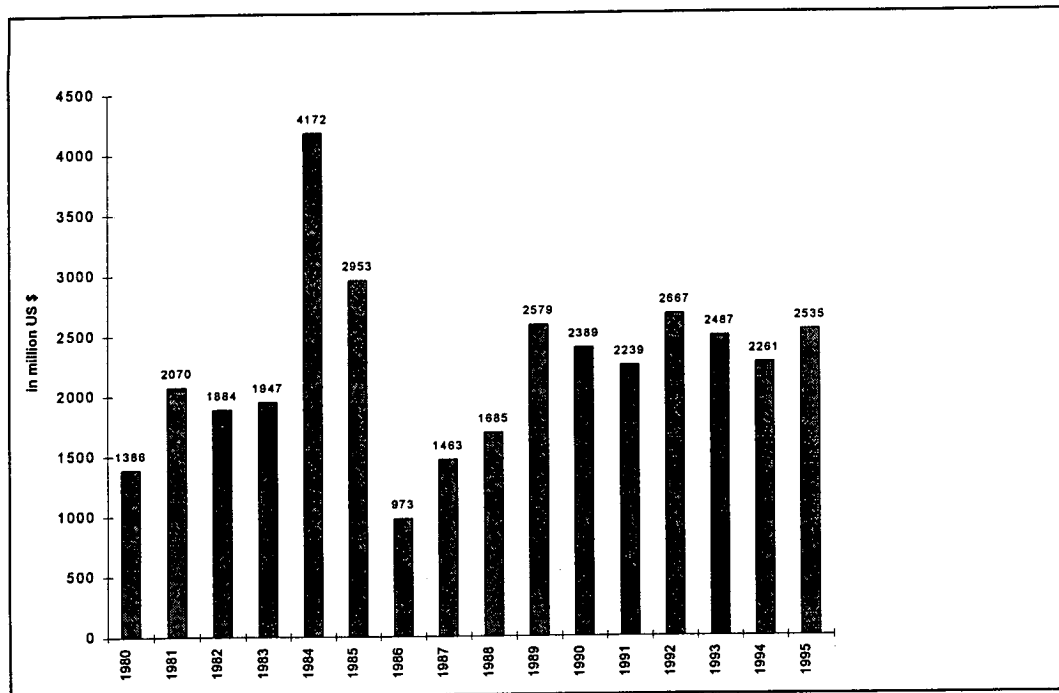


Source: U.S. Department of Justice. Office of Justice Programs. Bureau of Justice Statistics-1992

In a recent study, Roberto Steiner (1996) has provided new estimates on the net incomes of the illegal drug trafficking industry in Colombia from exporting cocaine, marijuana, and heroin altogether to the United States (see figure 3-16).⁵⁵ His calculations are based on the estimates of the gross incomes, the costs associated with the import of raw material (coca base), and other associated costs:

⁵⁵ Cite Roberto Steiner and say that the other authors have also provided some estimates and give example. Steiner suggests that these exceptional occurrences in 1984-86 are a problem of reliable data presented before 1987. In general, he maintains, that although current data on the size of the drug business is available (production costs, prices etc.), and can be calculated more accurately, they still have to be interpreted with great caution. He points out that there exists particularly knowledge gaps around drug distribution and the retail business. For him, questions like *where* the illegal drugs are sold (in Colombia or United States) and *who* (Colombians or Americans) is organizing and profiting from the retail business, remain unsolved and unclear.

Figure 3-14
Net Income of Colombian Drug Traffickers from Their Illicit Drug Exports (in US\$ millions)

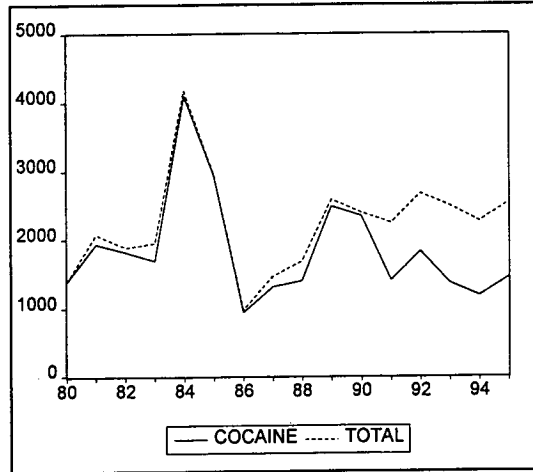


Source: Steiner (1996, 103).

According to these numbers, the profits made by the illegal drug reached in 1984 a peak of around US\$ 4 billions. After that, the net incomes decreased in 1986 to a low of US\$ 1.5 billion, and regained momentum at the end of the 1980s. Since 1990, the profits of the Colombian drug trafficking industry has been constant at around 2 to 2.5 billion per year. Until 1990, the Colombian drug trafficking industry has profited largely from the cocaine business; since then, the drug traffickers' return to heroin and marijuana production and trafficking has provided the drug traders with a new source of income (see figure 3-17). These results can probably be interpreted as result of the *War on Drugs*, particularly on cocaine, during the 1980s.

Figure 3-15

Net Income Generated by Total Drug and Cocaine Exports, 1980-1995

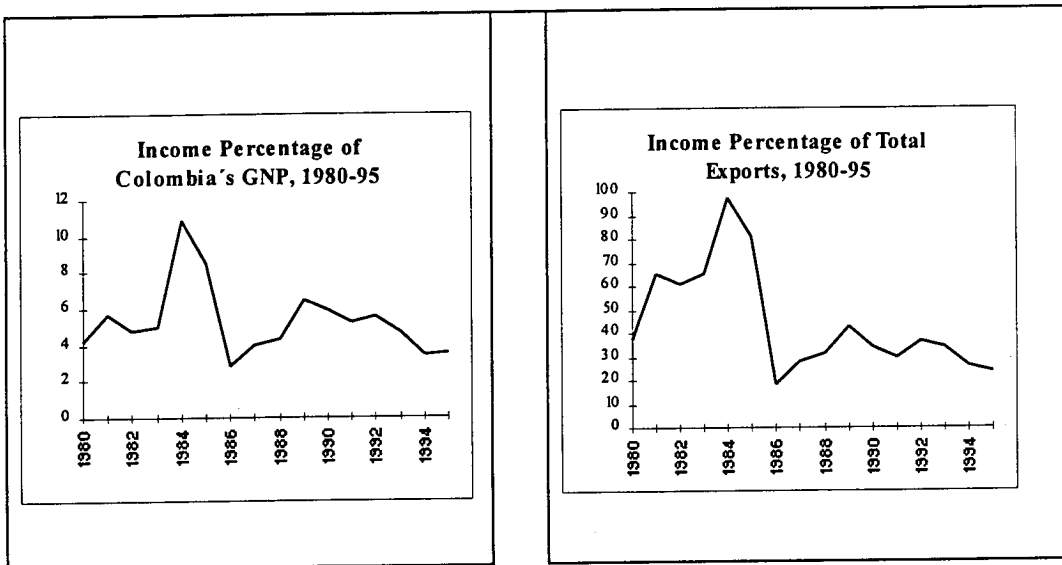


The magnitude of the profits made from the illegal drug business can only be fully understood when relating them to Colombia's Gross National Production (GNP) and the amount of legal exports in the same period (see figure 3-20).

For example, Steiner has estimated that when the drug trafficking earned about US\$ 4 billion in 1984, the amount was equivalent to nearly 11 percent of Colombia's GNP, and to around 98 percent of its total legal exports. A similar situation—although not as extreme as between 1984-1986—can be observed in the period 1989-91.⁵⁶

⁵⁶It has been argued elsewhere that during the 1980s the two main *cartels*, the Medellín and Cali cartel had different investment structures. For example, the Medellín Cartel (with the so-called Ochoa clan, and *Los Pablos* (Pablo Escobar, killed in 1992)) invested supposedly mainly in construction, real estate, and also soccer clubs. In contrast, the Cali Cartel (with the Rodríguez Orejuela brothers) were seeking a low-profile business behavior and maximization of its legitimate business. Therefore it is assumed that they have created over the last years a complex network of legal enterprises which includes real estate firms, construction firms, pharmaceutical laboratories, agribusiness, investment banking and money exchange offices, accounting and financial consulting firms, and transportation companies.

Figure 3-16
Total Net Income and its Equivalent Values of
Colombia's GNP and Total Exports (in percentage), 1980-1995



Source: Steiner, *Los Ingresos de Colombia*, p. 103, 1996.

Although the profits generated by the Colombian illegal drug industry reflect the economic power of these groups, Thoumi maintains that the *lion's* share of the value added of cocaine trafficking and sale remains in the United States. He cites estimates by the Drug Enforcement Agency (DEA) that shows that in 1991, the coca required to produce one kilogram of cocaine at the farm cost US\$ 750, which augmented to US\$ 15 thousand at the wholesale level in Miami. When it was sold by the kilogram in Detroit it increased to US\$ 23 thousand, to US\$ 47 thousand when sold by the ounce, and US\$ 135 thousand by the gram. (Thoumi, 1994, p. 279)

3.4 Summary

Summarizing, this chapter attempted to provide some explanations why the drug problem, especially cocaine and *crack*, became during the 1980s again a *hot* political issue. The data on drug abuse and the consequences of drug use (NIDA and DAWN) provide evidence that there was, on the one hand, an increase of cocaine consumption amongst America's white middle-class youth during 1980-85, and, on the other hand, a rise of drug-related deaths and emergency room episodes during the 1980s. However, it seems necessary to include also other factors that have contributed to the increase of the American public's concern—particular at the end of the 1980s—as the Gallup polls indicate. Hence, the explanation provided by both Reinerman and Levine that the *drug scare* has to be interpreted in the light of the New Right and the competition between political parties in a conservative context cannot be ignored. However, due to the limited scope of this dissertation I did not pursue to include and analyze other explanations—for example, the need for a *new* enemy for justifying military spending. The fact is, that the election of Ronald Reagan in 1982 marked the entry into a new era of drug intolerance in which organized drug trafficking organizations in drug-producing and drug-trafficking countries in Latin America—especially, Colombia—became the main target.

By demonstrating how the U.S. government re-found the drug problem in the 1980s by declaring it a national security issue, I aimed to provide evidence for the impact at

domestic and international level. At the domestic level, numerous legislative and institutional changes—such as the establishment of a National Drug Enforcement Policy Board chaired by the Attorney General, the drug control lead agency DEA under the supervision of the FBI, and, most important, the involvement of the U.S. military in the drug control efforts—reflected precisely the new approach to the drug issue. As a result of these changes, Congress expanded its authority and oversight power in international drug policy, by increasing its control over the Executive branch in its drug control decision-making. At international level, the interpretation of drug trafficking as primary target of the U.S. drug control policy led to the fact that Congress was given a powerful tool in exerting pressure on drug-producing and drug-trafficking countries to cooperate fully in the *War on Drugs*: the certification process.

As a result of this new drug strategy, Colombia—as primary location of the illegal drug trafficking industry and cocaine export country—emerged as the focus of the U.S. drug policy toward Latin America during the 1980s.

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4. Colombia-U.S. 1986-90: The War on Drugs and Policy of Compliance

In this chapter I show that with the election of President Virgilio Barco as President of Colombia the United States assured itself of a firm ally in the fight against drugs.¹ His determination to persecute and capture the Colombian drug traffickers was not only reflected in his international commitment, but in his policy choices as well. However, at the societal level, I will provide evidence that despite the decisiveness of the Barco administration in the war on drugs he lost the support of the major Colombian political actors. The increase of drug-related violence that was associated with full international cooperation led to a shift in the preferences and perceptions of the most important political groups.

The so-called international forces that had supported Barco's confrontational strategy increasingly shifted toward a *national* coalition that pressured the government for a drug control strategy with fewer domestic costs at the end of the 1980s. By concentrating mainly on the extradition issue, I show that the increase of U.S. pressure on Colombia to cooperate fully—by extraditing Colombian drug traffickers to the United States—led to a rise in drug-related violence and threats against Colombia's political establishment.

At the institutional level, I show how President Barco used his extended presidential powers to override the obstacles to his confrontational drug control strategy posed by the national forces, that is, especially the Supreme Court and the State Council.

As already outlined in the Introduction Chapter, I chose formal content analysis for my empirical study. I used the official speeches of the Presidents Barco and Gaviria and organized them according to supportive or non-supportive statements regarding full cooperation with Washington. For identifying the different positions of support or non-support for the government's drug policies by the major political actors in Colombia, formal content analysis was performed on 388 *El Espectador* (EE) articles (1986-1992), 476 *El Tiempo* (ET) articles (1992-1994), and 265 *Semana* (SEM) articles (1986-1993).² All these articles were coded according to their content, for example, if they were related to the extradition issue they received the abbreviation EXT (see Appendix A):

¹In the May 1986 presidential election, Barco received the largest mandate in Colombia's history, with 58 percent (4.1 million) of the vote, as compared to the Conservative Party candidate Alvaro Gómez 36 percent (2.5 million). As a former minister of agriculture (1962-64) and mayor of Bogota (1966-69), Barco had gained a reputation as a skillful public administrator. His election was helped by endorsements from four former Liberal presidents—Alberto Lleras Camargo, Lleras Restrepo, López Michelsen, and Turbay Ayala.

²For purpose of more clarity, readability and consistency, I will use the following abbreviations: *El Espectador* (EE, Date, Page), *El Tiempo* (ET, Date, Page), and *Semana* (SEM, Date, Page); *New York Times* (NYT, Date, Page), *Wall Street Journal* (WS, Date, Page), *Miami Herald* (MH, Date, Page), and *Washington Post* (WP, Date, Page). In the case of the congressional hearings, I used the following convention: (U.S. Congress Year, Page). Please refer to Appendix A for a complete bibliographic citation of the congressional hearings and newspaper articles. Citations of the Spanish documents and articles are all translated by the author.

Table 4-1
Number of Articles: Semana, El Tiempo and El Espectador

Year	Semana	ET	EE
1986	9	-	50
1987	25	-	61
1988	23	-	101
1989	38	-	73
1990	57	3*	66
1991	40	9*	30
1992	41	137	7*
1993	32	155	-
1994	-	172	-
Total	265	476	388

*See Appendix A.

In order to observe the reactions of U.S. governmental officials and congressmen regarding Colombia's response to their pressures on the drug issue, I analyzed 44 congressional hearings and reports and selected the statements that were relevant to the extradition issue and specific events. Furthermore, I analyzed a number of articles of the *New York Times*, *Wall Street Journal*, *Washington Post* and *Miami Herald* in order to identify their positions on certain episodes.

I divided the chapter into five phases. In the first three phases I sort out the following events that allowed me to identify the different positions of governmental officials and the major political actors in Colombia and the United States: i. the Ochoa case (I) and the killing of Guillermo Cano; ii. the Ochoa case (II) and the killing of Attorney General Mauro Hoyos; and, iii. the rise of the drug issue as the most important problem in the United States. In the fourth phase, I analyze how Barco's policy of full cooperation with the United

States and enforcement of extradition led to high levels of drug-related crime and violence. In the final phase, I provide evidence that Barco's drug control strategy of full compliance has led to high domestic costs to the major political actors who started gradually toward a nationalist coalition. By concentrating on the domestic pressure for initiating a dialogue with the drug traffickers and the demand for United States' economic compensations for Colombia's war on drugs, I show that Colombians were not willing anymore to support a drug policy of full cooperation.

Before I start with my analysis, I describe briefly in the next two sections the most important political actors in Colombia and the United States relevant for the drug policies in each country. Then, with a short description of some important drug control policy-related facts that occurred before Virgilio Barco became president of Colombia in 1986 I set the stage for my empirical analysis.

4.1 Major Political Actors and Brief Background Before 1986

4.1.1 Major Political Actors in Colombia and the United States

In Colombia the formulation and enforcement of a specific drug control strategy—specifically the enforcement of the extradition treaty—remained largely in the hands of the executive branch, including President, the Minister of Justice, and the Minister of Defense. In addition, a multi-ministry policy-making body—the National Council of Dangerous Drugs (CNE)—that was chaired by the Ministry of Justice played a major role in the design of the drug control policies.³

It is important to know that until the new constitution of 1991 the Colombian president enjoyed great autonomy in formulating and enforcing the country's drug policy vis-à-vis the Congress and the judicial branch.⁴ For example, although under the 1968 Constitution, the executive, legislative, and judicial branches were established with separation of powers

³ In the field of eradication, the following major political actors were involved: the Ministry of Health, and Ministry of Agriculture. The most important subordinated institutes—the National Institute for Family Welfare (ICBF), the Institute of Agrarian Reform (INCORA) and the National Institute of Natural Renewable Resources (INDERENA)—were responsible with evaluating the effects of herbicides and efforts of substitutions programs to help coca farmers switch to cultivation of other legal agricultural products.

⁴ Under 1886 constitution and, later, 1968 Amendment, the executive, legislative, and judicial branches are established with separation of powers and with checks and balances; nonetheless, executive retained strong policy-making authority. The president is elected by direct popular vote for four-year term. As chief of state, the president oversees the executive branch of government, consisting of a thirteen-member cabinet, various administrative agencies, a developing bureaucracy, and more than 100 semiautonomous or decentralized agencies, institutes, and corporations, generally known as institutos descentralizados. These appointive powers allow the president to select the cabinet and the chiefs of all the administrative agencies without the approval of either house of Congress. Under Colombia's unitary system of government, the president also appoints and may remove the governors of the twenty-three territorial departments and the heads of the nine national territories (territorios). The bicameral Congress—consisting of 114-member Senate and 199-member House of Representatives—is popularly elected for four-year term. Judiciary consists of twenty-four-member Supreme Court—various district superior, circuit, municipal, and lower courts—and the Council of State, Colombia's highest court of appeal.

and with checks and balances, the executive branch retained strong policy-making authority. The president—who is elected by direct popular vote for four-year term and oversees the executive branch of government, consisting of a thirteen-member cabinet—supervised various administrative agencies and more than 100 semiautonomous or decentralized agencies, institutes, and corporations. These appointive powers allowed the president until 1991 to select the cabinet and the chiefs of all the administrative agencies without the approval of either the House of Representatives or the Congress. Furthermore, the president had the power to appoint and remove the governors of the twenty-three territorial departments and the heads of the nine national territories.

The importance of the extensive powers of the executive branch for the country's drug policy making, were reflected in Articles 120 and 121 of the 1968 Constitution that allowed the Colombian president to declare a state of siege in moments of internal conflict or war. Equally important for Colombia's drug policy was the fact that the chief executive had considerable legislative authority by issuing decrees with the force of law—the so-called decree-laws (*decreto-leyes*)—that needed the constitutional approval of the Supreme Court. This meant that the Presidents Barco and Gaviria were greatly autonomous and in some ways independent from their constituencies and the congress which gave them an important role in the determination of the country's drug control policy.

In that context, the drug policy of Colombian presidents depended directly on the support of their most important cabinet members—the Minister of Justice, the Minister of Defense, the Minister of Foreign Relations, and the Colombian Ambassador to the United

States—and his closest advisors.⁵ But in spite of the great autonomy the Colombian president enjoyed, he depended also on the support of the major political actors in order to make his drug policy work. These major political actors included the members of two most important political parties, former presidents, the Roman Catholic church, and the military, policy as well as security forces.

In contrast to the extensive powers of the President, the Colombian Congress—consisting of the 114-member Senate and the 199-member House of Representatives—played a minor role in the policy decision-making process regarding the drug issue and lacked a dynamic legislative and drug policy-making role during the 1980s.⁶ Mostly, the executive branch or the political parties took the initiative in promoting and preparing legislation. Accordingly, although not directly involved in the formulation and enforcement of Colombia's drug control policy, the support of members and leaders of the most important political parties—the Liberal Party (*Partido Liberal*), Conservative Party (*Partido Conservador*), New Liberalism Movement (Movimiento Nuevo Liberalismo), and the Social Conservative Party (*Partido Conservador Social*)—was salient to the government's policy implementation.

⁵ The group of closest advisors of President Barco, the so-called *Sanedrín*, included Fernando Cepeda, César Gaviria, Gustavo Vasco, German Montoya and Mario Latorre. Furthermore, due to the relatively young age of the Ministers of the Gaviria administration, his cabinet was called the *kinder cabinet*.

⁶ High rates of turnover and absenteeism and a weak committee system were among the persistent problems that hindered congressional effectiveness. During the 1980s, congressional turnover was always high, ranging from 60 to 80 percent; few congressmen returned for a consecutive term, and even fewer served three terms. Absenteeism also was a chronic problem. Even with the alternate system, absenteeism was quite high, with an average of less than 75 percent of congressmen or their alternates present during voting, even on the most important issues. The size of the eight existing committees varied, but they were usually large, met rarely, and made no use of subcommittees.

With respect to the two main political parties in Colombia, the Liberal and Conservative Party, it should be mentioned that few ideological differences are discernible. The support for both Colombia's parties stem more from traditional loyalties and identifications, than from organizational activity and ideological or class differences.⁷

Since the political arrangement under the National Front (1958-1978)—in which Colombia's political parties alternated political power every four years and shared governmental offices—inter-party competition was limited and has led, therefore, to an increase of intra-party factionalism.⁸ As a result, factionalism has helped to perpetuate the two-party system by serving as a de facto substitute for a more fragmented multiparty system.⁹ Accordingly, the leaders of these different party factions and even former presidents have assumed powerful roles in party politics and in the political life in Colombia. In that context, Colombia's Roman Catholic Church—traditionally one of the most orthodox, conservative and powerful in Latin America—also influenced the

⁷Since the mid-nineteenth century, elites from the Liberal Party and the Conservative Party have dominated the nation's political institutions. Until the 1957 Sitges and San Carlos agreements, the parties had consistently used the prerequisites of government to create and maintain popular support through a patronage relationship with members—particularly, through local powerful leaders (*caciques*; *gamonales*). Accordingly, the cohesiveness and support for both Colombia's parties stem from traditional loyalties and identifications, rather than organizational activity and ideological or class differences.

⁸For example, the Conservative had various factions: one—the Pastranistas-Ospinistas—was named after former presidents Misael Pastrana and Mariano Ospina Pérez; the other faction—the Alvaristas—was named after Alvaro Gómez Hurtado, son of former president Laureano Gómez Castro. In the 1980s, the Liberals were also divided into two main factions: the New Liberalism Movement (Movimiento Nuevo Liberalismo—MNL) that was established in 1979; and, the majority official wing (*oficialistas*).

⁹With the exception of the populist National Popular Alliance (*Alianza Nacional Popular*, Anapo; created in 1961 by Rojas Pinilla) in the late 1960s and early 1970s, and the Patriotic Union (*Unión Patriótica*, UP)—that was founded as legal arm of the guerrilla group FARC, and the Alianza Democrática—that was founded in 1990 by the former guerrilla group M-19, third parties in Colombia had almost no chance of political survival.

government's drug policy through its affiliation with the Conservative and Social Conservative Parties.

In addition to the influence of the political party leaders and former presidents between 1986 and 1994, the Colombian press also exercised important influence in channelizing support for or opposition to the government's drug policy. Almost all newspapers were affiliated—officially or semiofficially—with either the Liberal or Conservative Party. The two most important daily newspapers, *El Espectador* and *El Tiempo*, were affiliated with the Liberal Party, whereby *El Espectador* tended to support the New Liberalism Movement faction of the party and took a strong stance against the drug trafficking industry. Other newspapers with smaller circulation were *El Siglo* and business-oriented *La República* that were both affiliated with the Conservatives.¹⁰ Other regional newspapers, such as Medellín's conservative *El Colombiano* and Cali's *El Occidente* also took strong anti-drug stances. In general, the Colombian press decided to unite itself and to simultaneously publish articles on the activities and threats of the Colombian drug trafficking industry—in order to make it more difficult to target only one specific newspaper. Amongst the different interest groups, the largest Colombian economic

¹⁰*El Siglo* represented the party's right wing and its editor, Alvaro Gómez Hurtado took a high profile stand against drug traffickers and Marxist guerrillas.

associations (*gremios*) exercised also significant influence on the government's drug policies.¹¹

Probably the most important player for Colombia's drug policy was the judicial branch—including the Supreme Court, State Council, and district superior, circuit, municipal, and lower courts—due to its responsibility for enforcing Colombian drug control laws. The twenty-four-member Supreme Court and the State Council—Colombia's highest court of appeal—played a crucial role in the enforcement of the 1979 extradition treaty.¹² With its power of judicial review over the constitutionality of administrative codes, decrees, and legislation, the Council of State was given equal rank with the Supreme Court. It is important to note that the judicial system in Colombia remained independent from the executive branch: that is, the Colombian President had not the power of appointing Supreme Court members. Also important for the enforcement and support of Colombia's drug control policy were the Colombian military, police, and security forces.

The following table shows the main government officials and political actors during the Barco and Gaviria administrations that held responsibilities on the decision-making

¹¹ The most important ones were the following: the National Association of Manufacturers (*Asociación Nacional de Industriales*, ANDI), the National Federation of Merchants (*Federación Nacional de Comerciantes*, Fenalco), the National Federation of Colombian Coffee Growers (*Federación Nacional de Cafeteros de Colombia*, Fedecafe), the Colombian Popular Association of Small Manufacturers (*Asociación Colombiana Popular de Industriales*, Acopi), the Association of Flower Growers (*Asociación Colombiana de Floricultores*, Ascolflores), the National Federation of Cattle-Ranchers (*Federación Nacional de Ganaderos*, Fedegan), and the Colombian Chamber of Construction (*Camara de Construcción de Colombia*, Camacol).

¹² The Council of State has two functions: first, it acts as an advisory board to the president by drafting bills concerned with administration; second, it acts as the supreme administrative tribunal, presiding over a hierarchy of courts that hears complaints against the government and public officials.

process and the enforcement of the drug control policies. Note that a number of presidential advisors during the Barco administration continued their political careers in the Gaviria administration:

Table 4-2
Government Officials During the Barco and Gaviria Administrations, 1986-1994

Positions	Barco administration	Gaviria administration
Presidential Advisors	Rafael Pardo Rueda, Fernando Cepeda, Fernando Carillo, Gabriel Silva	Miguel Silva, Jose Manuel Cepeda
Minister of Justice	Eduardo Suescún Monroy, Enrique Low Murtra, Guillermo Plazas Alcid, Mónica de Greiff Lindo, Roberto Salazar Manrique	Jaime Giraldo Angel, Fernando Carrillo Flórez, Andrés González
Minister of Defense	Gral. Rafael Zamudio Molina, Gral. Oscar Botero Restrepo	Rafael Pardo Rueda
Minister of Government	Fernando Cepeda; César Gaviria; Orlando Vásquez Velásquez; Carlos Lemos Simmonds; Horacio Serpa	
Minister of Foreign Relations	Julio Londoño Paredes	Luis Fernando Jaramillo, Noemí Sanín
Minister of Economy	Luis Fernando Alarcón Mantilla	Rudolf Hommes
Attorney General (Procurador)	Carlos Mauro Hoyos; Alfredo Gutiérrez Márquez, Horacio Serpa Uribe, Alfonso Gómez Méndez	Carlos Gustavo Arrieta
Attorney General	Carlos Mauro Hoyos	Gustavo de Greiff
President of the State Council	Samuel Buitrago Hurtado	
President of the Supreme Court	Fernando Uribe Restrepo - José Alejandro Bonivento Fernández	Alejandro Martínez
Commander of the Military Forces	Gral. Manuel Jaime Guerrero Paz; Oscar Botero Restrepo	
Director of Police Forces	Mayor Gral. José Guillermo Medina Sánchez - Miguel Antonio Gómez Padilla	Gral. Miguel Antonio Gómez Padilla
Director of DAS	Gral. Miguel Alfredo Maza Márquez	General Miguel Alfredo Maza Márquez, Fernando
Leader of the New Liberalism Party	Luis Carlos Galán	
Leader of the Conservative Party	Rodrigo Lloreda Caicedo, Misael Pastrana Borrero, Rodrigo Barraza Salcedo	
Leader of the Conservative Party	Julio César Turbay Ayala, César Gaviria Trujillo	
Colombian Ambassador to the U.S.	Victor Mosquera Chaux	Gabriel Silva, Jaime García Parra
U.S. Ambassador to Colombia	Thomas Gillespie; Edmund McNamara	Morris D. Busby, Myles Frechette,

4.1.2 United States

In the case of the United States, I will concentrate primarily on the perceptions and reactions of the President, the Director of the National Drug Policy Office, a number of U.S. State Department officials—from the Bureau of International Narcotic Matters, Bureau of Inter-American Affairs, and the DEA—, and the U.S. congressmen of different committees that were involved in the decision-making process of the country's drug control policy.

As already described in detail in Chapter Three, over the 1980s U.S. Congress had significantly increased its role in the decision-making process of the country's drug policy. The Anti-Drug Abuse Acts of 1986 and 1988 provided the U.S. Congress with the *certification process* that represented a powerful instrument to impose sanctions on drug-producing and drug-trafficking countries that were uncooperative in the drug control efforts. Under previous legislation it was the president who took the initiative to determine whether or not a country would be eligible for foreign assistance. Under the Anti-Drug Abuse Act of 1986, the Congress was given the authority to decide which countries would receive financial aid, whereas the role of the president had been reduced to enforce the terms of this congressional determination.

The fact that in 1988 there was a total of 53 committees and subcommittees in the House of Representatives and 21 committees and subcommittees in the Senate which had

jurisdiction over some aspect of the U.S. national drug abuse policy, indicates the power of the U.S. Congress on the design of the country's anti-narcotics policy. (Perl, 1988, p. 21)

The most important standing committees related to international drug control policies included: the Senate Foreign Relations Committee, the House Foreign Affairs Committee, the House Select Committee on Narcotics Abuse and Control, the House Committee of Government Operations, the Senate Committee of Governmental Affairs, and the House and Senate Armed Services Committees.

Another indicator of the extended role of the Congress in the formulation and oversight of the anti-narcotics policy in the United States was the increase in hearings and reports of the different committees involved during the 1980s. In my analysis I will make extensive use of the hearings and reports that were held on Colombia and the drug trafficking issue during the period of 1986-1994. The analysis of these hearings not only are important for providing evidence of the different perceptions and reactions of congressmen towards the events in Colombia, but also in terms of the political dynamics and relationship between the executive branch and Congress. On the one hand, the hearings offered to both the administration and the committees the opportunity to make their viewpoints known and to hear recognized authorities in the drug policy field outside their respective organization. On the other hand, the hearings allowed the U.S. Congress to influence the country's international drug control policy by exerting pressure on the executive branch. In case of ineffective policies, this enabled the congressmen to draw attention to the executive branch and to receive public support for proposed legislative reform in the government's policy. (Perl, 1988, p. 25ff)

4.1.3 Brief Background

When the Liberal Party candidate Virgilio Barco was elected President of Colombia and assumed office on August 7, 1986, he announced that he would end the thirty-year-old tradition of coalition governments by establishing a one-party government (*gobierno de partido*), solving the guerrilla conflict, and fighting drug trafficking.¹³ The most delicate problem he inherited from his predecessor Belisario Betancur was the extradition strategy that had become the key issue in U.S.-Colombian relations. In fact, Barco himself had signed in his function as Colombian Ambassador to the United States the extradition treaty between the United States and Colombian in 1979. Some events during the previous Betancur administration had already given President Barco an idea of the difficulties he would encounter in enforcing the extradition treaty.

For example, when in early 1983 the U.S. Embassy in Bogota requested for the first time the extradition of a Colombian drug trafficker to the United States, the Attorney General, Carlos Jiménez Gómez, issued two concepts on the unconstitutional nature of the extradition treaty. Furthermore, in eight separate extradition cases he asked the Colombian Supreme Court to declare the treaty unconstitutional. However, after the Colombian Supreme Court handed down a favorable judgment on the extradition of the drug trafficker

¹³Barco believed that the sharing of cabinet seats and other government posts under the old National Front arrangement hindered democracy by excluding other political groups. Barco favored a more conventional system in which the winning party governed and the losing party served as a genuine opposition. Although Barco offered the Conservatives three cabinet positions in his administration in accordance with Article 120 of the Constitution, Conservative former President Pastrana declined the token participation in order to "revitalize" the party's identity. The Conservatives declared themselves in *reflective opposition* to the Barco administration. Thus, Barco's Council of Ministers was the first one-party cabinet in almost three decades.

Mejía Romero the 1979 extradition treaty went into effect for the first time since its ratification. However, President Belisario Betancur blocked in November 1983 by executive resolution the extradition of the drug trafficker, which led to the frictions between the United States and Colombia. U.S. Ambassador Lewis Tambs commented:¹⁴

If we are going to collaborate in the fight against these individuals [the drug traffickers], against these persons who respect no homeland; then Colombia must collaborate with reciprocity, including on the issue of extradition.

Furthermore, after a study mission in August 1985 to Colombia the House Select Committee on Narcotics Abuse and Control concluded that the judicial system exhibited little determination on narcotics traffickers: “Unfortunately, the judiciary remains the weakest link in the Colombian Government’s anti-narcotics efforts.” (U.S. Congress 1985, p. 15) The report provided several explanations for the weakness of the judicial branch. The judiciary faced high levels of intimidation, corruption and political pressure. In addition, the judicial system was characterized by slowness, an insufficient number of judges, and deficiencies in the investigating authorities in collecting proper evidence. From 1978 to 1983 alone, 30 judges were assassinated. Regarding the extradition treaty, the final report stated that the treaty as a “very important element in Colombian-U.S. anti-narcotics efforts” had failed to live up to the high expectations for it.” (U.S. Congress 1985, p. 16)

In addition to the increase of U.S. pressure, the wave of violence and intimidation against Colombia’s judicial branch can also be attributed to the increasing power of the

¹⁴ U.S. Ambassador Lewis Tambs cited in Juan Gabriel Tokatlian, The Political Economy of Colombian-U.S. Narcodiplomacy: A Case Study of Colombian Foreign Policy Decision-Making, 1978-1990. (Ph.D. Dissertation, Johns Hopkins University, 1991), p. 118.

Colombian drug trafficking industry. The threat posed by the drug traffickers to the country's political and social stability became evident when Pablo Escobar—later the notorious leader of the Medellín drug cartel—joined the New Liberalism Movement and its leader Luis Carlos Galán during the presidential campaign in 1982.¹⁵ Although there were already rumors that Escobar was involved in illegal drug-related activities, this fact did not prevent him from becoming alternate deputy for Jairo Ortega's seat in the Colombian House of Representatives. This only became evident on September 7, 1983 when Guillermo Cano—the editor and co-owner of the second-largest Colombian newspaper, *El Espectador*, and one of the leading opponents of the drug industry—found a photograph of Pablo Escobar which connected him explicitly to drug trafficking activities in the 1970s.¹⁶ He published that photograph the following day in his newspaper, and it became major news in the United States. As a result, Minister of Justice Rodrigo Lara Bonilla orchestrated the expulsion of Escobar from the New Liberal Party and accused Escobar on ABC television of being one of Colombia's major drug traffickers. Lara Bonilla further declared that the Colombian government was considering the possibility of reviewing and enforcing the

¹⁵ See María Jimena Duzán (1992, p. 39-40) and Fabio Castillo (1987, p. 61-63). The National Latino Movement (*Movimiento Latino Nacional*) that was founded by Medellín drug trafficker, Carlos Lehder, symbolized another attempt of the drug trafficking industry to gain political participation, social legitimization, and economic security.

¹⁶ Fidel Cano, the nephew of Guillermo Cano and co-owner of *El Espectador*, told me in an interview (18 February, 1996) that his uncle remembered Pablo Escobar's name in connection with drug trafficking. After glancing through the archives of his newspaper, he found a photo that showed Pablo Escobar with his cousin, Gustavo Gaviria, in the Bellavista prison in Medellín. Both were captured with 39 kg of cocaine in their possession.

extradition treaty, and had increased drug law enforcement, and destroyed one of the largest cocaine laboratory facilities in the *Tranquilandia Operation*.¹⁷

The drug trafficking industry responded to the government's determination to enforce the extradition treaty by killing of Minister of Justice Lara Bonilla on April 30, 1984. The assassination of Lara Bonilla left President Betancur with no alternative other than to declare war on the drug trafficking industry and to enforce the extradition treaty. In May 1984, President Betancur signed the first order since the ratification of the agreement in 1979 to extradite Medellín drug trafficker Carlos Lehder and five additional traffickers.

In November 1985, the M-19 guerrilla organization attacked the Palace of Justice in which after twenty-eight hours of intense fighting eleven Supreme Court judges, several dozen other hostages, more than a dozen troop members, and all thirty-five terrorists were killed. The attack on the Palace of Justice was particularly interpreted as an attempt by the drug traffickers to destroy, with the help of the M-19 guerrilla movement, the records of extradition cases. The destruction of the Palace of Justice also heightened the theory about the *narco-guerrilla* connection that U.S. Ambassador Lewis Tambs had formulated in 1984

¹⁷ In March 1984, Colombian authorities raided in the in remote area of Caqueta Department in southeast Colombia the large cocaine-laboratories complex known as Tranquilandia. It resulted in the seizure if several cocaine-laboratories, 8500 kilograms cocaine,, 1500 kilograms of cocaine base, five wing aircrafts, one helicopters and large supplies of chemicals used in the cocaine conversion process. See U.S. Congress, 1985b, p. 57.

when the drug-traffickers' *Tranquilandia* manufacturing complex in the Amazon jungle was found to operate under guerrilla protection.¹⁸

As a result of these violent attacks against the judicial branch, Colombian judges and employees became, not surprisingly, increasingly reluctant to support the extradition treaty. After another Supreme Court judge, Hernán Baquero Borda, who helped to draft the 1979 extradition treaty, was killed in July 1986 in Bogota, the Supreme Court issued a communiqué in which their opposition to the extradition treaty became clear:¹⁹

The court is waging an unequal struggle that must be compensated with the presence of the state and society, not only through the demonstration of solidarity [...] but also by understanding that the first priority [...] is to meet the needs of the judicial branch. Nevertheless, the court takes the liberty of stating that it believes that the situation in which it has been placed makes it almost impossible for the court to properly fulfill its legal and constitutional functions [...]. The court reports to the nation that the judicial branch has had to face its mission practically alone.

[...]

One cannot ignore the fact that one of the factors that serves as a backdrop to this crisis is the Extradition Treaty signed with the U.S. government. It was negotiated by the executive branch and unanimously approved by the Congress. The court has solely had to consider specific cases and to rule on their constitutionality, a task that it has zealously carried out with absolute impartiality and total respect of the rights of individuals. In view of this international agreement and the inconsistent way that it has been interpreted by the executive, the court hopes that the other branches of

¹⁸According to David L. Westrate, Assistant Administrator for Operations of the DEA, during the raid of the *Tranquilandia* complex Colombian National Police became involved in a small-armed fire from "approximately 30 individuals dressed in green quasi-military type fatigues." In another raid of the so-called Loma laboratories close to the *Tranquilandia* complex, Colombian police verified that Colombian guerrilla movements were cooperation with the drug traffickers when they close by "found a jungle training camp of the FARC Seventh Front." DEA also confirmed that Colombian M-19 was involved in drug-related activities. See U.S. Congress 1985a, p. 57.

¹⁹ Also in July, Raul Echavarría, deputy director of the Cali daily newspaper *El Occidente*, was shot to death the day after he wrote an article advocating the death penalty for major traffickers. In the same month, Judge Tulio Manuel Castro was assassinated. Castro was heading the investigation of Lara Bonilla's assassination, the former Minister of Justice in the Betancur administration, and had indicted Pablo Escobar, the *drug baron* of the Medellín cartel, and Gonzalo Rodríguez-Gacha. In October, a Medellín Superior Court judge, Gustavo Zuluaga Berna, was murdered. Several months earlier Zuluaga had issued an arrest warrant against Pablo Escobar and his cousin Gustavo Gaviria as the possible "intellectual authors" of the murder of two detectives of the Department of Administrative Security (DAS). See *El Espectador*, Mi Hora Cero, María Jimena Duzán, August 1, 1986; and See *El Tiempo*, August 4, 1986. XXX Title (Tokatlian, 183).

government also fulfill their own duties [...] to date the court has been a defenseless and isolated victim of the most brutal outrages, the sources of which remain a mystery.

Accordingly, when Virgilio Barco assumed his presidential office in August 1987, he was aware that the enforcement of extradition of Colombian drug traffickers to the United States was an indicator of his commitment to cooperate fully in the war on drugs, but that it would produce high criticism from the Colombian judicial branch.

In the first section of this chapter, I will analyze briefly how President Barco made a commitment at the international level to cooperate fully with Washington in the fight against drugs. Then, in the following sections, I will sort out the most critical events during different phases in his administration that allow me to identify the different reactions, perceptions and preferences of the major political actors in Colombia and the United States.

4.2 Barco's International Strategy: Commitment to Full Cooperation

Three months before Barco's presidential inauguration, President Reagan issued the National Security Decision Directive 221, stating that drug trafficking constituted a major threat to the country's security and authorized an active role for the U.S. military in the fight against drugs. As already described in Chapter Three, the U.S. Congress had passed the Department of Defense Authorization Act of 1982 that amended the Posse Comitatus Act to permit cooperation among military and civilian law enforcement agencies. The Reagan administration argued that success against drug trafficking was closely linked to the continuation of freedom and democracy in the hemisphere. In addition, the involvement of military forces in drug control efforts were justified on the grounds that the smuggling techniques of the drug traffickers could also be exploited by insurgent groups that were threatening democratic stability in the region.

During *Operation Blast Furnace* in Bolivia, the involvement of an army combat unit from the 193rd Infantry Brigade stationed in Panama with six Black Hawk helicopters was a clear signal that the United States was willing to directly involve military forces in its international drug control efforts. In addition, the 1986 Anti-Drug Abuse Act gave the U.S. Congress the authority, via the certification process, to make foreign assistance to drug producing and drug trafficking countries conditional on the progress of their drug control efforts. Accordingly, Colombia was directly exposed to U.S. pressure to comply with its demands.

Two days after his election as President of Colombia, Virgilio Barco met with U.S. Secretary of State, George Shultz and assured his commitment to full cooperation with Washington in the war against drugs: “I am in the fight against drugs, not only at the bilateral, but also at international level.” (EE, August 9, 1986, p. 79) Similarly, Shultz expressed his conviction that “the engineer Virgilio Barco will be a good ally of the United States.” On September 29, 1986 Barco addressed the Organization of American States stating that the new forms of crime, drug trafficking and terrorism, constituted “the major challenges to our civilization, and principally to the right to live.”²⁰ (VB, Vol. IV, September 29, 1986, p. 17) Furthermore, he declared two days later in a speech before the General Assembly of the United Nations that drug trafficking and terrorism were “crimes against humanity” and made explicit his commitment to the war against drugs: (VB, Vol. IV, October 1, 1986, p. 26)

Colombia is engaged in a frontal war against drug production, trafficking, and abuse. In this heroic fight magistrates, judges, government officials—amongst them a Minister of Justice was killed—, members of the armed forces, journalists and humbled women and men have died in the line of duty.

Although we have paid a very high and painful prize, I would like to state before this Assembly that my country will continue the fight against the inhumane forms of delinquency.

However, although he committed himself to intensify the fight on drugs, he also emphasized in his speech to the General Assembly of the United Nations, and in an informal meeting with President Reagan at the annual meeting of the World Bank and the International Monetary Fund, that it was fundamental to reduce drug use in the United States in order to weaken the demand for drugs in the Latin American countries. (EE,

²⁰I will refer to the presidential speeches of Virgilio Barco during 1986 and 1990 as follows: (VB, Volume, Date, page).

October 1, 1986, p. 231-232) Furthermore, he extended his congratulations to Reagan and his wife in their fight against drug abuse in the United States that would help to reduce drug production in Latin American countries.

The level of commitment of the Barco administration hinged on the implementation of two major instruments: the enforcement of the Extradition Treaty of 1979, and the increase in drug enforcement.²¹

4.3 First Phase: Judicial Branch Opposes Extradition Treaty and U.S. Demands More Action

4.3.1 The Ochoa Case (I), and the Killing of Guillermo Cano

The release of Jorge Luis Ochoa Vásquez—one of the major drug traffickers from the Medellín cartel—and the killing of Guillermo Cano, co-owner of one of the most important Colombian newspaper, *El Espectador*, present two critical episodes that tested the determination of the executive branch to implement a confrontational strategy against the drug traffickers. These events also shed light on who was supporting or opposing Barco's confrontational strategy. Furthermore, the reaction of the U.S. government and

²¹For example, with the new National Statute of Dangerous Drugs (Law 31 of January 31, 1986)—that replaced the 1974 Statute—penalties for drug-related activities were increased.

Congress to these events demonstrated the channels through which the United States attempted to influence drug policy in Colombia.

On August 16, 1986, major Medellín drug trafficker Jorge Luis Ochoa Vásquez was released by a Cartagena court judge after paying a bail of about US\$ 10 thousand. Some months earlier, the United States had requested the extradition of Ochoa from Spanish authorities to stand trial in the United States, involving the smuggling of 1,452 pounds of cocaine to Florida via Nicaragua. However, Spain extradited the drug trafficker to Colombia on a minor charge of falsifying documents in order to import prize bulls from Spain.

In the United States, Ochoa's release caused disconcert and irritation. Florida's Attorney General Leon Kellner insisted that Colombia had to extradite Medellín drug trafficker Jorge Luis Ochoa Vásquez—along with other drug traffickers from the Medellín organization, such as Pablo Escobar, and Gonzalo Rodríguez Gacha—to the United States. (EE, August 19, 1986, p. 109-110) In an even sharper tone, Chief Assistant U.S. Attorney General Richard Gregorie, who investigated the Ochoa case in the United States, criticized Colombia's reluctance to enforce the extradition. (EE, November 20, 1986, p. 309-310) Furthermore, he maintained that drug traffickers such as Pablo Escobar, were not truly persecuted in Colombia: "Pablo Escobar was seen on the streets and there is no reason why he should not be in prison." (EE, November 20, 1986, p. 309-310)

The Colombian executive immediately criticized the declaration of federal prosecutor Gregorie. President Barco argued that the decision to release Ochoa was not the decision of the “highly respectable” Colombian justice system, but of a single independent judge. (EE, August 21, 1986, p. 117; EE, August 19, 1986, p. 109-110) Similarly, Justice Minister Eduardo Suescún Monroy argued that United States authorities “had no right to judge the Colombian justice system.” (EE, November 21, 1986, p. 314) However, the critique of the executive branch made it evident that President Barco had not been informed about the release of Ochoa. Barco demonstrated his commitment to full cooperation with the United States by immediately initiating investigations against the Custom judge in Cartagena who had released Ochoa.

The killing of Guillermo Cano, the editor and co-owner of Colombia’s second-largest and most outspoken newspaper against the drug trafficking industry in Colombia, and the immediate response of the Barco administration, was another important incident at that time in which the different positions of the major political actors became evident. A few weeks before his death, Guillermo Cano had criticized in one of his editorials the release of Ochoa by the Cartagena judge: (EE, August 31b, 1986, p. 150-153)

[...] Spain did us the *disfavor* of extraditing Mister Ochoa and Rodríguez, *Mafiosos* of Great Spirit, to Colombia, of whom the first walks freely around in our disgraced country, laughing at our lax complicity in his impunity [...]

Cano was a full supporter of a confrontational drug control strategy that included extradition as the primary instrument. On August 31, 1986, in one of his most critical articles Cano denounced Colombian drug traffickers for imposing their rules on Colombia

by attacking all levels of the justice system, by corrupting important segments of Colombian society, and by assaulting the state of law. (EE, August 31b, 1986, p. 150-153) Furthermore, he criticized the public for being *narcotized* without recognizing the expansion of the power of the drug trafficking industry that had reached a point where the judicial branch was condemned to death. (EE, August 31b, 1986, p. 150-153) He recognized the effectiveness of extradition, since it was the most feared weapon against the drug traffickers. He insisted that Colombians needed to support the extradition treaty because otherwise the country would just surrender to the pressure of drug traffickers: (EE, August 31b, 1986, p. 150-153)

It has come to the point that a large sector of jurists of this country have said that the “extradition treaty with the United States is the guillotine of the Court”. [...] In these difficult moments the country finds itself in a dangerous state of lethargy. [...] [...] The question is whether Colombia will yield to the *killing* pressure of the Mafia on the extradition treaty with the United States. [...] The treaty with the United States could and should be revised [...] but not out of fear, cowardice or surrender to intimidation. [...] It is time to wake up from lethargy, to combine with all strength of society and the State our upright and courageous judges, and to point the finger at those who have become corrupted in politics, in the bureaucracy, in the justice system and up to the military forces through the corrosive action of drug trafficking.

On December 17, 1986, in response to Cano’s support for a hard-line strategy, a motorcycle assassin gunned down Guillermo Cano as he drove out of his office in the Bogota industrial district. Cano’s murder followed the killing of the former head of the anti-narcotics unit of Colombian National Police, Colonel Jaime Ramirez.²²

²² In the same month, deputy director Raul Echavarría of Cali’s leading newspaper, *El Occidente*, was murdered, the day after he wrote an editorial supporting the death penalty for drug traffickers.

In the midst of protests and outrage by Colombians over the killing of Guillermo Cano, President Barco declared December 18 a *day of silence* and issued the following statement: (EE, December 18, 1986, p. 391-395)

Colombia is mourning. We Colombians are grieving profoundly. The crime committed against Guillermo Cano Iazza will not be unpunished. The entire society is dedicated to preserve our institutions, our values, and our respect for life.

Despite the commitment of the executive branch to this confrontational domestic strategy, several major political players turned toward a more nationalist discourse about the extradition treaty and started to criticize United States pressures on Colombia. For example, Liberal former president Alfonso López Michelsen proposed to negotiate with the drug traffickers at the same level as with the guerrilla fighters, and to offer them amnesty in order to reincorporate them into society. (EE, February 14a, 1987, p. 80-82; EE, February 14b, 1987, p. 113) Furthermore, he criticized American news media for being concerned only with the Colombian fortunes due to the drug trade, and not about corrupt police and customs officers in the United States that were not able stop the influx of drugs and Colombian aircrafts: “They congratulate us in a very self-satisfied manner for our heroic act against the *Capos*, but barely they give us the opportunity to reciprocate for similiar acts.” (EE, February 14a, 1987, p. 80-82)

Although Alvaro Gómez Hurtado, the leader of the Social Conservative Party, strongly supported President’s Barco strategy against the drug traffickers, he was also highly critical of the United States. He argued that the United States was treating Colombia like an enemy, criticizing the treatment of Colombian flower exporters by U.S. authorities.

(EE, January 24, 1987, p. 139-140) These accusations were vehemently rejected by the U.S. Ambassador Charles Gillespie who sustained that his government had always considered Colombian-United States cooperation in the fight against drugs as excellent and that it had constituted a model for others to adopt. (EE, January 24, 1987, p. 80-82)

Similar opposition to the extradition of Colombian nationals to the United States came from Liberal Senator Santofimio Botero.²³ He rejected the idea of having Colombian citizen judged “under a different sky, under a different law, under a different banner and by different institutions.” (EE, May 31, 1987, p. 336) Additionally, the Liberal senator claimed that the Colombian government did not have the courage “to tell the United States that they are boycotting the Coffee Agreement, eliminating the export possibility of flowers and manufactured goods, and decreasing their budget for drug control efforts.” (EE, May 31, 1987, p. 336) He further criticized the U.S. government for pressuring Colombia to spend their resources for the continuing of the war on drugs, instead of reducing poverty, and thereby “protecting the *Gringos* money.” (EE, May 31, 1987, p. 336)

4.3.2 Supreme Court Declares Extradition Treaty Inoperable

The most powerful opponent of Barco’s confrontational strategy against drug trafficking was the judicial branch, which interfered directly in the implementation of the extradition treaty, which had been unanimously ratified as Law 27 in 1980 by the

²³Senator Alberto Santofimio who sat with Alfonso López Michelsen in the party’s central committee, was considered as a close friend of Pablo Escobar, the notorious drug boss of the Medellín cartel.

Colombian Congress. A letter sent by the Colombian drug traffickers—for whom extradition orders had been signed and who accordingly were called *The Extraditables*—to several Colombian Supreme Court judges in December 1986, illustrates the threats and violence the judicial branch was exposed to: (Lee, 1989, p. 122)

We declare war against you. We declare war against all the members of your family. As you may suppose, we know exactly where they are—we will do away with your entire family. We have no compassion whatsoever—we are capable of anything. Botero [a pro-extradition Colombian Supreme Court judge murdered earlier that year] had a family, too, wife, sons, parents, and brothers. He was a miserable government patsy and anti-nationalist, pro-Yankee traitor to his country.

Members of the judicial branch understandably became increasingly reluctant to support the extradition treaty. The president of the State Council, Samuel Buitrago Hurtado, criticized openly in a televised interview with journalist Mary Villalobos in the *Noticias Uno* program that it was “an unnecessary bloodshed with an enormous social costs, without tangible results.” (EE, December 3, 1986, p. 362; ET, December 6, 1986) He suggested that rather than playing the role of *useful idiots*, the state should legalize drugs to end the suffering of Colombian people, particularly the ones who are bringing about justice. (EE, December 3, 1986, p. 362; ET, December 6, 1986)

In response, the Barco administration categorically rejected the pronouncements of the State Council’s president. In his speech at the closure of the sessions of the Colombian Senate, President Barco even threatened to use his presidential powers if the Colombian judicial branch decided not to support the extradition policy anymore. (EE, December 4, 1986, p. 371; EE, December 5, 1986, p. 373; EE, December 17, 1986, p. 388)

However, this executive warning did not stop the judicial branch from blocking the enforcement of the 1979 Extradition Treaty. On December 12, 1986, the Colombian Supreme Court declared that Law 27 of 1980—by which the extradition was approved—was unconstitutional. The court based its ruling on the technical ground that the president, at the time Julio César Turbay Alaya, had not originally signed the law, but rather the Presidential delegate German Zea Hernández had.

4.3.3 High Support for Barco's Full Cooperation Strategy

As a sign of his determination to continue the extradition policy, Barco issued again in a quick and intelligent move Law 27 by simply giving it a new number and signing it as Law 68 that enabled the enforcement of the 1979 Extradition Treaty. He also used his considerable legislative authority to issue five new decree-laws that significantly increased drug law enforcement.²⁴ In his speech to the members of the National Council of Dangerous Drugs (CNE)—that included the Minister of Defense, Justice, Agriculture, Health, Education, and Communication—he called for united institutional and public support for his confrontational strategy: (EE, December 23a, 1986, p. p. 411)

As the Chief of the State I do not hesitate in demanding institutional solidarity and personal solidarity of all Colombians in order to proceed in the recent war against drug trafficking and against all forms of organized crime.

²⁴ The new decree-laws were related to witness protection, regulation of motorcycle sales, an other procedural measures.

The different reactions and perceptions expressed by the leaders of the major political parties regarding Barco's call for unity to fight the Colombian drug trafficking industry, proved that there was still a strong and powerful coalition of internationalist forces on which he could count on. The Conservative Party and its leader, Rodrigo Lloreda Caicedo, expressed their commitment to follow President Barco's proposed "organized and serious movement of indestructible national unity." (EE, December 23b, 1986, p. 413-415) Similarly, former Conservative president Misael Pastrana agreed to the need to overcome inter-party struggles and to unite in the fight against drugs. (EE, December 23b, 1986, p. p. 413-415) Luis Carlos Galán, the leader of the New Liberal Movement, supported the national dialogue proposed by Barco and hoped that it would not remain "just words or theory." (EE, December 23b, 1986, p. 413-415) Other members of the Liberal Party—such as Guillermo Plazas Alcid, Ernesto Samper Pizano (today's president of Colombia), and Víctor Mosquera Cháux—also expressed their support for the Barco administration and made a call to the Colombian public to embrace the government's initiatives. Similarly, the editorial of *El Tiempo* demanded to "reconstruct a national spirit." (ET, December 23a, 1986, p. 411)

After Ambassador to Hungary and former Minister of Justice, Enrique Parejo González—who was supporting the U.S.-Colombian extradition treaty—was wounded in an assassination attempt in Budapest in mid-January 1987, the former Conservative president Carlos Lleras Restrepo demanded even tougher measures and recommended a faster congressional approval of the decrees-laws issued by President Barco: "This war can neither be fought half-way, nor can it be fought by silent protest or written statements of

indignation. The country needs actions; quick, strong and severe actions.”²⁵ (EE, January 18, 1987, p. 99-100) Additionally, Defense Minister Gral. Rafael Zamudio Molina strongly recommended attacking the heads of the drug trafficking organization, arguing that this was the only way that Colombians could stop the threat of drug trafficking. (EE, January 5, 1987, p. 20) Economic interest groups—including the Society of Farmers of Colombia (SAC), the Association of Flower Growers (Ascoflores), the Association of Artisan Fishers (Anpac), and the Federation of Cattle-ranchers (Fedegan)—agreed that national unity and cooperation was needed and that each sector of society had an important role in fighting against the drug trafficking industry. As SAC leader Jorge Enrique Uribe stated: (EE, February 22, 1987, p. 135-137)

Everybody should participate in [the fight against drugs] [...] People should be committed to it, regardless of their economic status or religion; obviously, the interest groups should also contribute with their own part to it.

In view of the wide range of support for his drug policy, President Barco issued the following statement: (EE, December 23, 1986, p. 413-415)

The National Government wants to thank the solidarity it has received from Colombian citizen, from the political parties, of its leaders and interest groups [...] because national cooperation depends precisely on this solidarity.

As proof of his commitment, the Barco administration immediately extradited the notorious Medellín drug trafficker Carlos Lehder to the United States once he was captured by the Colombian police forces.²⁶ Furthermore, Barco approved the extradition of two other

²⁵Parejo was sent as Ambassador to Hungary after he authorized the extradition of 10 *Extraditables* who threatened to kill him. He presided the Conference of Drugs at the United Nations.

²⁶Lehder was the fourteenth Colombian extradited to the United States since Betancur had enforced the extradition treaty in 1985.

drug traffickers, Oscar Salazar and Oscar García. In an important move the Colombian Congress supported Barco's confrontational strategy by approving the President's state of siege law that allowed the prosecution of drug traffickers in military courts.

At the United Nations Conference on Drugs in Vienna on January 19, 1986, former Minister of Justice Parejo assured the international community that "Colombian authorities, judges, writers and journalists, and the entire society had expressed their refusal to be intimidated, and to not allow crime organizations to trample on the national dignity and honor."²⁷

4.3.4 The Supreme Court Continues to Oppose Extradition Policy

Despite the support of the major political parties for Barco's drug control strategy, the judicial branches reached the point where it was no longer willing to support the extradition policy anymore. After Barco had approved the extradition of the two drug traffickers Oscar Salazar and Oscar García in February 1986, the Supreme Court declared that the 1979 treaty was inoperable. Furthermore, Attorney General Carlos Mauro Hoyos issued a concept by which he declared that Law 68 of 1986 was unconstitutional. The

Supreme Court's decision was interpreted by some political actors—such as former Conservative president Carlos Lleras Restrepo and former Minister of Foreign Relations Alfredo Vásquez Carrizosa—as a sign that they were not willing to fight the drug traffickers: (EE, March 9, 1987, p. 36-38)

The decision of the Supreme Court raised the doubt about their willingness to cooperate in the fight against drug trafficking. Furthermore, I have to repeat my concern about the negative effects that the decision of the Court might have on the stability of other treaties.

In June 1987, the Colombian Supreme Court voted on the legality of Law 68 that resulted in a 12-12 tie, and an outside jurist, Alfonso Suarez de Castro, was brought in to resolve the deadlock. Once Suarez voted to overturn the law, the Supreme Court's president Juan Hernández Saéñz justified the ruling as follows: "Law 68 was in reality not a new law, but the same law on which a new number and a presidential signature were placed."²⁸ (Lee, 1989, p. 213)

As a result, the Barco government was forced to repeal the extradition orders of a number of drug traffickers to the United States. (EE, June 13b, 1987, p. 42-44; EE, July 23, 1987, p. 189-190; EE, July 25, 1987, p. 199-201) Nearly 100 extradition petitions, including requests for the three principal members of the Medellín Cartel still—Pablo

²⁷See EE, February 3a, 1987, p. 7-9. In his speech, Parejo insisted that the economic power of the drug traffickers should become target in the international control efforts. Since in the assassination attempt a bullet stroke his jawbone, he had great difficulties of speaking at the conference. However, the delegates at the international conference demonstrated their solidarity with Parejo and the Colombians by receiving him with standing ovations. Furthermore, he was offered to preside over the conference on drugs which was commented by Congressman Benjamin Gilman as follows: I was so pleased that our people in Vienna made him the chairman of that Vienna conference as a worldwide protest to what was happening in Colombia. See U.S. Congress, 1987b, p. 9.

²⁸As a headline in the July 1987 issue of Medellín Civic read, "Triumph of the people; extradition has collapsed." "Triunfo del pueblo: cayó la extradición," Medellín Cívico, July 1987.

Escobar, Jorge Luis Ochoa, and Rodríguez Gacha—were pending at that time. Among these drug traffickers were several top leaders of the Cali cartel—including Juan Ramón Matta Ballesteros and Gilberto Rodríguez Orejuela, Cali cartel leader and the so-called *Chess Player*.

In spite of the overturn of Law 68, Barco continued to demonstrate his determination to end drug trafficking in Colombia by turning to other legal instruments in order to enforce the extradition of Colombian drug traffickers to the United States. The Barco administration was left with two possible legal options for extraditing drug traffickers: one was a U.S.-Colombian extradition treaty that had been signed in 1888, and, the other was a multinational agreement on extradition that the United States and Colombia had signed in Montevideo in 1933.²⁹ Attorney General Mauro Hoyos favored the 1888 treaty, which had the advantage of not requiring Colombian Supreme Court approval for each extradition. However, other cabinet members argued that the 1979 instrument had superseded the 1888 treaty. They favored the Montevideo accord, although this would have required the Colombian Supreme Court to share responsibility for extradition. Other Colombian officials such as Justice Minister Suéscun Monroy, made it clear that for the government the extradition treaty was still in force, despite the rulings made by the Supreme Court. (EE, March 1, 1987, p. 3).

²⁹ The so-called U.S.-Colombian Convention of Reciprocal Extradition (May 1988), the Supplementary Convention of Extradition (September 1940) or the Inter-American Convention of Extradition (December 1933).

4.3.5 The United States Recognizes Colombia's Efforts, but Demands More Actions

The United States praised the courage and commitment of the Barco administration as the statements of several U.S. government officials and congressmen reflected. When a delegation of congressional members of the Select Committee on Narcotics Abuse and Control visited Colombia on March 16, 1987, they expressed their solidarity with Colombia. In a meeting with President Barco, the Minister of Government Fernando Cepeda and Foreign Minister Julio Londoño Paredes, New York Democrat Charles Rangel and Republican Gilman presented the President with a framed copy of a Congressional Resolution commending the people and the Colombian government for their courage and dedication in fighting drugs. (U.S. Congress 1987a, p. 10-11; EE, March 17, 1987, p. 81) Similarly, the congressional delegation praised the Colombian press for waging “a war against the drug traffickers by educating the people on the dangers of drug trafficking and abuse.” (U.S. Congress 1987a, p. 6ff)

However, the congressmen also expressed their concern about the fact that drug enforcement activity had reached “a dangerously low point” in Colombia and that the government was “paralyzed in its effort to respond effectively to the drug trafficking organizations.” (U.S. Congress 1987a, p. 6) The Congressmen referred to the Supreme Court’s decision to overrule the *state of siege* law that would have allowed the trial of drug traffickers in military courts, and particularly to the declaration of the extradition treaty with the United States as unconstitutional. The delegation was disturbed by the fact that the enabling law for enforcing the extradition treaty was approved by a vote of both Houses of

the Colombian Congress where the treaty was found to be “correct and technically perfect.” (U.S. Congress 1987a, p. 6ff.) As the final report of this congressional study mission demonstrated, the congressmen welcomed Barco’s commitment to “pursue other tools to permit extradition of narcotics traffickers” and his proposal to call a summit of the Andean presidents to discuss the threat of international drug traffickers that posed a “clear and present danger” to the entire Western Hemisphere: (U.S. Congress 1987a , p. 12; U.S. Congress 1987b, p. 35)

We urge President Reagan to expand this effort to include all of North and South America to join in this initiative. The President of the United States needs to sit down and work with the Andean leaders as friends and neighbors.

On May 6, 1987, the House Select Committee on Narcotics Abuse and Control invited Ann Wrobley, the Assistant Secretary of State for International Narcotic Matters, to discuss the U.S. executive’s drug control activities in Colombia. During these hearings it became evident that the U.S. Congress increased its pressures on the executive branch to broaden its actions and commitment in the fight against drugs. The hearings also show that U.S. Congressmen were well aware of the costs that Colombia was assuming by fully cooperating with the United States. For example, Chairman Charles Rangel emphasized the difficult situation the Colombian government was facing in its war on drugs: (U.S. Congress 1987b, p. 3-4)

That phrase war on drugs, has been used so often it has almost lost its meaning. But in Colombia, perhaps unlike any other nation, it is a war by any definition. People die because they dare to uphold basic laws and defend essentials. [...] Colombia now is being held hostage by drug traffickers, because of its inability to enforce the law.

The congressmen acknowledged the high risks involved in dealing with the powerful drug trafficking organization and were aware that too often Americans “sit in

judgment on other governments without considering fully the risks associated with our expectations.” (U.S. Congress 1987b, p. 3) By comparing the Colombian situation to an imaginary situation in the United States, the congressmen expressed their consideration of the difficulties of the Colombian government to fight against the illegal drug trafficking industry: (U.S. Congress 1987b, p. 3)

In the United States that [negotiation] would be the equivalent of former President Nixon negotiating with the murders of Chief Justice William Rehnquist and three other Supreme Court Justices, Attorney General Edwin Meese, Washington Post Executive Editor Ben Bradly and 500 Chicago police officers.

By pointing out that Latin American countries, but especially Colombia, were assuming high costs in cooperating fully with the United States, Congressman Charles Rangel demanded more commitment and actions by the executive branch. It is interesting to note that by linking the drug trafficking problem to the Colombian guerrilla movements, Rangel sought to push the executive branch to raise the drug issue to the same level as anti-Communism: (U.S. Congress 1987b, p. 5-7)

[The war is] being won by men and women who are willing to stand in harms way to achieve our mutual objectives, I think sometimes we forget how high that price is when we ask others to pay it and I think that we should not [...] It shocks me as an American citizen that you and I and this Committee would know the depths of the power of the narcotic traffickers [...] and we have yet to hear form the President of the United States. [...] The question is, is this a threat to our national security? Has the President of the United States spoken out against this type of arrogance by the drug traffickers? Has the Secretary of State publicly spoken out as we have heard him speak against communism and terrorism? Does the Secretary of Defense treat this a threat to our national security? [...] [The drug traffickers are] working with terrorist and communists and it is a threat to our national security, and the Congress has to do more in supporting the thrust of what we are trying to do.

As much as the Committee was praising President Barco commitment to “a more effective extradition policy,” it also expressed its doubts about his ability to forcefully implement a extradition strategy. Congressman William Hughes stated during the May hearings: (U.S. Congress 1987b, p. 19, 39)

President Barco is very courageous for signing the extradition treaty and he is to be commended for that, I just would be very interested in knowing a little more about specifically [...] about a game plan as to what kind of strategy is evolving.

Furthermore, the House Select Committee on Narcotics Abuse and Control wanted to know from the U.S. State Department officials what they had done to protect Colombian judges and to help the judicial branch overcome the technical obstacles to enforcing the extradition treaty. The Assistant Secretary of State for International Narcotic Matters indicated that the executive branch had sent legal teams to Colombia to assess the technical problems of the extradition treaty and had started to finance a judicial protection program. However, as the following comment of Congressman Rangel reflects, the Committee pressed the executive branch for more actions in the U.S. drug control efforts in Colombia: (U.S. Congress 1987b, p. 8)

We are presented with a cooperative country that has no ability to prosecute those people that are supplying arms to the rebels that want to overthrow their country and that are involved in the processing of drugs to be shipped with the United States one of its target. [...] And there is no outrage in the administration, in our administration, you know, we can send troops to preserve democracy in Grenada, no problem. We can lose soldiers with no shooting at them, no problem. [...] And here we find a sister democracy that cannot even prosecute its drug traffickers, which are destroying our way of life, and not one word publicly being reported by our irresponsible press.

In addition, as the statement by Congressman Rangel demonstrates, the U.S. Congress warned U.S. State Department officials that it was determined to use its authority to intervene in foreign policy: (U.S. Congress 1987b, p. 31)

We do not believe that the House of Representatives should be formulating foreign policy. We do not believe that we should be developing strategies, but we are going to keep coming until we can see that there is no need of us to do these things.

This meant also that the U.S. Congress was determined to press drug producing and drug trafficking countries, especially Colombia, to continue complying with the demands of

the United States. The United States demonstrated that it was willing to facilitate cooperation with different types of assistance, including legal assistance, judicial protection program, but always in pursuit of one objective: to win the war against drug producers and traffickers.

4.4 Second Phase: The Failure of the Colombian Justice System Affects U.S.-Colombian Relations

From August 1987 to March 1988, several critical events provoked the reactions of the major political actors in Colombia and the United States: the release of major drug trafficker Jorge Luis Ochoa Vásquez, and the killing of Colombia's Attorney General Mauro Hoyos. Whereas in Colombia, the majority of the major political players continued to support Barco's drug strategy, in the United States frustration and desperation about the poor results of its drug control policy in the Andean region increased. Tensions not only emerged in U.S.-Colombian relations, but also increased between the U.S. Congress and the Reagan administration.

4.4.1 Ochoa Case (II), and the Killing of Attorney General Mauro Hoyos

In late 1987, the release of two major Colombian drug traffickers—Jorge Luis Ochoa Vásquez and Gilberto Rodríguez Orejuela—caused friction between the United States and Colombia on the drug issue. First, in August 1987, a Cali court found Gilberto

Rodríguez Orejuela not guilty on all counts despite extensive evidence provided by the DEA.³⁰ With the second-time arrest of Jorge Luis Ochoa Vásquez—who was captured by Colombian authorities one year before and then released by a Cartagena court judge, as described earlier—the issue of extradition became again a top issue in U.S.-Colombian relations. The arrest of Ochoa Vásquez on November 21 provided the opportunity for both the Colombian executive and judiciary to demonstrate its commitment to indict the famous drug trafficker from Medellín. The U.S. government had pressured repeatedly for Ochoa's extradition. Following the removal of Law 68 as an instrument to extradite drug traffickers, the Colombian government assured the United States that Ochoa would not be released until it had found other legal options to extradite the drug trafficker to the United States. (EE, December 18, 1987, p. 221; U.S. Congress 1988a, p. 73)

Meanwhile, the director of the Medellín newspaper *El Colombiano*, Juan Gómez Martínez, was kidnapped by *The Extraditables* and returned with a letter that clearly opposed the extradition of Jorge Luis Ochoa Vásquez: (EE, November 24a, 1987, p. 92)

We inform you that we learned that the government attempts with all means to extradite Jorge Luis Ochoa to the United States. [...] Through this medium we would like the government to know that in case that the citizen Jorge Luis Ochoa is extradited to the United States we will declare total and absolute war on the political class of this country. [...] We will execute without consideration [...] the principal political leaders of the traditional parties.

Although at the highest level of the Colombian government assurances were given to the United States that Jorge Ochoa Vásquez would not be released, a judge in Bogota

³⁰The judge Tobías Iván Posso ordered to close the case against Rodríguez arguing that there were no proofs for indicting him. See EE, May 29, 1987, p. 335; EE, March 3, 1987, p. 7; EE, March 6, 1987, p. 16-17; EE, March 17, p. 81; EE, March 26, 1987, p. 128-129; EE, June 13b, 1987, p. 42-44.

released the drug trafficker in December 1997. (EE, December 18, 1987, p. 221; U.S. Congress 1988a, p. 73) The Colombian Justice Minister justified the revoke of the arrest order—that was based on a provisional arrest request from the United States—on the grounds that Ochoa was under investigation in Medellín for the same drug trafficking charges as in the United States.³¹ Therefore, the principle of *double jeopardy* applied, and the Medellín court was authorized to decide on the Ochoa case. However, as Thoumi has stated: “Ochoa obtained the best legal advice money could buy [...] and he was set free on December 30, 1987 after a *habeas corpus* recourse was approved by a judge against the formal orders of the Minister of Justice.”(Thoumi, 1995, p. 219).

The Barco administration was under increasing international and domestic pressures to demonstrate that it was still committed to a full cooperative drug control strategy in terms of enforcing the extradition of Colombian drug traffickers to the United States. As has been explained, the two options were to extradite drug traffickers on the basis of a U.S.-Colombian extradition treaty that was signed in 1888, or to use the 1933 multilateral Montevideo Convention. (EE, November 23b, 1987, p. 80) However, the problem with the 1888 extradition treaty was that a number of Colombian experts argued that the 1979 extradition treaty superseded the former U.S.-Colombia treaty which made the 1888 treaty

³¹Journalist Fabio Castillo gives an account about the several procedural deficiencies and implies that several judges, prison, and other government officials helped Ochoa escape after receiving substantial bribes. See Fabio Castillo, *Los Jinetes de la Cocaína*. (Bogota: Editorial Documentos Periodísticos, 1990), pp. 70-82. Similarly, *El Espectador* describes how the coordinator of the judicial surveillance group of the regional General Attorney’s Office, Yolanda Rico—after greeting Ochoa Vásquez with a big hug — and the regional Attorney General of the Valle attempted to bribe several judges, prison, and other government officials. See EE, December 31, 1987, p. 241-243. Furthermore, in a congressional hearing on January 27, 1988 U.S. the

invalid. The Montevideo convention—that was signed in 1933 by twelve countries—was impeded by a paragraph that excluded the United States from reciprocity. That is, that Americans that were requested by the signatory countries would not be extradited. (EE, November 23b, 1987, p. 80) The Colombian government, therefore, insisted that this clause had to be removed before considering the Montevideo agreement as a legal option. President Barco still had one final instrument left to bypass the Supreme Court: extraditing Colombian drug traffickers via administrative law to the United States.

4.4.2 Embarrassment Among Colombian Political Actors

President Barco and the Minister of Justice were “disconcerted and infuriated” about the decision of the Medellín judge to release Ochoa. (EE, January 2a, 1988, p. 5-6) Justice Minister Low Murtra denounced the decision by judge Andrés Montañez as “unusual and illegal” and immediately initiated legal steps against him. (EE, January 2a, 1988, p. 5-6) Liberal and Conservative newspapers together—such as *El Tiempo*, *El Espectador*, *El Siglo*, and *El Colombiano*—considered the release of Ochoa a *shame* for Colombia and demanded the resignation of the Minister of Justice Low Murtra and the director of the National Prison System. (EE, December 31, 1987, p. 241-243; EE, January 4, 1988, p. 42-45) The co-owner of *El Tiempo*, Rafael Santos Calderón, criticized the Barco

State Department confirmed that Jorge Luis Ochoa’s lawyer was a former Supreme Court Justice. See U.S. Congress 1988a, p. 76.

administration after Colombia had received an official protest note of the U.S. State Department: (EE, January 4, 1988, p. 42-45)

The official protest note of the U.S. Department of States has been the harshest one that the Colombian government has ever received, and has raised doubts about the words of the President and his cabinet. [...] There are no excuses. We gave in to immorality. The words of the President adjust themselves to the little that can be said about this embarrassing episode of our history: We are not going to give in either to violence or drug trafficking; after all, the state of law still exists; immoral and violent people will not win against us. These are words that have no power since nobody believes in them, and they only seek to inject false optimism. [...] This episode, as the protest of the United States rightly states, produces repugnance; and, in ourselves embarrassment, discourage and shame. Yes. Shame.

The director of the *La Picota* prison from which Ochoa Vásquez was released and the judicial assessor were replaced by President Barco. The *El Espectador* insisted in its editorial that the Barco administration had to demonstrate authority: (EE, November 24b, 1987, p. 93-94)

[President Barco] knows that along with [authority] comes confidence, the foundation to restore public order. The citizens would perceive it as such in the first place, followed by all those who [...] are threatened. We journalists and the free press—at this moment in great danger— would feel as if we have chosen to be in primary front line. We who have to be silenced, exiled and—sadly to remind—assassinated.

Meanwhile drug-related violence against the Colombian political class and judicial branch increased. On January 18, 1988, one day after the U.S.-Colombian relations had overcome the Ochoa incident and committed themselves again to continue in the war on drugs, *The Extraditables* kidnapped Andrés Pastrana, mayoral candidate for Bogotá in the March election and the son of former President Misael Pastrana. The drug traffickers demanded that extradition to the United States to be stopped, stating that they prefer “a tomb in Colombia than a prison cell in the United States,” and offered to pay Colombia’s external debt if the government would accept their terms. (EE, January 23a, 1988, p. 212-214)

One week later Colombia's Attorney General, Carlos Mauro Hoyos, was kidnapped and then killed in Medellín.³² Hoyos was a firm supporter of the extradition treaty, and, in fact, strongly defended the 1888 extradition as an alternative legal instrument for handing over Colombian drug traffickers to U.S. authorities. He also was in the process of elaborating a new law against illicit enrichment. However, most importantly, Hoyos was a strong foe of the drug trafficking industry, and at the time of his death he was investigating two judges and five government officials including Justice Minister Enrique Low Murtra, for suspected involvement in the Ochoa release. (Strong, 1995, p. 170; EE, January 26, 1988, p. 238-240)

4.4.3 The Reaction of the OAS to the U.S. Sanctions Against Colombia

In the United States, the release of Ochoa Vásquez prompted immediate protest and disgust, as the official protest note of the U.S. State Department and pronouncement of its spokeswoman demonstrated: (EE, January 2c, 1988, p. 17-18)

We are annoyed about the fact that this important Colombian drug trafficker is now free. The Colombian government had a clear responsibility to assure that this dangerous criminal would not remain in freedom.

At a press conference during a Seminar on Drugs and Psychotropic Substances in Bogota, the Reagan administration expressed through his Attorney General Charles Safos

³² As El Espectador describes, an anonymous caller to a Colombian radio station claimed responsibility for the killing on behalf of The Extraditables, stating the following: "Here you have him. We executed him for being a traitor and for selling his country. The war will go on." See EE, January 26, 1988, p. 238-240.

his consternation about the release of Rodríguez Orejuela in spite of all the evidence that had been collected against him in last eight years by the U.S. authorities. (EE, August 30, 1987, p. 59-60) Safos argued that the release of Ochoa would have a “severe effect on the enforcement of international treaties.” (EE, August 30, 1987, p. 59-60)

Along the same lines, the Assistant Secretary of the State Department expressed in a meeting with Colombian Ambassador Victor Mosquera Cháux the U.S. government’s “impression and affliction” about the incident, indicating that Ochoa’s release would have “a devastating effect on Colombia’s reputation of being a serious opponent of drug trafficking.” (EE, January 2c, 1988, p. 17-18) The United States did not limit itself to a sharp critique of the Colombian government and justice system. In January 1988, it decided to restrict visas to Colombians, and to increase control measures of flights from Colombia in retaliation for the release of Ochoa Vásquez. (EE, January 5a, 1988, p. 51) At the same time, DEA and Interpol ordered the capture of Jorge Luis Ochoa “wherever he was.”

The Ochoa release and the decision of the United States to launch retaliations against Colombia caused mixed reactions in the U.S. media. The *New York Times* criticized that beyond the Colombian president’s rhetoric on drugs, no real actions had been taken. Other newspapers—particularly the ones that were directed at the Latin American population in the United States—were, on the one hand, distressed about the U.S. measures against Colombia. (EE, February 21, 1988, p. 403-404) For example, the New Yorker *El Diario* stated that the United States, in persecuting Ochoa Vásquez, was attacking “flagrantly Colombia’s sovereignty” and reminded the United States that it had also left

criminals free, such as the *Mafioso* John Gotti. (EE, January 8, 1988, p. 70-71) Another newspaper, the *Nociticiero del Mundo*, affirmed that Colombia could have avoided the embarrassment of the Ochoa release: “This is an example of negligence of both countries, Colombia and the United States, of not having reactivated the extradition, as single legal instrument that was feared by the Colombian drug traffickers.” (EE, January 8, 1988, p. 70-71)

But even the *Washington Post* criticized the U.S. government’s retaliations against Colombia by pointing out that Colombia was facing a *dirty war* in which thousands of leftists have been assassinated by right-wing groups and in which drug traffickers were killing honest judges, police officers and congressmen: (EE, January 13, 1988, p. 132)

It is not to say that pressures on Colombian and other drug producing and trafficking countries are not necessary in order to make them comply to the rules. [...] However, what you cannot expect is that these [retaliations] have an effect meanwhile the United States is the big motor of this business—that is, the immense American demand of this business.

However, the sharpest critique and opposition of U.S. sanctions against Colombia came from the Andean country itself. On January 14, 1988, the Colombian Ambassador before the OAS, Carlos Lemos Simmonds, called in a special meeting of the organization where he denounced the discriminating measures of the United States against Colombian export products and Colombians. (EE, January 15b, 1988, p. 172-173) Similarly, the Colombian Minister of Foreign Relations, Julio Londoño Paredes, strongly emphasized before the members of the OAS that the Ochoa release was a decision made by a single judge, and not by the President and his Justice Minister. (EE, January 15b, 1988, p. 172-173) He insisted that if the Barco government would have ignored the judge’s decision and

intervened in the course of judicial action, it would have positioned itself in the realm of illegality. (EE, January 15b, 1988, p. 172-173) The Minister of Foreign Relations further argued that Colombia was not seeking confrontation with the United States, but that the accusation that all Colombians were drug traffickers, would be as unfair as to say that all Americans were all drug addicts: “We all are victims of the drug trafficking. [...] We are not quarreling with the United States. We do respect them, but we will not accept actions of coercion.” (EE, January 15b, 1988, p. 172-173)

As a result, thirteen member states of the OAS drafted a highly critical resolution to condemn the United States’ punitive measures against Colombia. However, the Reagan administration succeeded in avoiding a negative vote from the Latin American and Caribbean countries that demonstrated their full support for Colombia. In light of the OAS official condemnation of the U.S. sanctions against Colombia by the international community, and the possibility of losing one of the firmest allies in the fight against drugs in Latin America—which could have lead to even more negative implications for the entire region—the United States quickly sought another solution

In an intelligent move the United States bought some time by appealing to Article 44 of the OAS statute that requires 24 hours to inform all Ambassadors about the voting on specific issues. Meanwhile, U.S. Ambassador Charles Gillespie delivered to President Barco a letter of *reconciliation* from President Reagan who praised Barco’s anti-narcotic efforts and sought to persuade him to continue the crusade against drug trafficker organizations: (EE, January 16 b, 1988, p. 183)

Dear Mr. President: The release of Jorge Ochoa has made our fight more difficult to end the drug trafficking; however, we cannot abandon the crusade. Too many good men and women—amongst them Colombian policy officers, judges and journalists—have sacrificed their lives because they refused to allow the drug traffickers to impose their atrocious will. [...] With our actions we should demonstrate that that we will fight restlessly in all fronts. I can assure you that we are committed to work together with you in this war. None of use can rest until we have end this dangerous challenge of the drug traffickers for the sake of our children, the lives of our officials and for the sake of the same viability of democracy. Sincerely, Ronald Reagan

As a result, the 31 members of the Permanent Council of the OAS approved a joint resolution, praising the anti-drug control efforts of Colombia and demanding an end to the retaliations against Colombian tourists and export goods. The special meeting and final resolution, and the immediate suspension of retaliating measures by the United States, were considered a diplomatic triumph by Colombians. (EE, January 16a, 1988, p. 181-182) At the same time, the United States endorsed the Colombian government's idea to bypass the Colombian Supreme Court by invoking the 1888 treaty between the two countries. This decision demonstrated that the United States was willing to not pressure any longer Colombia to activate the highly debated 1979 extradition treaty, but that it was accepting any other legal instrument that would enforce the extradition of Colombian drug traffickers to the United States. (EE, January 17, 1988, p. 189)

4.4.4 The Reagan Administration Under Attack by the U.S. Congress

It is interesting to examine how the U.S. Congress responded to the release of Ochoa in Colombia, and how it sought to put more pressure on the Reagan administration to come up with different and more effective drug control strategies in the Andean region. On January 27, 1988, the House Committee on Foreign Affairs invited Charles

Rangel—Democratic congressman and the chairman of the House Committee of Narcotics Abuse and Control—, Robert Gelbard and Ann Wrobley of the Bureau of Inter-American Affairs (U.S. State Department), and the DEA administrator John C. Lawn to discuss the developments in Colombia. (U.S. Congress 1988a) The committee faced a grim picture of drug control efforts in Colombia: i. the release of Jorge Ochoa, despite assurances to the U.S. government by the Colombian government that he would remain jailed after having been captured; ii. the decision of a Cali court to declare another major trafficker, Gilberto Rodríguez, not guilty on all counts despite extensive evidence provided by the DEA; iii. the difficulties of the Colombian government to exercise available legal mechanisms to extradite traffickers to the United States; iv. the evidence that the drug Mafia was producing heroin in Colombia; and, v. the increase of drug-related violence, as the assassination of Attorney General Hoyos showed.

With respect to the Ochoa release, Congressman Charles Rangel argued that the release of Ochoa demonstrated that the Colombian Government was “at the mercy of the narcotraffickers.” (U.S. Congress 1988a, p. 10) Similarly, Assistant Secretary Robert Gelbard stated that Ochoa’s legally questionable release was a “serious setback in the war against cocaine” and that it was also an indication of the strength of the traffickers in Colombia. (U.S. Congress 1988a, p. 24-25) Furthermore, he argued that Colombia was facing in the Medellín cartel “a formidable foe” that represented an “extraordinary challenge to the survival of its long-standing democratic system.” (U.S. Congress 1988a, p. 24-25) In addition, Assistant Secretary Ann Wrobley maintained in her testimony that Colombia’s failure to hold Jorge Ochoa was “a serious disappointment.” (U.S. Congress

1988a, p. 40) Probably, the most outspoken critic of the failure of the Colombia government to keep the drug trafficker Ochoa in jail was Congressman Lawrence Smith from Florida: (U.S. Congress 1988a, p. 15ff)

Frankly, I was outraged as much as anyone [...] Ochoa has gone free twice. Not once. Once he was tried on a charge—at least he was tried, as you know, of illegal import of fighting bulls into Colombia. And after conviction was released. Of course, the judge did that then disappeared. And now, he was re-arrested for a traffic violation. Then, we were told by the Justice Minister, he would not be released. And then released. My understanding is not even with the permission of the President. [...] I will tell you this: I share your utter frustration and I am beginning to think that the normal acceptable methods no longer apply. That if we do not begin to come up with creative effective resolutions to these problems, this war is going to be lost.

The reason why these January Congressional hearings were so important was that they revealed in all their dimensions the level of desperation and frustration of the Congress about the failure of the Reagan administration to make the drug issue central to the U.S. foreign policy agenda. For example, Charles Rangel criticized President Reagan for not having addressed in his State of the Union Message the crisis situation in Colombia that reflected the general threat posed by international drug trafficking organizations to the Western Hemisphere. In Rangel's view, President Reagan preferred to talk about the *untold success story*, that is, the decline of cocaine consumption amongst students, instead of making the drug problem a primary foreign policy issue: (U.S. Congress 1988a, p. 4-5)

It would have been some comfort to me if the President of the United States had seen his way clear to have indicated not only to the American people, but to the world [...] what was happening in the drug area and to tell the rest of the story which obviously is not that successful. But the President is a busy man and I can understand why this did not reach that priority on his agenda. [...] What hurts me even more is that for the last 7 years, I have been challenging the press to bring to me one statement that has been made public by the Secretary of State indicating his concern about this international crisis in drugs and at least to raise it to the same level as we have heard him speak so effectively about arms control, our fight against terrorism and our fight against communism.

He urged President Reagan and Secretary Shultz to raise the narcotics control issue to the same level of “fighting communism in this hemisphere” and to commit to such policy “with strong leadership from the administration and the full support of the Congress.” (U.S. Congress 1988a, p. 12) Furthermore, Congressman Rangel made it very clear how he felt about the U.S. retaliations against Colombia in response to the Ochoa release: (U.S. Congress 1988a, p. 4-5, 12)

We find that a violator has been released and not extradited. I searched the papers to find out what was the response of the President: none. What was the response of the Secretary of State? I could not find it. But understand that my great and powerful country in response to this atrocity has indicated that we are now going to step up the inspections of uncut flowers and shrimp coming into the country from Colombia. [...] For us to see good men that are trying to enforce the law in Colombia being assassinated, their families threatened and to talk about cutting back on importation on shrimp and cut flowers is insulting to democracies around the world.

Congressman Smith justified his great concern about the ineffectiveness of the U.S. drug control strategy in the Andean region with the fact that he—along with Charles Rangel in Harlem—was “literally plagued on a daily basis” with the drug problem in his state Florida: “It is a terrible problem, a terrible situation for us and it is a terrible situation for the country.” (U.S. Congress 1988a, p. 69)

When Congressman Lawrence Smith got into an argument with U.S. State Department officials Ann Wrobley and Robert Gelbard about the plans and strategies for Colombia of the Reagan administration, it reflected the outrage and exasperation of the Committee that felt that the United States was losing the war on drugs. He rejected the tactic of the executive branch of avoiding the real issues, but instead selling to the Committee in long speeches the positive results obtained in the drug control efforts in Colombia by highlighting the high levels of eradication: (U.S. Congress 1988a, p. 52)

After all you have gone through and chemical eradication is important and marijuana eradication is important [...] their ministers are killed, and the judiciary is totally, almost totally useless. Now you tell me that adds up to as far you can tell today or tomorrow. I want your assessment of where we are going tomorrow, not what we are going to try to do. And then you tell us [...] what it is you have asked the Colombian Government to do besides these [eradication] programs.

Not satisfied with the answers given by the officials of the Bureau of International Matters, he got into a real argument with State Department Assistant Secretary Ann Wroblesky. This dialogue will be quoted in more length due to its significance to understanding the dynamics between the U.S. Congress and the U.S. State Department: (U.S. Congress 1988a, p. 51ff)

Mr. Smith: All of this, all of your speeches, all of your concentrating is longer worth the paper is written on. We are being slaughtered by drugs. In Colombia, the traffickers, the guerrillas, the narcotics traffickers, the NARC FARC and everything else, all the little buzz words we use are winning. We are losing. And we are losing worse than we used to lose.

[...]

Are they going to use the military? Are they going to use any other means at their disposal? Are they going to add many, many members to the police forces? Are they going to take an attempt to go into Medellín and to Cali and the other places and root out these people? Or are they going to continue to talk and sign orders and have the justice ministers say "Oh, do not worry, we will hold Ochoa," and then the next day void the warrant" [...] Is that what is going to happen? I mean it is either the one or the other? [...] This country is entitled to know [...] And I want to hear it from you. I do not want to hear the same things. [...] We have heard it year after year after year, and we read the same things in the INCSR reports, we read the same certifications, and we over and over again say, "Well, next year will be better. Maybe next year will be better."

Ms. Wroblesky: Mr. Chairman, if you think that the Task Force has cornered the market of frustration on this issue, believe me: You are solely mistaken, There is a lot of frustration in this room over the entire drug problem and not just the recent setbacks in Colombia. I would submit to you that if you have a silver bullet, if there is a magic answer out there, that somehow the law enforcement community, the diplomatic community, the intelligence community has missed, please share it with us. We are anxious to hear about it. [...] If you think that the solution to the Colombian problem is in Washington, I must say that I think you are sadly mistaken. The solution to the Colombian problem has got to be in Bogota with the Colombian people and government.

Mr. Smith: Ms. Wroblesky, that is very unfair. This Congress is elected by people to make sure that our government runs correctly. It is the Administration's role as the executive branch to carry out this policy. [...] Now, for you to say, "If you have something we do not have, please tell us." That is not our job. That is your job. The American people want to know. They hire the administration to make and carry out policy. That is the difference, We can only pass laws in the United States. [...] I know that [the solution] is not in Washington. [...] What I am asking is: Can Washington promote these countries to do what they need to do to any greater extent that we have able to promote them in the past? What tools do you have that you think can be used that you have not used, yet? I do not hear any

of that from you. [...] You say nothing except we know: We count hectares, we do chemical eradication, and we work with them and our agents in the field. [...] And they are all valid. I am not criticizing those. But they have not worked. How many more years do we have to come up and hear the same things and see the same lack of results? [...] The Bureau of International Narcotics Matters is not a hectare counter. It was never set up just to count hectares? Now, what solutions do you propose?

Others expressed a similar frustration and concern about the ineffective drug control policy of the Reagan administration. The co-Chairman of the House Committee on Foreign Affairs, Edward Feighan from Ohio, criticized the testimonies of the State Department officials: (U.S. Congress 1988a, p. 59)

It has been our frustration and anger at coming to these sessions and not hearing a candid assessment, an honest and open assessment of the problem we face, and a thorough review of the policy alternatives that have been considered. [...] The testimony from the State Department, today, from the Narcotics Office I think once again reflects a rose-colored glasses picture of conditions in Colombia. We know reality to be quite different.

But not only members of the U.S. House of Representatives and Senate—including Senators John F. Kerry from Massachusetts, Jesse Helms from North Carolina, Daniel Moynihan from New York, and Alfonso D’Amato also from New York—expressed their concern about the effectiveness of the executive branch in the fight against drugs, but also local government officials. (U.S. Congress 1988b) New York District Attorney Robert Morgenthau argued that the United States’ war on drugs had been “long on rhetoric and short on substance:” (U.S. Congress 1988b, p. 16)

You may recall the rhetoric. In signing the Anti-Drug Abuse Act of 1986, the President promised the “total commitment of the American people and their Government to fight the evil of drugs.” [...] Here is the recent reality. The President’s 1988 proposed budget called for significant reductions in every category related to the drug problem.

The retired General Paul Gorman, former head of the U.S. Southern Command in Panama, also argued that the United States had failed in its past drug control efforts in Latin

America in various ways: first, it had underestimated the seriousness of the emerging threat to national security posed by the drug cartels; secondly, U.S. officials involved in Central America failed to address the drug issue for fear of jeopardizing the war effort against Nicaragua; thirdly, the war against Nicaragua contributed to weakening an already inadequate law enforcement capability in the region; and, fourth, the involvement of Panama in drug-related activities and corruption represents one of the most serious foreign policy failures for the United States. (U.S. Congress 1988b, p. 27ff)

With regard to the reactions of the U.S. State Department officials and congressmen about President Barco's commitment to fully cooperate with U.S. demands for extradition, it became evident that they still considered him a firm ally in the fight against drug trafficking. State Department Assistant Secretary Ann Wrobley maintained that President Barco was determined to continue the struggle against the drug cartels since the survival of his Government was at stake: "Despite heightened security threats from narcotics traffickers and insurgent groups, the Government of Colombia continues to demonstrate its [...] capability to suppress narcotics trafficking." (U.S. Congress 1988a, p. 37) She also stated that the Colombian government at its highest level was determined in meeting the challenge that the "best equipped, best financed, and most violent traffickers in the world" posed to mutual efforts of the United States and Colombia. (U.S. Congress 1988a, p. 38) In a similar way, Robert Gelbard stated that Colombia was "one of the more cooperative countries" in addressing the problem of drug trafficking. (U.S. Congress 1988a, p. 38) In addition, DEA administrator John Lawn recognized that the "the Colombian police [were] making every effort to accomplish their mission." (U.S. Congress 1988a, p. 47)

In contrast, although Congressman Smith from Florida recognized the efforts of the Barco administration, he also expressed his doubts about the country's capability to defeat the drug trafficking industry: (U.S. Congress 1988a, p. 70)

I want the Colombians to know that we want to do whatever we can to help them, but we would like to believe that they want to help themselves. And I think President Barco is absolutely committed. I know what he has said and we have seen what he has done. He is the one that signed the agreement. He is the one that signed the papers to bring it back to life, the extradition treaty. He is the one that orders all these things. But the traffickers are going after a lot of other people and they are crippling the capability of the government to act.

He was particularly concerned about the ability and determination of the Colombian government to enforce extradition of Colombian drug traffickers to the United States and to reduce the high levels of crime and violence. In that context, Congressman Smith found it simply appalling that in 1987 alone more than 10,000 Colombians were murdered—in a country of 27 million people that was “nine times smaller than the United States” and had half the murders. (U.S. Congress 1988a, p. 69)

You know we have been talking extradition treaty with Colombia for a number of years, not just six months. There seems to be no urgency on their part. There seems to be more of an urgency on our part. And, yet, it is Colombians that are getting killed and it is Colombian kids that are also using this stuff. And it is the Colombian economy that is affected. And it is the Colombian government that is at siege. And it is the Colombian government that has rebel groups associated with narcotic traffickers. [...] My God, I would feel that there was much more of sense of urgency.

Furthermore, he asserted that even if the Colombian government was “cooperating like crazy—because of the places where you can sign an order, an order is signed,” the President was still depending on his ministers to carry out the orders.” (U.S. Congress 1988a, p. 51)

When asked by Congressman Feighan what the status of extradition was and what the State Department was going to do about it, Deputy Assistant Secretary Robert Gelbard responded the following way: (U.S. Congress 1988a, p. 59, 66ff)

The Colombian government, itself, feels that extradition is the most effective way to handle this precisely because of their concerns that incarceration in Colombia could indeed run into the kinds of problems we have seen because of bribery [...] Incarceration and extradition are fundamental pillars of our policy. They are the very center of what we are trying to do. And we certainly continue to try to find every possible way to make this one of the most effective tools in our hands.

Similarly, State Department Assistant Secretary Ann Wrobley emphasized that for the Reagan administration the persecution and extradition of the drug traffickers to the United States remained the “key element in the campaign to halt cocaine trafficking from Colombia.” (U.S. Congress 1988a, p. 37) The Reagan administration was also convinced that Colombia, in spite of the frustration about losing ground in its war against drugs and on the extradition issue, remained the most important target country and perfect showcase for the U.S. drug control strategy. As Ann Wrobley expressed: (U.S. Congress 1988a, p. 37)

We look to Colombia to cooperate in our mutual interest. [...] Colombia is the most important country to the drug suppression campaign. It remains the primary refining center for cocaine destined for the United States and Europe.

Similarly, the New York District Attorney Robert Morgenthau maintained that full cooperation with the drug producing and trafficking countries were essential to the success in the U.S. drug control efforts: (U.S. Congress 1988b, p. 19)

If the war on narcotics is to succeed, we must muster all our foreign policy skills to persuade the world’s exporting nations to control the production and distribution of illegal drugs. We must work with them to fight the drug traffickers who are our common enemy.

The U.S. State Department officials rejected entirely the idea of the Senate Subcommittee on Terrorism, Narcotics, and International Communications increasing via economic sanctions the pressure on Colombia to comply with the U.S. demands. Robert Gelbard expressed his conviction that this kind of sanction was probably “the best gift” the

United States was able to make to the Colombian drug dealers: (U.S. Congress 1988a, p. 55)

By stopping the growth of legitimate exports to the United States and other countries and handing over to the drug traffickers the idea that this is the only option—because it is clear that in a poor country legitimate exports and legitimate products cannot be used as a way of getting the country out of its economic poverty.

In sum, as the statements of a number of U.S. congressmen reflected the poor results of Reagan's drug control policy caused not only frustration and desperation, but also strong reactions against the executive branch and demands for more effective actions. Most congressmen still considered the drug problem an evil in American society, and were, not willing to give up on the war on drugs. According to Senator John Kerry from Massachusetts, the *drug scare* still dominated the political discourse in the United States:

(U.S. Congress 1988c, p. 1-2)

In some ways, some people may feel that we have learned and heard too much about drugs lately. But drugs are literally tearing at the fabric of America life. They are killing adult and child. They are undermining our institutions. They are filling our jails. They are depleting our national energy and our creativity. And they are costing us billions of dollars on various social cost. [...] We have seen how it threatens whole countries and how it upsets the stability of an already very fragile hemisphere.

Accordingly, the U.S. Congress was convinced that the United States had to continue its crusade against the powerful drug trafficking organizations. For example, Congressman Feighan insisted that drug trafficking had to stop, and drug strategies had to change: (U.S.

Congress 1988a, p. 70)

The world gets a terribly wrong signal when traffickers can operate almost at will and make millions and billions [...] and be listed in Fortune 500 in the cocaine industry heading. This has to stop. And we can no longer afford to just take the tried and true methods that we know at least work to some degree to do a little eradication or prevent a little bit from growing. We have to be creative. [...] Certainly, traffickers in other countries are going to take heart of Colombia; it becomes the place were traffickers take over.

However, despite the overall criticism and frustration of the U.S. Congress about drug control activities in Colombia, the Andean country received in March 1988 full certification. (EE, March 2, 1988, p. 448-450) The United States certified the Andean country on the grounds that it had cooperated with the U.S. in curbing illicit narcotics, and had taken adequate steps *on its own* to prevent drug production, processing, trafficking, drug-related money-laundering, bribery, and public corruption.

As pressure from the U.S. congress on the Reagan administration mounted and the drug problem as one the most important political issues in the presidential campaigns emerged, President Reagan called for a bipartisan drug control strategy in which drugs were declared the United States “public enemy number one.” (EE, May 19, 1988, p. 115-116)

4.5 Third Phase: The United States Increases Pressures on the Barco Administration

As the drug problem became one of the most important issues during the political campaigns of presidential candidate Democrat Michael Dukakis and Republican and Vice-president George Bush in March 1988, it also became a top issue in the U.S. foreign policy agenda. The Colombian government was pressured by the U.S. policy makers to increase their anti-narcotic efforts, and, especially, to come up with a solution to the problem of enforcing the extradition of Colombian drug traffickers to the United States. These

pressures led to the gradual increase of a more nationalist discourse and criticism of the United States within the Colombian political circles.

4.5.1 Drug Issue Becomes Most Important Problem in the United States

A March 1988 *New York Times*/CBS News poll indicated 48 percent of Americans considered drug trafficking the most important foreign policy issue facing the nation compared to Central America (22 percent), arms control (13 percent), terrorism (9 percent), and Palestinian unrest (4 percent). Interestingly, when asked whether it was more important to stop the drug trafficking of Central American leaders or to support them in the fight against communism, 63 percent gave top priority to fighting the drug traffic, compared to only 21 percent who felt that stopping communism was more important. (Bagley 1988a, p. 162)

Since mid-1988, the fear of drugs—be it due to the increase of cocaine consumption or due to the intense media coverage of the drug issue during the presidential election, as already described in Chapter Three—had increased dramatically among American citizen. As several Gallup opinion polls from 1986 to 1989 indicated, problems such as unemployment, fear of war, poverty, crime, or the economy in general were not considered

as salient: drugs had become the most important problem that the country was facing (see figure 4-1).³³

Figure 4-1
Opinion Poll: Attitudes Toward the Most Important Problem Facing the Country,
United States, 1982-1997

Problem	Oct. 15-18, 1982	Apr. 15-18, 1983	Oct. 7-10, 1983	Feb. 10-13, 1984	Jan. 28, 1985	July 11-14, 1986	Apr. 10-13, 1987	Sept. 9-11, 1988	May 4-7, 1989	Nov. 9-12, 1989	Apr. 5-8, 1990	July 19-22, 1990	Mar. 7-10, 1991	Mar. 26-29, 1992	Jan. 8-11, 1993	Jan. 15-17, 1994	Aug. 15-16, 1994	Jan. 16-18, 1995	May 9-12, 1996	Jan. 10-13, 1997
Drugs; Drug Abuse	NA	NA	NA	NA	2%	8%	11%	11%	27%	38%	30%	18%	11%	8%	6%	9%	9%	6%	10%	17%
Unemployment	61	54	41	29	20	23	13	9	6	3	3	3	8	25	22	18	6	15	13	NA
Fear of War/Nuclear War/International Tensions	3	11	14	11	27	22	23	5	2	1	1	1	2	NA	NA	NA	NA	NA	NA	NA
Federal Budget Deficit	4	5	4	12	18	13	11	12	7	7	6	21	8	8	13	5	3	14	15	8
Economy	11	8	4	5	6	7	10	12	8	7	7	7	24	42	35	14	17	10	12	21
High Cost of Living; Inflation; Taxes	18	18	12	10	11	4	5	2	3	2	1	1	2	6	3	4	3	7	11	6
Poverty; Hunger; Homeless	NA	NA	NA	NA	6	6	5	7	10	10	11	7	10	15	15	11	5	10	7	10
Crime; Violence	3	2	5	4	4	3	3	2	6	3	2	1	2	5	9	37	52	27	25	23

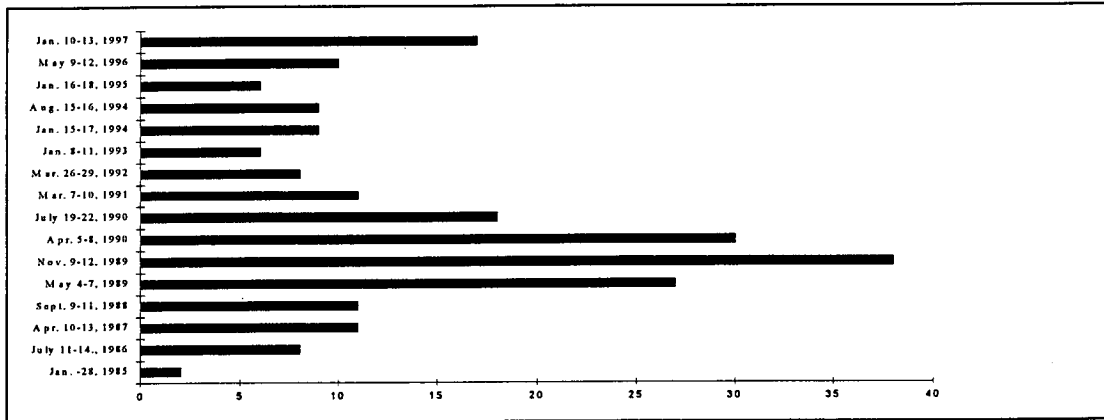
Source: Sourcebook of Criminal Justice Statistics 1996, p. 114.

Interestingly enough, whereas in 1986 only 8 percent of all Americans interviewed perceived drug abuse as the most important problem facing the country, in 1989 nearly 40 percent were convinced about the threat it was posing to Americans (see figure 5-2). It is impressive to observe, how quickly this perception soared: that percentage grew from only 11 percent in September 1988 to 38 percent two years later. Similarly, it went down equally fast; already by March 1991 the percentage went down to 11 percent again.

³³ See George H. Gallup, The Gallup Report, various years. Table constructed by the Sourcebook of Criminal Justice Statistics, 1996, p. 114.

Figure 4-2

Drugs and Drug Abuse Perceived as the Most Important Problem Facing the Country (in percentage), U.S. 1985-1997



Source: Sourcebook of Criminal Justice Statistics 1996, p. 114.

On 22 October, 1988, as a result of the increasing domestic pressures, the U.S. House of Representatives passed the Anti-Drug Abuse Act by a vote of 346 to 11, and by voice vote in the Senate. (Perl, 1988, p. 19-53) In the new Anti-Drug Abuse Act a number of major provisions were included: the creation of a cabinet-level position of federal *drug czar* in the executive office of the President, the strengthening of international narcotics control programs, and the authorization of additional funds for law enforcement and drug-abuse education/treatment programs. With regard to Colombia, Title IV of the Act authorized for 1989 for the Andean country US\$ 15 million for defense equipment, and US\$ 5 million to protect officials and members of the press against narco-terrorist attacks. Furthermore, Colombia was exempted from Foreign Assistance Act prohibitions on training or financial support to foreign police forces. And, with respect to extradition the Secretary of State was

directed to place greater emphasis on updating extradition treaties and on negotiating mutual legal assistance treaties with major drug-producing and drug-trafficking countries.

4.5.2 United States Focus on the Medellín/Cali Cartel and Narco-Guerrilla Connection

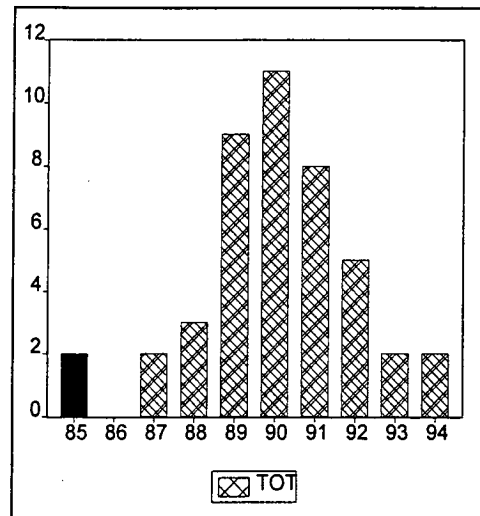
When William Bennett, former Secretary of Education during the Reagan administration, became appointed drug czar in 1988, he announced that there would be no significant changes in the drug policy strategy of the Bush government. However, in a meeting with President Barco, Bennet's advisor on drugs, Donald Ian McDonald, assured the Colombian government that the drug czar sought "to develop a strategy that will reduce consumption and imports to zero." (EE, January 13, 1989, p. 29-30) With respect to the extradition treaty, McDonald argued that policy changes had to come from Bogota, but that American people were aware of Colombia's fight against drugs:

Colombia had real heroes in the fight against drugs and I think that the majority of Americans are convinced of that. During my meeting with President Barco, I got persuaded that Colombia is still committed to the fight against drugs.

During 1989, congressional hearings on the drug issue and on Colombia proliferated. As the following graph shows. Of the 44 congressional hearings and reports, more than half of them were produced in 1989 and 1990:

Figure 4-3

Number of Congressional Hearings and Reports, 1985-1994



The major concern of these hearings was the degree of impact of the drug traffickers on Colombia's economy, on political and social stability, the structure of and differences between the cartels, and the narco-guerrilla connection. In February 1989, the final report of a congressional study mission stated that the narcotics trade had pervaded the entire Colombian system: (U.S. Congress 1989a, p. 22-23)

It has not only paralyzed the judicial system; it has permeated all levels of society. [...] The FARC is becoming involved in the actual production and refinement of cocaine, as well as its traditional role of providing protection to traffickers and facilities [...] The ELN is viewed as a terrorist group dedicated to destroying the economy of the country in order to destroy the political system.

The same report indicated that the Colombian government was beginning to view both drug traffickers and guerrillas as more or less a common enemy, recognizing the *marriage of convenience* that sometimes existed between these groups. However, the report concluded, although the Colombian military took a more active role in anti-narcotics efforts

early in 1988 and had come to the conclusion that “attacking traffickers was actually the same as attacking insurgents,” the Colombian government was still not able to enforce extradition. “Extradition in Colombia began with the death of Attorney General Lara Bonilla and ended with the death of Attorney General Hoyos.” (U.S. Congress 1989a, p. 27-28) Despite the criticism of important aspects of Colombia’s drug control efforts, the Andean country again received full certification in 1989. The Bush administration praised Colombia for its fights against drugs and stated that “nearly no country had dedicated as much of its resources and had lost as much as many lives in stopping drug trafficking as Colombia.” (EE, March 2, 1989, p. 13-14)

In the following hearings in April and June 1989, the U.S. Congress was insisting on the design of new federal strategies to investigate and prosecute major narcotics traffickers. The primary goal became to increase of training and assistance to national and local government of foreign countries. (U.S. Congress 1989c; and, U.S. Congress 1989d) Furthermore, the focus of the hearings became the structure of and differences between the Medellín and Cali cartels, and the economic impact of their illegal drug activities on Colombia’s economy. Terence Burke, the DEA Deputy Assistant Administrator, reported to the House Subcommittee of Government Information, Justice and Agriculture that the Medellín cartel’s distribution and money laundering system was the “second one in the

world” and that the drug traffickers had “accumulated assets into hundred of millions.”³⁴
(U.S. Congress 1989b, p. 4)

The concern of the U.S. congress about new strategies in the fight against drugs was also reflected in hearings before the Senate’s Caucus on International Narcotics Control on April 19, 1989. In general, the U.S. State Department—as the statement of Assistant DEA Administrator David Westrate reflected—expressed its increasing frustration about the lack of results of the United States drug control efforts in Colombia in the area of drug eradication, production, and trafficking: (U.S. Congress 1989c, p. 58-59)

Colombia, despite the in-country efforts against drug traffickers, continues to be the world’s largest producer of cocaine HCl. [...] No large-scale coca eradication campaign is likely to begin until the Colombian government authorizes aerial spraying of coca. The Colombian government has not yet approved any herbicide as safe and effective for use against coca, and no herbicides are being used or tested against coca in Colombia. [...] Since the Colombian Supreme Court ruled the extradition treaty with the United States unconstitutional in 1987 there has been limited progress made against major traffickers. A primary reason for the inability of the Government of Colombia to prosecute, and for the impediment to the effective functioning of the judiciary, is the violence that has led to the death of many in the justice system, and the intimidation of the countless others.

Senators such as Joseph Biden from Delaware and Alfonso D’Amato from New York were particularly concerned about the financial costs involved in the design of a new drug policy toward the Andean region. Senator D’Amato warned the U.S. policy makers not to focus only on the supply side, but to start to reduce the demand for drugs in the United States: (U.S. Congress 1989c, p. 4)

I would [...] question whether Colombia has the necessary strength at this point in time to deal effectively with the power of the cartel. I don’t think Colombia does. [...] But we should not give up.

³⁴ He outlined that one of the main characteristic of the Cali cartel—which was a very highly structured organization with fewer members and aligned more along family ties—was its “fondness for high tech and very sophisticated electronic devices, such as satellites pagers, mobile telephones, fax machines, land-satellite communications with privacy capabilities, and use of high-frequency radios.” (U.S. Congress 1989b, p. 4)

We had better begin to undertake the very painful, difficult, and very necessary processes of reducing the demand. Reducing the demand here in this Nation is going to take a lot of courage and a lot of political fortitude.

In addition, drug expert Rennsealer Lee insisted that the success of the United States drug policy depended on “a more sophisticated understanding of the cocaine industry” and the Colombian government’s priorities which at that moment were the fight against guerrilla terrorism. (U.S. Congress 1989d, p. 94-98)³⁵

The desire of the Bush administration to win the war on drugs and demonstrate his commitment to achieve this goal was evident in his address to the Congress on February 9, 1989. President Bush declared that he was even willing to involve the U.S. military in the fight against drugs if necessary: (U.S. Congress 1989e, p. 23)

Let this remember at the time when America rose up and said NO to drugs. The scourge of drugs must be stopped [...] The war will be waged on all fronts. [...] Some money will be used to expand treatment to the poor, and to young mothers. [...] Some money will be devoted to those urban schools where the emergency is now the worst. And much of it will be used to protect our borders, with help from the Coast Guard, the Customs Service, the Departments of State and Justice, and yes, and the U.S. Military.

As a result, in mid-May 1988 the U.S. Senate decided—by 83 votes in favor of the resolution against 6—to get the U.S. Department of Defense involved in the fight against drugs. This was a clear sign that American policymakers were running out of patience and sought through an even more repressive drug control strategy to win the war on drugs.

³⁵For that purpose, the Senate invited three drug experts—Peter Reuter (Senior Economist at Rand Corporation), Rennsealer Lee (author and consultant on drug policy), and Richard Craig (Professor of Political Science, Kent State University).

4.5.3 President Barco Responds to U.S. Pressure with Commitment to Extradition Policy

In response to the U.S. pressure on the Colombian government to expand its war on drugs and commit fully to anti-narcotic cooperation, the Barco administration launched a political discourse that consisted of reminding the American people of the high costs Colombia was paying for its commitment in the fight against drugs, and of emphasizing the need to reduce the demand for drugs in the United States.

In September 1988, the Minister of Foreign Relations denounced before the United Nations the “outrageous hypocrisy” of the drug consuming countries to leave the lion’s share of the war on drugs on the side of a small group of developing countries. (EE, September 28, 1988, p. p. 84-86) In addition, on April 14, 1989, in a speech before the American Newspaper Editors Association in Washington, President Barco strongly insisted that Colombians would not accept being labeled as a nation of drug traffickers. (VB, Vol. II, April 14, 1989, p. 344) In his speech, he sharply criticized American news media that tried to distort the image of Colombia and its people. In reminding the audience of the deaths of many Colombians who had sacrificed their lives in the fight against drugs, he sought to convince American editors to give a more balanced portrait of Colombia: (VB, Vol. II, April 14, 1989, p. 344)

Journalists, the Minister of Justice, the Attorney General, a great number of judges, and more than 1300 policemen and thousand other Colombians have paid with their lives for their commitment in the fight against drug trafficking. In our country they all are considered heroes. Here, in the United States they also should be considered heroes.

Knowing these heroes as we Colombians have known them, feeling their pain and suffering, and being proud of their courage and their high moral, we neither understand nor can accept the stereotyped

representations of our people and our country. Contrary to what many television broadcasts suggest, Colombia is not a nation of criminals. We are as well victims of the crimes of narcotics traffic.

At the same time, President Barco made claims about the responsibility of the United States to make an equivalent effort in reducing the demand of drugs: (VB, Vol. II, April 14, 1989, p. 350)

The huge sacrifices that Colombia is making to decrease the supply of drugs must be paralleled by an equivalent effort in the fight against the demand of drugs in industrialized countries. [...] While Americans and people from other industrialized countries are willing to pay huge amounts of money for satisfying their addiction, *cartels* will continue producing and selling cocaine. The incentives and profits are to high and produce—similar as cocaine—an immense addiction.

Therefore, we want to call the attention of this country, that is the United States, that consumes more than half of the cocaine produced worldwide, to expand its efforts for reducing demand through forceful policy control, education and rehabilitation measures.

Nonetheless, by increasing drug law enforcement and looking for other options to the extradition of drug traffickers to the United States, the Barco administration demonstrated that it was still committed in the war on drugs. For example, President Barco issued arrest orders for the heads of the Medellín cartel—Pablo Escobar, the Ochoa brothers, and Gonzalo Rodríguez Gacha—for the purpose of extradition. Furthermore, he called in a nationwide TV address for a series of unusual legal and administrative measures designed to deal with the drug and guerrilla threat.³⁶ These new measures involved the reform of the *habeas corpus* statute—which had enabled some months earlier the release of Ochoa—, to introduce conspiracy and plea bargaining provisions, and to augment police and civilian coordination. Furthermore, the Barco administration was still seeking other legal means to enforce extradition by attempting, on the one hand, to obtain approval through Congress for

a new law to validate the 1979 extradition treaty, or, on the other hand, to dispense with the treaty altogether in order to use the 1933 multilateral Montevideo Convention as the basis for extradition.

At the beginning of 1988, Barco's confrontational drug control strategy was still supported by his cabinet members, the church, and the armed forces. Justice Minister Low Murtra insisted on the government's decisiveness "not to give in to the war against drugs" and called for a joint effort of all forces in Colombia to fight against drug trafficking. (EE, April 10, 1988, p. 65) He also insisted that some judicial institutions that had not responded effectively to the fight against drugs needed to be transformed. Similarly, the Roman Catholic Church represented by Cardinal López Trujillo rejected energetically a dialogue or negotiation with the drug traffickers and argued that the "Colombian church is committed in the endeavor to denounce the *business of death*." (EE, February 17, 1988, p. 378) The Conservative Party also backed President Barco. The Barco administration was also still strongly supported by the military forces. In a radio interview in April 1988, General Manuel Jaime Guerrero Paz, commander general of the military forces, ruled out any possibility of negotiating with the drug traffickers or guerrilla groups. (EE, April 2a, 1988, p. 4-6) He held that the military operations against the Medellín cartel would continue despite the number of threats the armed forces had received from the drug traffickers.

³⁶ These steps were called "a statute for the defense of democracy." See EE, January 27, 1988, 248-250; EE, March 4a, 1988, p.464-465.

However, a number of political actors that were initially on the side of the internationalist forces started gradually to move toward a more nationalist coalition. This shift was particularly reflected in the increase of criticism of the United States and the demand for dialogue with the drug traffickers. For example, the Conservative and Social Conservative Parties that initially had supported a confrontational drug control strategy, remained silent when the Mayor of Medellín and member of the Conservative Party, Juan Gómez Martínez, proposed a dialogue with the Colombian drug traffickers. The fact that the leaders of the Conservative Party and the Social Conservative Party—that is, Rodrigo Marín Bernal, and Alvaro Gómez Hurtado—as well as Conservative former ex-presidents, such as Misael Pastrana and Belisario Betancur, did not comment on the Mayor's proposal, was interpreted as a sign of opposition to Barco's confrontational strategy. (EE, March 30, 1988, p. 583)

More openly, the newly assigned Attorney General Alfredo Gutiérrez Márquez criticized Colombia's war on drugs as "useless and fruitless." He used a Chinese proverb to express his preference for dialogue with the drug traffickers: "If you cannot defeat your enemy, join him." (EE, February 20, 1988, p. 398-399)

I do not understand why they make such a scandal out of it. This issue [dialogue with the drug traffickers] has been converted into a taboo up to the point that it is now considered as a mortal sin. I am a Christian, however, I never would refuse to dialogue with Muslims and Protestants.

In addition, he was convinced that the extradition of Colombian drug traffickers was not the solution to the problem of drug trafficking. (EE, March 11, 1988, p. 511-512)

At the same time, critical voices against the United States augmented in the light of the dominance of the drug issue in the political discourse of U.S. policy makers during the presidential elections in March 1988. The *El Espectador*—the most outspoken supporter of Barco’s drug control strategy amongst the Colombian news media—started to criticize the United States for not fighting enough against drug consumption in its own country. The newspaper accused U.S. policy makers of having turned the drug issue into a *fashionable* topic and a nationwide media event in the political campaigns for the presidential elections. (EE, March 3, 1988; EE, March 5, 1988) A similar critique came from Andrés Pastrana, the Mayor of Bogota, in a heated debate with New York’s Mayor Edward Koch, who claimed that Colombia was not doing enough in the fight against drugs.³⁷ Andrés Pastrana, however, responded to Koch’s critique that the arms that killed, for example, the Colombia’s Attorney General Hoyos, who had taken a strong anti-drug stance, stem from the United States.³⁸

I think that is it not fair if you say that we are not doing anything against drugs [...] We have sacrificed the most important people of the Supreme Court, the Attorney General and other government officials.

In addition, economic interest groups were increasingly concerned about the costs associated with a confrontational drug strategy for their business. The Association of Flower Growers (Ascolflores) was increasingly troubled by the fact that drugs were found

³⁷Andrés Pastrana, the son of former president Misael Pastrana and presidential candidate for the 1998 election, was kidnapped in January 1988 by the drug traffickers and released shortly after.

among their flower exports to the United States which led to high security measures and economic losses. Because of this, the Colombian airline Avianca decided in June 1988 to suspend flower transports to the United States which resulted in a loss of US\$ 13 million for the Colombian flower growing industry: (EE, June 6, 1988, p. 21-22; EE, June 12, 1988, p. 46-47)

We are against drug trafficking. But we are also against the retaliation measures adopted by the United States against Colombian passengers who transit their airports [...] This is a serious problem because it causes a reaction of the U.S. government that leads to stricter inspection that one way or the other damages the merchandise.

The judicial branch, however, remained even during 1988 the most powerful opponent of Barco's drug control strategy and used its judicial authority to block it. After President Barco had issued the arrest warrants for the major Colombian drug traffickers in March 1988, the Supreme Court rejected the use of existing laws to send more drug traffickers to the United States for trial. (ET, March 24, 1988, p. 4A; EE, March 24, 1988, p. 535-537) In May 1988, the Council of State thereupon suspended the issuing of warrants for the arrests for the purpose of extradition. In addition, the Supreme Court decided to make penalties for drug trafficking the same as for drug consumption which was interpreted as benefiting the Colombian drug trafficking industry. (EE, July 27, 1988, p. 93)

³⁸See EE, April 2b, 1988, p. 12-13. Furthermore, Koch rejected Andrés Pastrana's invitation to a drug conference in Bogota due to security considerations. Two days later, in a radio interview Edward Koch declared that Colombia could ask the United States for military personnel for helping to "bomb the drug traffickers in Medellín." The statement of the Mayor of New York was completely rejected by the Minister of Government, Cesar Gaviria, who denounced Koch's ignorance about Colombia and a city like Medellín." See EE, April 2b, 1988, p. 12-13; EE, April 6a, 1988, p. 37.

4.6 Fourth Phase: The Rise of Drug-related Violence, The Militarization of the Fight against Drug Trafficking, and The Enforcement of Extradition

In 1988 and 1989 Colombia experienced a dramatic increase in drug trafficking-related crime and violence that culminated in the killing of presidential candidate Luis Carlos Galán on August 18, 1989. The murder of a politician of Galán's national stature shocked the Colombian political elite more deeply than previous drug-inspired assassinations had. The traffickers' traditional targets had been people from the judicial and law enforcement branches, journalists who supported a confrontational drug strategy, or left-oriented politicians who competed in some regions with right-wing groups that were sponsored by the illegal drug industry. Accordingly, the internationalist forces that had started gradually to move toward a more nationalist coalition, by criticizing openly the hard-line strategy of the Barco administration and the United States, returned to their initial position of favoring an aggressive policy against the drug traffickers. When President Barco launched a frontal war against the drug traffickers after the killing of Luis Carlos Galán, he could count again on the full support of the major political actors. Even more important, the nationalist-oriented judicial branch finally opened the way to implement Barco's hard-line strategy by enabling the extradition of Colombian drug traffickers to the United States.

In this first section, I will briefly analyze the dimension of crime and violence during 1988 and 1989, and explore the dynamics between the guerrilla organizations, paramilitary groups, and drug traffickers. In the second section, I will analyze the different

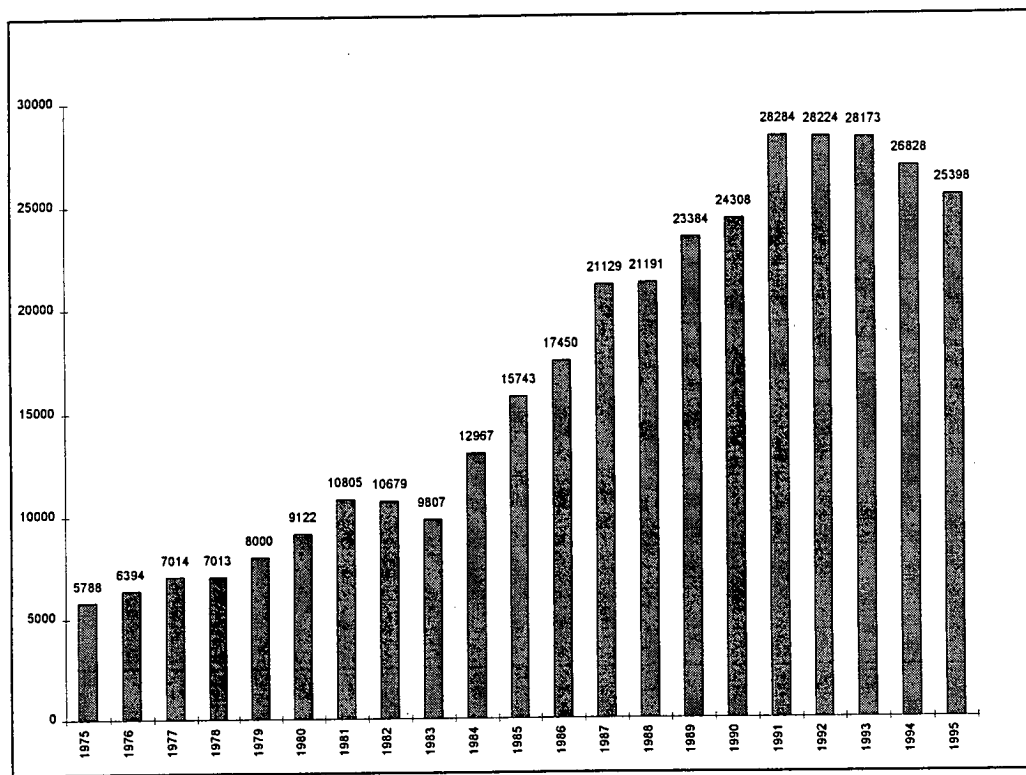
reactions and perceptions of the major political actors in Colombia and the United States to the killing of Colombia's presidential candidate Luis Carlos Galán. Furthermore, I aim to explore the implications of Colombia's drug policy for extradition and the militarization of the fight against drugs.

4.6.1 The Dangerous Triangle: Guerrilla, Paramilitary, and Drug Traffickers

1988 and 1989 became the most violent years in the Colombia's already violent history. During this period the Barco administration was facing a two-front war—one against the drug trafficking industry, and the other against the powerful guerrilla organizations. Throughout the Barco administration, the Colombian drug industry had responded with a dramatic increase in threats and violence against the supporters or enforcers of his confrontational drug strategy. The most affected sector was Colombia's judicial branch in which judges who tried drug trafficking cases were threatened and offered the proverbial choice of *plomo o plata* (lead or money)—death if they convict, a bribe if they set aside the charges. Of the approximately 4,800 judges in Colombia, about 1,000 of them had received death threats; since the beginning of the 1980s over 220 judicial employees were killed, and more than 100 judges have resigned; furthermore, the drug traffickers had threatened the government to kill ten judges for every trafficker who would be extradited to the United States. (U.S. Congress, 1990k, p. 85)

As reported by the National Police of Colombia, 1988 was the most violent year in terms of Colombia's history of total homicides and level of drug-related crimes: cultivation, production, and trafficking.³⁹ According to the crime statistics of the Colombian National Police, the number of homicides escalated from about 5800 in 1975 to more than 20 000 deaths in 1988:⁴⁰

Figure 4-4
Number of Homicides in Colombia, 1975-1995



Source: National Police Colombia, *Criminalidad*, 1996.

³⁹ In that context, I want to stress that these data can only be interpreted as approximate numbers, since it is extremely difficult to collect data and to measure exactly these violent and criminal phenomenon in Colombia as well as the different nature of their sources. However, the following numbers are useful in demonstrating the evolution of violence and drug-related crimes in the Andean country.

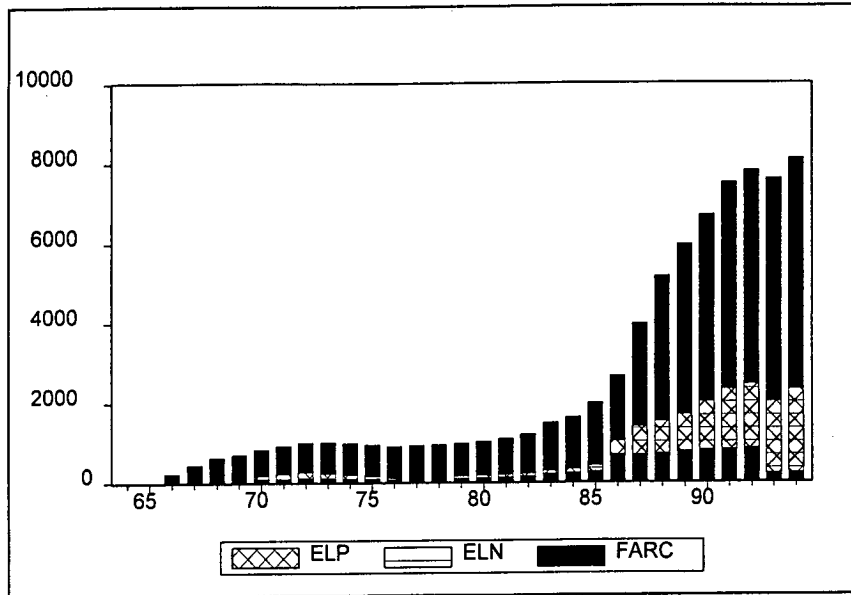
⁴⁰ It should be noted that the official data tend to underestimate the actual number of homicides because there is another death category, "deaths caused by injuries not know of intentional or accidental," in which homicides are likely included. See National Police of Colombia (*Criminalidad*, 1996). Although violence is not new in Colombia—for example, an estimated 100.000 Colombians died in the War of a Thousand Days (1899-1902), and 200.000 died in the more recent period of inter-party civil war called *La Violencia*, which lasted from 1948 to 1966—Colombia has never had a homicide rate as high as during the last two decades.

In addition to the threats and killings by Colombian drug traffickers against the enforcers and supporters of tough drug law enforcement and extradition, other factors also led to the unprecedented levels of violence in the Andean country. On the one hand, an estimated 10 to 15 thousand guerrilla fighters—organized in over 100 divisions (*frentes*)—represented a serious challenge to the government security forces in exercising a degree of permanent influence in more than half of the country's municipalities.

The three most important guerrilla groups—FARC, ELN, EPL—all experienced increases in their man power. Starting in 1964 with only 200 men, the FARC grew from 980 fighters in 1980 to an estimate of 6,970 in 1994. Similar, the ELN increased its numbers in the same time period from 70 men to about 2,700; and, the EPL expanded during the same period from 140 men to around 720. At the end of 1994, a total of about 10,390 guerrilla fighters were active in Colombia:⁴¹

⁴¹ Due to the covert nature of the guerrilla activity, it is difficult to provide exact data about the number of fighters of each guerrilla group. However, the numbers in the following sections outline general trends in the evolution of the guerrilla's financial consolidation.

Figure 4-5
Number of Guerrilla Fighters: Farc, ELN, and EPL, 1964-1994



Source: Presidencia de la República. Oficina del Alto Comisionado para la Paz, 1995.

On the other hand, the expansion of the territorial and financial power of the drug traffickers led to an increase of land acquisition in Colombia’s most fertile areas. For example, a study by Alexandro Reyes Posada indicated that the drug traffickers had bought “maybe 4 to 5 million hectares in land, the best land, and in the best connected areas” in 409 municipalities out of over 1000—particularly, in Urabá-Córdoba, in Antioquia, in municipalities at the coast, in Medio Magdalena, and in the Valle de Cauca. (Reyes Posada, 1995, p. 111) For Reyes Posada the acquisition of extensive land and the need to protect

these properties against the guerrilla's practices of extortion and kidnapping became the basis for paramilitarism and the formation of self-defense groups:⁴²

The simple comparison of the data, that is, 373 municipalities with paramilitary actions and 251 with high level buying of land by the drug traffickers illustrates the major territorial coverage of paramilitarism.

Similarly, Thoumi maintains that the paramilitary groups would not have become that powerful "without financial backing from the illegal drug industry with its experience and willingness to use violence." (Thoumi, 1995, p. 240-241)

These paramilitary groups have since the mid-1980s launched a *dirty war* against presumed supporters of the guerrilla movements: such as, teachers, labor leaders, community activists, mayors of towns and villages, town council members, and, above all, peasants. (American Watch Committee, 1988; SEM, April 24a, 1990, p. 22-32) The leftist party Unión Patriótica (UP) that was founded in 1985 as the legal arm of the FARC, lost

⁴²See Reyes Posada, 1995, p. 111. For more details see also Presidencia de la República, Violence and Evolution of Colombian Municipalities between 1987-93 (Bogota, March 1994), p. 48ff. According to Sarmiento and Moreno, the drug traffickers use their land in different ways: i. for leisure, ii. replacement of agricultural cultivation with cattle industry, and iii. introduction of commercial agricultural products with high technology. Furthermore, both authors argue that the rural investments by the illegal drug industry have promoted a profound regional disequilibrium in Colombia that is reflected in: i. the increase of land prices, ii. a high land tenure concentration, iii. the change in the use of the land, iv. the expansion in production costs, v. the decomposition of the peasant population, and, vi. the increase in local unemployment. See Libardo Sarmiento, and Carlos Moreno, "Narcotráfico y Sector Agropecuario en Colombia." (Economía Colombiana 226-227, 1990 February-March), p. 29-37.

approximately 3,500 members in what the UP perceived as a campaign of targeted killings waged against its leadership.⁴³

According to the Andean Commission of Jurists, in 1988 about 2,740 Colombians were killed for political reasons.⁴⁴ The crimes committed for political reasons from 1988-1994 were estimated to be a nearly 15 percent of the total number of crimes in Colombia.⁴⁵ Accordingly, political murders represented in 1988 about 12 percent of the total number of homicides:⁴⁶

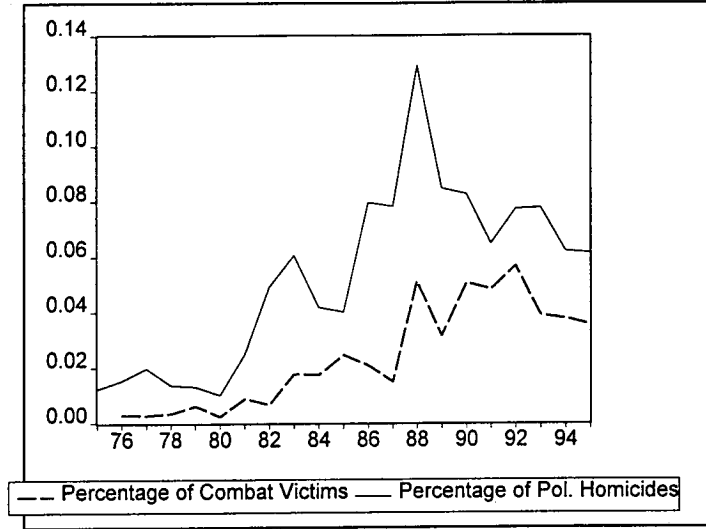
⁴³In 1994 the Government initiated a program to organize and register legal civilian rural defense cooperatives, known collectively as CONVIVIR, which were to provide counterinsurgency intelligence to local military commanders.⁴³ According to the *El Espectador*, in the first year of their existence there were formed around 50 groups that dedicated themselves to inform small groups of cattle ranchers, agricultural farmers, and businessmen. In the second year, they increased from 50 to 381 and were spread over 21 departments in Colombia. Although the authorities originally intended these groups to be unarmed, by mid-1996 they had authorized a number of them to carry arms. Since April 1997 an additional 186 started their activities that at the moment sums up to 567 groups with 12,000 armed men in 28 departments, primarily in central and northern Colombia. Citing the Government's inability to control such groups in past administrations, the Colombian ombudsman office expressed concern that the CONVIVIR cooperatives, too, would lack accountability.

⁴⁴ In the category of political homicides the Commission included human rights violations that were committed by military or police forces, disappeared persons, crimes against "social undesirables"—for example, beggars, street kids (so-called *gaminses*), prostitutes, homosexuals, drug dealers or drug addicts—and deaths caused by combats between the military/police forces and the guerrilla organizations. See Colombian Commission of Jurists. *Colombia, Derechos Humano y Derecho Humanitario: 1995*. (Bogota: Annual Report, 1996), p. 7ff.

⁴⁵ Other human rights organizations, for example Human Rights Watch, estimated in their 1992 World Report an even a higher number of political killings: for example, 4,000 deaths in 1989, 3,200 in 1990, and 3,500 in 1991; with a rate of disappearances of about 200 per year. See *Human Rights Watch World Report 1992*, p. 169.

⁴⁶Total numbers of homicides from 1975-1995 are from the National Police Statistics. Percentages estimated by the author.

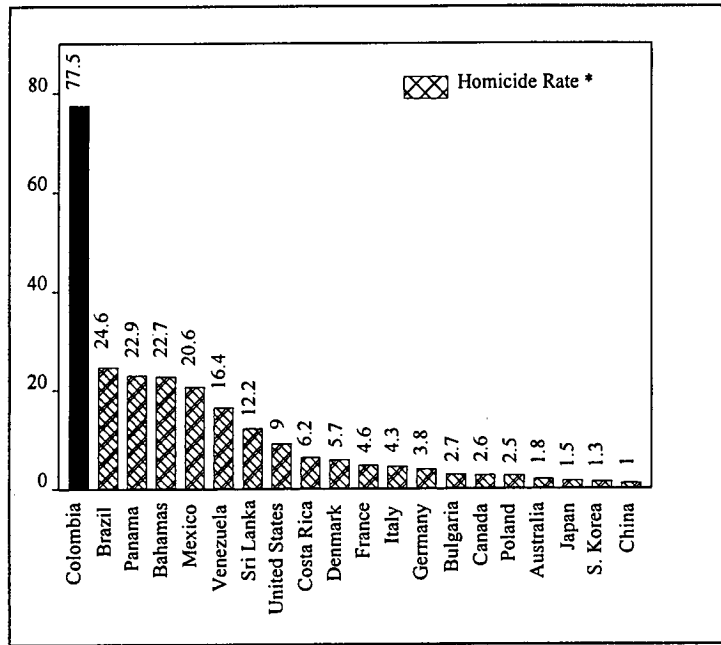
Figure 4-6
Percentage of Political Deaths and Combat Victims of Total Homicides, 1975-1995



Source: Colombian Commission of Jurists, Colombia Report, and p.3.

Even in recent years, Colombia has remained one of the most violent countries of the world without fighting a declared war. In 1995, for example, Colombia had with 77.5 violent deaths per 100.000 habitants the highest homicide rate in the hemisphere. (National Police of Colombia, 1996; Echeverry and Partow, 1997)

Figure 4-7
Homicide Rate per Country, 1995



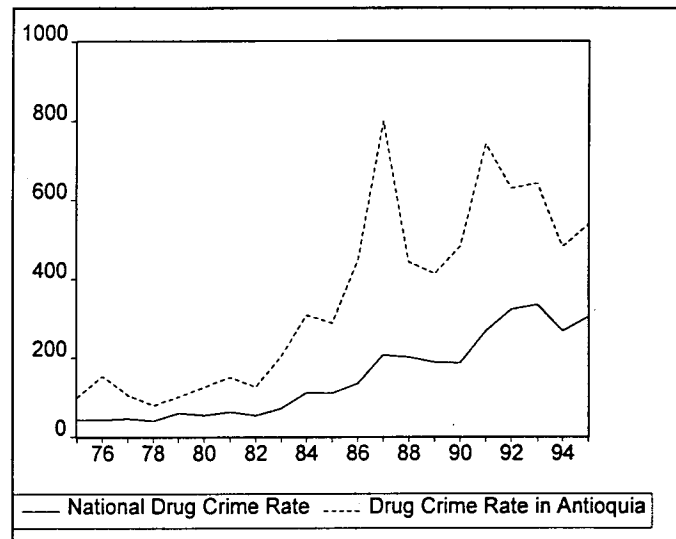
Source: Echeverry and Partow, 1997, p. 3.

Another indicator for the impact of the drug trafficking industry on the social and political stability of Colombia, and, particularly, of Antioquia—the primary location of the Medellín cartel—was the level of drug-related crimes.⁴⁷ As the following figure shows, during the period of 1975 to 1995, the level of drug-related crimes in Antioquia was not

⁴⁷ Drug-related crimes are defined in terms of offenses related to drug cultivation, processing, consumption, and trafficking.

only higher than the national drug crime rate, but the department became in 1987 with nearly 800 reported drug offenses the focal point of drug crime.⁴⁸

Figure 4-8
National Drug Crime Rate versus Crime Rate in Antioquia, 1975-1995



Source: Echeverry and Partow, 1997, p. 21.

In light of these dramatic increases in drug-related violence and crime, President Barco announced in a national televised address on April 19, 1989, a series of state of siege decrees that were targeted against the paramilitary groups and private hired assassins (so-called *sicarios*). In his speech he made a call to all Colombians to support his policy against these groups: (VB, Vol. II, April 9, 1989, p. 361-362)

⁴⁸ For more details on crime statistics data between 1975-1995 see Juan Carlos Echeverry, and Zeinab Partow, Why Justice is Unresponsive to Crime: The Case of Cocaine in Colombia. (Working Paper, Central Bank of Colombia, 1997). Using an economic model developed by Robert Lucas and National Police data, Echeverry and Partow seek to provide an explanation why the Colombian justice system is not responding to the dramatic level of violence and drug-related crime in Colombia. In the 1990s, the level of impunity was about 90 percent in Colombia. They argue that the lack of incentives of geographically separated decision-makers to confront what they perceive as an external (national) phenomenon, leads to the inability of the country as a whole to confront crime in Colombia.

The groups of hired killers, death squadrons and paramilitary groups [...] are attempting to destroy what we all have to defend: democracy, justice, freedom, human rights, and national institutions. [...]

I know that we are not confronting an easy task. But the country will not retreat, and the authorities are counting now with more resources than ever to continue to fight. Altogether, and the positive results that have been obtained, are enough reasons for not being pessimists and for looking forward that these groups will be—in a gradual and progressive way—eliminated and their members and promoters drastically punished.

4.6.2 The Killing of Presidential Candidate Luis Carlos Galán and President Barco's Declaration of Frontal War

The peak of drug-related violence was reached when on August 18, 1989 hitmen from the Medellín cocaine cartel assassinated Senator Luis Carlos Galán—the leading Colombian presidential candidate of the New Liberal Party for the 1990 elections and the most outspoken anti-drug politician. (SEM, August 22, 1989, p. 22-28; SEM, August 29, 1989, p. 22-27) Galán's murder shocked Colombians and the government because it was qualitatively different from those previously committed by the drug trafficking organizations.⁴⁹ The murder of a politician of Galán's national stature broke with the previous pattern of drug-inspired assassinations of members of the judicial and law enforcement branches as well as sympathizers of the guerrilla movement. The killing of this presidential candidate made evident the severity the drug traffickers threat to the country's democratic institutions. Gugliotta and Leen argued that "Galán was killed not for something he had done, but for something he might do." (Gugliotta and Leen, 1990, p. 559) Similarly,

⁴⁹ Previously, the Medellín cartel had attempted to kill Galán, but the collaboration of the citizen of Medellín impeded the murder, as the director of the Police, Gral. Gómez maintained. See EE, August 6, 1989, p. 21. For more details on Luis Carlos Galán and his political career see SEM, August 22, 1989, p. 30-33. Furthermore, in the same month of August, a member of Bogotá's higher court, Carlos Valencia, and the chief of Antioquia's Police, Colonel Valdemar Franklin Quintero, were killed.

former Conservative president Misael Pastrana maintained that the drug traffickers had not ~~only killed the~~ present, but also the future.”(SEM, August 22, 1989, p. 30-33)

Galán had become throughout the 1980s a symbol for a strong commitment in the ~~fight against~~ the Colombian drug trafficking groups, especially the Medellín cartel. As ~~mentioned already~~, in 1984 when it became public that Pablo Escobar was involved in ~~illegal drug trafficking~~, Luis Carlos Galán as leader of the New Liberal Party criticized ~~openly Pablo Escobar and Congressman Jairo Ortega for their representation in the Colombian Congress~~. As a result, Justice Minister Lara Bonilla orchestrated the expulsion of Escobar ~~from the New Liberal Party~~. Later on, Galán became one of the strongest ~~supporters of Barco's confrontational strategy and extradition policy~~.

Galán's murder was the culmination of a wave of killings aimed at intimidating the ~~Colombian political and judicial system~~, preventing arrest and extradition, and halting ~~official harassment and confiscation that had disrupted the drug traffickers business~~. (EE, August 18, 1989, p. 77-78) As Bagley put it, “the assassination of Galán was meant to serve as a ~~warning~~ that literally no one, no matter how rich, prominent, or politically influential ~~within the Colombian establishment was beyond the reach of the traffickers~~.” (Bagley 1988, p. 205)

The ~~response~~ of the Barco administration was immediate and led to the declaration of ~~an all-out war~~ against the drug traffickers that consisted of the militarization of the ~~anti-narcotic efforts~~ and the renewed enforcement of extradition. In a nationally televised

address delivered minutes after Galán's shooting, Barco made the following statements:

(VB, Vol. II, August 18, 1989, p. 472)

We will not give up because the future of the nation and the survival of society are at stake. Colombians, we all have now an important responsibility. That is us, the National government, the judicial branch, the Congress, political parties and each one of the citizens.

Invoking the extraordinary presidential decrees powers available to him under the state-of-siege provisions of the constitution, he announced that his government would immediately renew summary extradition of Colombian drug traffickers wanted abroad, thereby circumventing the Colombian Supreme Court.⁵⁰

On August 19, 1989, President Barco established extradition via administrative law and assured the final approval of each extradition by demanding the signature of the six ministers that were part of the National Council of Dangerous Drugs (Justice, Health, Education, Agriculture, Defense and Communication). President Barco, thereby, made sure that his cabinet members were committed to the extradition strategy and also co-sharing the responsibility for it. On October 3, 1989, in a major turn in attitude, the Supreme Court declared that decree 1860—that established extradition via administrative law—was constitutional. The decision of the Supreme Court to declare decree-law 1860 constitutional, following three years of attempt to thwart the government's strategy of

⁵⁰ See for more information EE, August 19, 1989; SEM, August 29, p. 28-31; SEM, September 19a, 1989, p. 34-39; SEM, September 19b, 1989, p. 50.

confrontation, represented a major shift from its nationalist toward an internationalist position.⁵¹

In a short time the Barco administration issued 25 state of siege decrees that the Supreme Court also declared constitutional. These decree-laws included the confiscation of the drug traffickers' bank accounts, properties, and other assets, the order for police and military to conduct countrywide raids against the drug traffickers, and higher protection for judges and judicial workers.⁵² Furthermore, for the first time a Colombian administration offered rewards—about US\$ 250 thousand—for information leading to the capture of the two most notorious Medellín drug traffickers: Pablo Escobar and Gonzalo Rodríguez Gacha.⁵³

On August 25, 1989, another televised address to the Colombian people demonstrated that President Barco was aware of the fact that his frontal war demanded even more sacrifices than before: (VB, Vol. II, August 25, 1989, p. 477-479)

Victory will demand more sacrifices from us [...] [This will be a crusade] that—without doubt—will leave us with more blood, pain and suffering, but I am sure we will succeed. [...] I am saying this because the government and the country will not rest until we win this war.

[...]

There is something that the enemies of Colombia should be clear about. I am willing to do everything, it does not matter what, to end this plague and to defend the rights of millions of Colombians, who want to live in peace in our democracy.

⁵¹ For more details see EE, October 4a, 1989, p. 54-56; EE, October 4b, 1989, p. 66-68; EE, October 6, 1989, p. 80.

⁵² For more information on Barco's policy actions and decree-laws see SEM, August 22, 1989, p. 22-28; SEM, August 29b, 1989, p. 28-31; SEM, August 29c, 1989, p. 36-44; SEM, September 12b, 1989, p. 34-39.

⁵³ Television and radio broad casts announced the rewards. The TV spots, set against the backdrop of Galán's funeral, urged "no more skepticism; cooperate, denounce, inform." See SEM, November 28, 1989, p. 24-31.

By stating ~~that~~ the death of one of Colombia's best and youngest political leaders had not only shocked Colombians but the entire world, he declared to the international community ~~that~~ he would be committed to do anything to end drug trafficking: "No more! [...] We will not rest until we have destroyed all organizations dedicated to narcotics traffic." (VB, Vol. II, August 28, 1989, p. 488-489)

In general, most Colombians supported the all-out war on the drug trafficking industry by the Barco government as the statement of General Miguel Maza Márquez, the director of the Department of Security (DAS), reflected: "We all, that is 32 millions of Colombians, know who killed Galán [...] The Mafias have won battles, but the country should win the war." (EE, August 20c, 1989, p. 108) Even, the Colombian public that had increasingly opposed Barco's extradition policy—according to *El Tiempo* opinion polls in April 1989, about 63 percent of Colombians were opposing extradition—expressed their support for extradition shortly after the murder of Galán with 77 percent. (SEM, December 26, 1989; SEM, January 8, 1990)

The early results of Barco's offense reflected the government's decisiveness *to win the war* against the drug trafficking industry. In the first four weeks following Galán's death, 535 suspected traffickers were arrested and charged and more than 10,000 other suspects were detained. Most important, for the first time in more than two years, four accused drug traffickers linked to the Medellín cartel were extradited to the United States. Furthermore, combined police and army operations confiscated a total of 989 buildings and

ranches, 32,773 farm animals, 367 airplanes, 72 boats, 720 vehicles, 4.7 tons of cocaine, 1,279 guns, and 25,000 rounds of ammunition. (Bagley, 1989, p. 157)

In response to the frontal war launched by the Barco administration, the Medellín drug cartel issued a eleven-point communiqué in August 1989 declaring “total and absolute war” against anyone who had opposed them, including government officials, judges, businessmen, and journalists. This threat translated according to the summary report in *El Tiempo* in terrorist attacks against the political establishment, but also against the Colombian society: the drug traffickers had set 36 fires and detonated 37 bombs—including the bombing of the Medellín headquarters of Galán’s pro-government New Liberal Party and of the opposition Conservative party; the bombing of the most outspoken anti-drug newspaper *El Espectador*; the explosion of an Avianca plane in which 111 people were killed; and, the bombing of the twelve-story headquarters of the Department of National Security (DAS) in Bogota in which 72 people were killed and hundreds injured.⁵⁴ The drug trafficker organizations carried out nearly two hundred bombing attacks nationwide against government offices, banks, businesses, newspapers, hotels, supermarkets, and even schools. The goal of this narco-terrorism was to demoralize the government and the Colombian people, and to convince them that “the war could not be won at an acceptable cost to the country’s democratic institutions.”(Bagley, 1989, p. 205)

⁵⁴See for more details EE, September 3, 1989, p. 37; EE, September 24, 1989, p. 319-320; SEM, December 12, 1989, p. 45-57. Afraid of being extradited, the “Extraditables” promised to kill 10 judges for each person extradited. See EE, August 25b, 1989, p. 196.

Openly admitting the government's inability to defeat the international drug traffickers operating in Colombia, Barco issued an appeal to the international community for economic and technical support. In fact, in late August 1989, Barco sent his recently appointed Justice Minister, thirty-two-year old Monica de Greiff—the sixth person to head the ministry of justice during Barco's administration—to Washington to request US\$ 14 million in emergency aid to protect Colombia's embattled judges. This was on top of the US\$ 5 million that the Bush administration had earmarked for the Colombian judiciary in the fiscal year 1990 budget.

When President Barco met with President George Bush on September 28, 1989 and made a speech before the U.S. Congress, he assured the U.S. policy makers that he was more than ever committed in the war against drugs. However, in light of the wave of violence and terrorism in Colombia he demanded a stronger commitment from the United States to support Colombia in terms of economic aid. President Barco also urged the United States to not focus only on the supply side, but to seriously commit to reduce the demand of drugs in its own country.

In his address to the U.S. Congress, President Barco asked U.S. policy makers to help to restore the International Coffee Agreement, whose collapse in July—in part because of U.S. objections—was threatening the vulnerable Colombian economy with a loss of some US\$ 400 to US\$ 500 million annually. Furthermore, in a resolute tone President Barco reminded the U.S. Congress that the costs associated with full cooperation on the drug issue had increased significantly in economic, social, and political terms in Colombia. He

considered that the United States had *to do much more on its side* to win the war on drugs:

(VB, Vol. II, September 28, 1989, p. 497-498)

First of all, I would like to thank all of you who have offered us their personal help. [...] Here you do not see the wounds, the horrors of war, the destruction [...] As you all know my country is at war. [...] In the last weeks we have lost the hope that we are able to fight this plague like a serious problem of legal or public order. [...] Six weeks ago, Luis Carlos Galán, the presidential candidate who was most likely to win and an outstanding figure of the new generation of political leaders, was assassinated by the drug trafficker cartels because he persisted in speaking out against them.

[...]

We all feel the pain and the loss, similar to the time when your young leaders Martin Luther King and Robert F. Kennedy were assassinated, all Americans united. And, in the same way we Colombians have felt this setback. [...] We appreciate the prompt help from the United States [...] and I would like to thank you again for your solidarity.

[...] I do not want to waste this opportunity to talk to you only about coffee and helicopters. [...] The important thing is that you listen today to me and recognize that the United States, the same as Colombia, is at war. [...] The most important thing you can do for us—and for you—is to reduce drug consumption. Even if we push the drug cartels out of Colombia and drug consumption still exists, they will go somewhere else. The profits are too high. [...] The reason why I am asking you deliberately and directly to reduce drug consumption is due to our belief that each consumer [...] is contributing to the assassination of a Colombian who is trying to enforce the law.

Equally, President Barco urged the United States to control illegal arms trade. He argued that most of the arms that the illegal drug traffickers were using “to intimidate, attack and assassinate Colombian people” stemmed from the United States. Two days later, President Barco repeated his pleas at the UN General Assembly and insisted that without a concerted international action to reduce arms trafficking, chemical imports, international demand, and money laundering, Colombia had no chance of permanently dismantling the drug cartels. (VB, Vol. II, September 29, 1989, p. 504-505)

Similarly, Colombian Ambassador Victor Mosquera Cháux in the United States insisted in the September hearings before the Senate Subcommittee on Investigations of the

Committee on Governmental Affairs that the United States had to reduce drug consumption:⁵⁵ (U.S. Congress 1989h, p. 68-70)

President Barco has not only demonstrated the courage and determination of his Government but also the willingness and resolve of an entire country to rid itself of the curse of the drug merchants" [...]

I think that the Government of Colombia does everything that it can and uses all possible means to protect U.S. citizens, and the citizens of all countries, including of course Colombians. What is happening is that the protection of my compatriots has been less effective than the protection of foreigners
[...]

The war we have created against the insidious forces of narco trafficking calls for the cooperation of all nations. Not only do we need support stamping out the drug cartels, but also most importantly, the world requires that the demand for drugs be choked off. As long as millions of people in the richest countries are willing to pay premium prices to obtain artificial highs from dangerous substances, all the resolve and courage of men and women who are prepared to stand up to the scourge will amount to very little.

Similarly, the Colombian Ambassador to Czechoslovakia, Enrique Parejo González—Colombia's former Justice Minister who had been wounded two years earlier in an attack by the drug traffickers—stated: (U.S. Congress 1989h, p. 106)

The recent action undertaken by the Government of Colombia deserves the highest praise. They have encountered the most enthusiastic general support. There in the midst of battlefield, the President of the Republic, the Government, the authorities, the entire society stand together to combat the most serious threat ever unleashed against humanity.

In another hearing a few months later, Parejo insisted that drug trafficking was a matter that concerned all humanity: (U.S. Congress 1990c, p. 10)

It is up to the international community, not the individual countries to face this terrible evil. Colombia is only the circumstantial center of the war being fought. The cooperation of all the countries of the world is urgently required in order to finally defeat narco-trafficking.

⁵⁵During these hearings on the U.S. Government anti-narcotics activities in the Andean region several Colombian politicians or experts were invited. Besides governmental officials such as William Bennett (Director of the Office of National Drug Control Policy) and David Westrate (Assistant DEA Administrator for Operation), also Victor Mosquera Cháuz (Ambassador of Colombia to the United States), Enrique Parejo González (Ambassador of Colombia to Czechoslovakia and former Minister of Justice), and Bruce Bagley (Associate Professor, Graduate School of International Studies, University of Miami) were invited.

4.6.3 United States Demonstrates Solidarity and Promotes Foreign Militarization

The Bush administration responded immediately to Colombia's request for help, promising to do "whatever is necessary" to support Colombia's campaign against the drug traffickers. The White House had already authorized a US\$ 65 million emergency aid package that contained mostly military equipment, and some weeks later several West European governments, with France and Great Britain in the forefront, also pledged assistance. (EE, August 26, 1989, p. 215-216) President Bush also praised the Colombian president for enforcing extradition via the administrative law. (EE, August 20b, 1989, p. 103) In addition, a number of governmental officials and Congressmen expressed their appreciation of President's Barco's anti-drug efforts and recognized the high prize Colombia was paying in its war on drugs.

By declaring that Colombia was the focus of the drug control strategy of the United States, Ann Levitsky—the Assistant Secretary for International Narcotic Matters of the State Department—suggested that besides the US\$ 65 million aid package the United States had to provide more support to the Andean country: "We have some plans built for more assistance to Colombia. But they are committed. Public opinion is behind President Barco. It is a tough fight. But they have done a lot, particularly in the last several weeks." (U.S. Congress 1989f, p. 35)

Similarly, the Director of the Office of National Drug Policy, William Bennett, praised President Barco's decision to launch a frontal assault on the Colombian drug trafficking industry that were already showing positive results: (U.S. Congress 1989f, p. 18)

Cocaine prices are up. Something is happening. Something encouraging is happening. What president Barco is doing in Colombia is obviously of great encouragement to us all. And as we are learning, other heads of state in addition to President Bush are telling President Barco of their supports for his efforts.

He further stated that the new drug control strategy foresaw US\$ 2 billion over the next 5 years, in a combination of economic and military assistance. (U.S. Congress 1989h, p. 15)⁵⁶ However, Bennett referred also to President's Barco allegations that drug users were supporting the terror and the murder of innocent people, by stating that the fight against the drug traffickers in Colombia was also in Colombia's own interest: (U.S. Congress 1989h, p. 14)

The effort by President Barco in Colombia against the cartel has obviously changed the situation, but not the basic principles of the strategy and not the basic aims of the strategy [...] President Barco is making a fight for himself and for the Colombian people.

In light of the violent response of the drug trafficking industry to President Barco's declaration of an all-out war and the extradition of three Colombian drug traffickers to the United States following the September assassination of Colombian presidential candidate Luis Carlos Galán, Attorney General Thornburg stated with admiration: (U.S. Congress 1989i, p. 11)

I commend President Virgilio Barco and the Government of Colombia for their continued diligence in their war against narco-terrorists. The Colombian people are setting an example for the world as they

⁵⁶In this hearing the attention was focused principally on the structure of the two major drug cartels in Colombia. State Department officials, and Colombian politicians and writer are invited to provide information to the Committee on the questions on how the Colombia drug organizations operate, why they are so violent, and why they have killed so many people in Colombia.

continue to extradite international drug traffickers in the face of continued threats and acts of intimidation.

With respect to the response of the United States, the DEA Deputy Administrator Terence Burke argued that one had to give the U.S. government a lot of credit for the fact that it had been able “to respond to the Colombians as quickly as they were able to, to which Colombians have in turn responded in cooperation.” (U.S. Congress 1989i, p. 25) Additionally, Bruce Bagley, a drug expert from the University of Miami, stated that the shocking assassination of Luis Carlos Galán dramatically “highlighted the price in blood” that Colombia was paying for its participation in the international war on drugs: (U.S. Congress 1989h, p. 132)

President Virgilio Barco is a courageous and resolute leader in the war on drugs in Colombia, which has been very costly, not only the terms of Colombian lives, but also in treasure and institutional stability.

In addition, a number of Congressmen congratulated President Barco and praised him for his determination to fight the war against the drug trafficking industry. For example, in a hearing on the structure of international drug trafficking organizations Congressman Sam Nunn from Georgia maintained: (U.S. Congress, 1989g, p. 2)

We have watched shaken and horrified as the Government of Colombia courageously battles for its very life in a full-scale war against the entrenched armies of the drug kingpins. [...] In Colombia the power of Government has been at times nearly eclipsed by the power of drug traffickers.

Similarly, Republican Senator William Roth expressed his solidarity with the Colombian government and paid his respect to President Barco: (U.S. Congress, 1989g, p. 3-4)

I commend Colombia's president Barco for his courage and fortitude in standing up to these narco terrorists. I hope everyone in America had a chance to see President Barco's moving appeal, which was a broadcast a few weeks ago on all the U.S. TV networks. He pointed out that the murder and the mayhem in Colombia would not be going on but for the market and the profits that American drug users provide.

4.6.4 Foreign Militarization of the Drug War

However, in spite of the praise for the courage of the Barco administration, in the United States voices began loudly speaking about sending American troops to Colombia. On August 20, 1989, U.S. Attorney General Dick Thornburg said in the NBC news program “Meet the Press” that the United States—if invited by the Colombian government—was considering sending U.S. troops to the Andean country: “In case that, hypothetically, Colombia feels that it cannot operate anymore under the rule of law [...], it will be forced to seek any help it can get.” (EE, August 21, 1989, p. 111)

Furthermore, in September 1989, drug czar William Bennett announced in the new drug control strategy of the Bush administration that US\$ 2 billion would be given to the Andean countries over the next 5 years, in a combination of economic and military assistance. (U.S. Congress 1989h, p. 15) In 1990, Congress approved for Colombia US\$ 71.2 million—compared to US\$ 5 million for Peru, and US\$ 38.8 million for Bolivia—in military assistance and which represented a 900 percent increase in military aid since the mid-1980s. (Perl, 1992, p. 34; Tokatlian, 1991, p. 178)

However, the fact that most of the emergency assistance went to the Colombian military and not to the Colombian police forces which were conducting 90 percent of all counter narcotics operations, reflected the interest of the United States to get the Colombian military forces involved in the anti-narcotic efforts (see table 5-1): (U.S. Congress 1990h, p. 80)

Table 4-2
1989 Narcotics Interdiction Activities and Proposed U.S. Funding Levels
for the Colombian Police and Military

	Percent of Total		Total-All Efforts
	National Police	Military	
Interdiction Measures	84.0	15.7	37.9 metric tons
Cocaine HCl and Cocaine Base Products Seized	88.6	0.6	707.9 metric tons
Marijuana Seized	97.5	2.5	2.3 millions
Precursor Chemicals Seized	85.4	13.9	452 laboratories
Laboratories Destroyed	94.8	5.2	97 airstrips
Airstrips Destroyed	64.0	33.8	3,607 arrested
U.S. Anti-Narcotics Assistance			
Emergency Assistance	16.1	76.7	US\$ 65 million
Andean Initiative Assistance- Fiscal Year 1990 estimated	33.2	66.8	US\$ 60,3 million
Andean Initiative Assistance- Fiscal Year 1990 estimated	24.8	75.2	US\$ 80,5 million

Source: Government of Colombia, U.S. Defense Security Assistance Agency and ONDCP.

After the United States sent military trainers to Colombia, Bennett sought to persuade the House Committee on Foreign Affairs and the American public that these trainers were only helping the Colombian forces, police and military to fight the drug traffickers. (U.S. Congress 1989f, p. 11) In his words, this was not “to be interpreted in any way as a suggestion or plan to engage the U.S. military in any combat effort.”⁵⁷

⁵⁷See U.S. Congress 1989f, p. 11. In most of the U.S. newspapers the events in Colombia were reported in detail and military intervention highly debated. For example, the *Washington Post* and *Newsday* argued that the United States should be cautious to involve U.S. military troops in Colombia, whereas *USA Today*, for example, supported military actions arguing that Colombia’s war on drugs was also the United States war on drugs.

The testimony of Stephen Duncan—Assistant Secretary of Defense for Reserved Affairs and Coordinator of Drug Enforcement of the Department of Defense—before the Committee, reflected the new mission in the anti-narcotic efforts that was assigned to the U.S. military forces by the National Defense Authorization Acts and the Anti-Drug Abuse Acts.(U.S. Congress 1989e, p. 13-23) At the same time, as Juan Gabriel Tokatlian described, the United States explored different legal ways to justify the persecution of drug traffickers outside their borders. For example, in November 1989, Abraham Sofaer, the U.S. State Department’s legal advisor, declared before the House Subcommittee of Civil and Constitutional Rights: (Tokatlian, 1997, p. 726-727)

We are reaching the point [...] at which the activities and threats of some drug traffickers may be so serious and damaging as to give rise to the right to resort to self-defense.[...] Arrests in foreign countries without their consent have no legal justification under international law aside from self-defense. But where a criminal organization grows to a point where it can and does perpetrate violent attacks against the United States, it can become a proper object of measure in self-defense.

In that context, when the Congress approved the International Narcotics Control Act of 1989, it also revised the Mansfield Amendment of 1976 that prohibited as part of the International Security Assistance and Army Export Control Act the *unsolicited assistance* of United States employees or officers in foreign police arrests: “The Mansfield Amendment now provides less protection to foreign drug traffickers than initially perceived.”⁵⁸

⁵⁸See Gregory Wilson, "The Changing Game: The United States Evolving Supply-Side Approach to Narcotics Trafficking."(Vanderbilt Journal of Transnational Law, Vol. 26, No. 5, January 1994), p. 1187. Cited in Tokatlian, 1996, p. 475.

The U.S. Congress increasingly perceived the involvement of U.S. military forces in the Colombian war on drugs as a means of destroying the drug trafficking organizations. Accordingly, the pressure on the U.S. executive branch to convince the Colombian government to militarize even more the fight against drug traffickers augmented. For example, Senator Joseph Biden declared during the August 1989 hearings of the Senate Committee of the Judiciary: “The drug cartels are the No. 1 foreign threat [...] to our national security. While these cartels may not be the cause of our drug problem, they certainly are the principal exploiters of that problem.” (U.S. Congress 1989e, p. 1) Similarly, Congressman Sam Nunn argued that the urgency of the situation in the Andean region had been brought home to all Americans: “Colombia and its neighbors in Latin America are being confronted with an enemy as brutal and as dangerous as that faced years ago in World War II.” (U.S. Congress 1989h, p. 2)

Drug expert Bruce Bagley, however, warned the U.S. Congress and government about the counterproductive effects of military actions. At the end of September 1989, in a hearing before the Senate Subcommittee on Investigations of the Committee on Governmental Affairs, Bagley criticized that the emergency aid package that the United States had provided to Colombia had proven primarily symbolic and was directed to the wrong sector: (U.S. Congress 1989h, p. 133)

The preponderance of conventional military equipment for the Colombian armed forces, [...] was not suitable for an unconventional war against the narco-terrorists. [...] Despite a specific request by the Justice Minister for \$19 million for her severely debilitated ministry, Bush’s aid package contained only \$ 2million for the judiciary.

Instead of sending more conventional military equipment, Bagley held that the United States should help rebuild Colombia's justice system by providing the country with armored cars, better security systems to protect judges and their families, metal and bomb detectors, computers to modernize their legal records and resources for salaries, court facilities and more secure jails.

With regard to the United States intention to deploy American troops in Colombia, the drug expert maintained that the U.S. government needed to be aware of the negative effects of military actions on the ability of the Colombian government to maneuver and receive support from the major political actors: (U.S. Congress 1989h, p. 134)

The mere mention of American troops on Colombian soil inflames nationalist and leftist sentiment, exposes Barco to criticism as a puppet of "imperialism" undermines his credibility and leadership and embroils him needlessly in political matters that ultimately hinder his efforts in the war of drugs.

When Panama was invaded by American troops on December 20, 1989 and General Noriega arrested in Florida, it reflected the determination of the U.S. executive and legislative branch to militarize their anti-narcotic efforts and, if necessary, to intervene in drug-producing or drug-trafficking countries, deeply affected by drug trafficking-related activities and corruption.

Tensions between the United States and Colombia rose when on January 4, 1990, the U.S. aircraft carrier John F. Kennedy with 3000 soldiers and the U.S. frigate Virginia sailed into position off Colombia's shores and was transformed into a blockade. (EE, January 8a, 1990, p. 7A) Colombia reacted immediately and condemned the U.S. naval blockade as

intervention and an attack on the country's sovereignty. After strong Colombia protest the Colombian government issued a communiqué stating that Colombia had neither participated nor would it participate in any joint operation with the United States.⁵⁹ The White House stated that there had been a misunderstanding and that the United States had never thought of blockading Colombia.(Tokatlian, 1991, p. 178) But opposition to the involvement of American troops in the war on drugs in Colombian territory increased not only in Colombia, but also in the United States itself

In the United States, the military forces started to question the involvement of American troops in the Andean region and proposed for the military only a support or training role of host countries armed forces. As the hearings in January 1990 before the House Subcommittee of the Defense Policy Panel and Investigations of the Committee on Armed Services reflected, some members of the Defense Department and U.S. military sharply criticized the idea of deploying combat forces in Colombia. General Robert Kingston, a retired U.S. Special Operations Forces Commander, maintained that the U.S. military should have only a support or training function, and not be used as law-enforcement or police officers. (U.S. Congress 1990a, p. 9) Similarly, military expert Donald Mabry argued that the traditional role of the military was to be prepared to meet traditional military threats and not drug law enforcement: (U.S. Congress 1990a, p. 13)

⁵⁹ See the protest made by Julio Londoño Paredes—the Minister of Foreign Relations—the Liberal presidential candidate Hernando Durán Dussán, the Conservative Party, the leftist party Union Patriótica and others demonstrate. (EE, January 8b, 1990, p. 7A; EE, January 8c, 1990, p. 7A; EE, January 8d, 1990, p. 7A; EE, January 10, 1990, p. 1A)

Destroying the coca enterprise is a law enforcement problem not a military problem [...] The efficacy of a military solution in the Andes is about the same as it would be if foreign military forces came into the United States to solve our drug enterprise problem, where in fact the problem lies.

In Marby's view, the idea of using the military in drug law enforcement came from some people's notion that with the events in Eastern Europe a new enemy had to be found: "The crumbling of the Soviet Empire means that the Defense Department can divert its resources to the anti-drug campaign, in fact, crumbling empires are a greater, not a lesser, military threat." (U.S. Congress 1990a, p. 15)

This opinion was supported by Robert Goldich, another military specialist of the Congressional Research Service, who argued that due to the complex multi-faced conflict in Colombia—drug trafficking, guerrilla, and paramilitary violence—U.S. forces could be caught up between these three different fronts if they intervened. He also reminded the Committee that the American public was still very sensitive to the *Vietnam Syndrome*: (U.S. Congress 1990a, p. 19)

I would like to broaden the idea of a Vietnam syndrome into the extent to which the American public and American domestic considerations intersect with any kind of military operations we may undertake in the Andean nations.

However, besides the critique that came from the members of the Defense Department and U.S. Military, the U.S. government increasingly became aware that Colombia was opposing energetically the deployment of American troops on its territory. Robert Myers, the Director of Programs of the Bureau of International Matters, stated before the House Committee on Armed Services in January 1990: (U.S. Congress 1990a, p. 8)

Just think Colombia as an example, they have made it very clear that they want to handle their fight against narco-terrorists themselves. They will accept help from their friends but they certainly have not asked for U.S. military support in an operational sense of the word.

Some months earlier, in his address to the U.S. Congress on September 28, 1989, President Barco had strongly rejected the United States intentions of sending American troops to Colombia: (VB, Vol. II, September 28, 1989, p. 497-498)

There was much talk about sending troops to Colombia. We neither want nor need troops from the United States or another country. President Bush understands this well. I hope that you also understand that we are proud of our military and police forces [...] We really appreciate your help, but we still have a long way to go in this war. United, if we are able to mobilize international action, we are able to win.

Similarly, the same position was echoed in statements by Colombian diplomat Eduardo Muñoz before the House Committee on Armed Services in January 1990: (U.S. Congress 1990a, p. 16)

On the question of aid, let me state that Colombia is very grateful and very thankful for the aid that the United States has sent [...] The Colombian government has stated that it does not want American or any other foreign troops on Colombian soil. That is not part of the aid that we have requested.

He argued that Colombia had both police forces and some military forces involved in the fight against narcotics, that it had increased spending in the military sector, and that it had “launched the largest offensive against narco-trafficking in the history of Colombia.” U.S. Congress 1990a, p. 16) Muñoz insisted that Colombia urgently needed international cooperation and aid, but not foreign troops.

4.7 Last Phase: The Shift from Internationalist to Nationalist Forces

As the U.S. government was debating what role to play in Colombia, the high level of violence and terrorist attacks by the drug traffickers, particularly the Medellín cartel, drove many Colombians to shift from an internationalist coalition toward a national front that increasingly demanded a less costly drug control strategy. In late 1989, after weeks of bombing attacks many Colombians were tiring of the drug war; and even though the government seemed resolute, public and political support for its confrontational strategy were eroding ominously. There were two indicators for this change in attitude: the call for negotiation or dialogue with the drug traffickers, and the demand for economic compensation from the United States for the high costs associated with full cooperation with Washington.

4.7.1 Negotiation Between the 'Extraditables' and 'Notables'

Increasingly, Colombians demanded a similar "peace process" as the one the Barco administration had launched for the guerrilla groups in 1989. Peace negotiations succeeded when the government signed in March 1989 with the M-19 guerrilla group a seven-point peace plan. In October 1989, the M-19 was formally constituted as the political party *Alianza Democrática*.

For example, a survey that was conducted in December 1989 by the news magazine *Semana* showed that 57.2 percent of the Colombians interviewed considered that the drug traffickers should be given the same right to dialogue as the guerrilla groups, 58 percent believed that the government should negotiate with them, and even 64.3 percent supported the idea of forgiving the drug trafficking industry if they would suspend their business. (SEM, December 26, 1989, p. 83) Furthermore, a significant number of Colombians (38.6 percent) were even willing to negotiate with “the assassins of political leaders” as long as this would reduce the level of violence. (SEM, December 26, 1989, p. 83)

Similarly, economic interest groups became increasingly concerned about the impact of the drug traffickers’ violence and terrorism on the Colombian economy. For example, the Colombian Chamber of Construction (Camacol) argued that the war on drugs had caused the retraction of foreign investors, the freezing of the acquisition of assets, and the promotion of massive capital flight. (EE, September 30, 1989, p. 387) At the same time, the National Corporation of Tourism indicated that it had registered in recent months the negative effects on commerce and tourism. (SEM, September 19b, 1989, p. 50)

Moreover, different members of the political parties and the Colombian Congress expressed their conviction that the Barco administration needed to start considering negotiation or dialogue with the drug trafficker industry as an alternative solution to the violent crisis in Colombia. For example, shortly after the assassination of presidential candidate Luis Carlos Galán, the Liberal Senator Humberto Peláez appealed to President Barco to initiate a dialogue with the drug traffickers: (EE, August 20d, 1989, p. 109)

In the midst of the pain that I feel, I have to say that the government should dialogue with them [the drug traffickers] since the administration is unable to fight them effectively. We have already lost so many men. Let us dialogue, there is nothing to lose. But we cannot go on with this bloodshed.

In a similar way, the Liberal Senators Edmundo López Gómez—member of the Senate's Committee on Foreign Relations—and Federico Estrada Vélez expressed their skepticism about Colombia's war against the drug trafficking industry. In the case of Estrada Vélez it became somehow evident that he would oppose a hard-line strategy since he was kidnapped by the Medellín cartel at the beginning of 1990. Obviously threatened and manipulated by the drug traffickers—the Liberal senator embarked on a personal campaign to stop the extradition of Colombian to the United States. (EE, April 7, 1990; SEM, April 10, 1990, p. 22-25)

In addition, the Conservative Mayor of Medellín, Juan Gómez Martínez, insisted that the dialogue with the drug traffickers was necessary. Interestingly enough, this Colombian mayor had made a major change in his position from five years previously. When in 1984, Colombians were informed that a proposal of dialogue between the drug traffickers and the government existed, Juan Gómez Martínez wrote then as director of the newspaper *El Colombiano* the following: (SEM, October 17, 1989, p. 26)

To sit down with disgraceful persons who are persecuted by the Justice Department, without the knowledge of the judicial branch is simply dishonest. [...] Colombia is troubled to know that there exist a proposal to dialogue between the heads of the vice and the government. This proposal is insulting, immoral and embarrassing. The war is frontal and with all its consequences. It has to be this way.

Only five years later and in light of a new proposal to negotiate between the Colombian government and the drug traffickers, Juan Gómez Martínez stated: (SEM, October 17, 1989, p. 26; EE, March 24, 1990, 13A)

My telephone is an open line to the drug traffickers. Everybody can call me, and with pleasure, I will respond and have a conversation. I could serve as an intermediary for a dialogue. [...] I believe that the contacts with the drug traffickers are necessary. They are necessary because the war will not be won by eliminating one of the fighting parties.

The Mayor of Medellín was not alone in his opinion. In September 1989, the president of the Colombian House of Representatives, Liberal Norberto Morales Ballestero, supported the proposal of Martínez, arguing that Colombia needed “peace and tranquility.” (EE, August 31, 1989, p. 280) One month later, the Medellín cartel contacted Morales Ballestero and the Liberal President of the Colombian Senate, Luis Guillermo Giraldo, to communicate to the Colombian government that they would be willing to surrender under the Colombian laws, but not under the laws of other countries. Both presidents of the Colombian House of Representatives and Senate announced that they were willing as speakers to dialogue with the drug traffickers if they received the authorization of the Congress. (EE, October, 24, 1989, p. 294; EE, October 25, 1989, p. 307-308)

With respect to the possibility of dialogue, from October 1989 rumors began mounting that the Colombian government had negotiated an informal, secret non-aggression pact with the Medellín cartel through President Barco's General Secretary, German Montoya, and ex-Minister Joaquín Vallejo.⁶⁰ According to Rafael Pardo, at that

⁶⁰See for more details SEM, October 10, 1989, p. 24-29; SEM, October 17, 1989, p. 22-25; EE, October 8, 1989, p. 1A, 10A.

time presidential advisor for security issues, the initiative to begin a dialogue with the drug traffickers had had its origin at the beginning of 1988. At that time, Guido Parra, the lawyer for Medellín's drug boss Pablo Escobar, read an article by Joaquín Vallejo who suggested that the Colombian government, if not willing to dialogue, at least should listen to the drug traffickers. (Pardo, 1996, p. 197-201) As a result, Escobar's lawyer contacted former Minister Vallejo and communicated to him that the drug traffickers would be interested in a negotiated solution to the conflict. Once the Barco administration made its peace initiative with the armed groups public—referring to the guerrilla groups—, this was interpreted by Joaquín Vallejo also as an offer of dialogue with the drug traffickers. (Pardo, 1996, p. 197-201) According to Pardo, Vallejo immediately contacted General Secretary Montoya with the information that the traffickers were willing to abandon their business if they would not be extradited to the United States. Both Vallejo and Montoya—who was considered by Rafael Pardo as a close friend of President Barco and one of the most powerful government officials during his administration—met about ten times up until the assassination of Luis Carlos Galán. (Pardo, 1996, p. 197-201) After the Colombian media press started to publish articles on the possibility of dialogue between the government and the illegal drug trafficking industry, General Secretary Montoya declared that his conversations held with Joaquín Vallejo were of a private nature and not in his function as a representative of the Colombian government. (Pardo, 1996, p. 197-201)

However, when the son of General Secretary Montoya and two members of President Barco's extended family were kidnapped by the drug traffickers, the rumors of negotiation could not be stopped anymore. The controversy was fueled by revelations that President

Barco and several cabinet ministers had met at least twice in January 1990 with two Medellín businessmen who were also in contact with Medellín boss Pablo Escobar. (NYT, March 30, 1990, p. 3A) According to one of the businessmen, Santiago Londoño White, the meetings with Pablo Escobar were of a strictly humanitarian nature intended to win freedom for the kidnapped son of German Montoya. (NYT, March 30, 1990, p. 3A)

In the meantime, on January 15, 1990, an ad-hoc commission of respected politicians that were called *The Notables*, was formed and actively initiated a strategy that was focused on establishing a dialogue with the drug traffickers.⁶¹ The majority of the commission's members who had previously supported Barco's confrontational strategy, were now convinced that an alternative and less costly solution had to be advanced. For example, former *internationalist* forces, that is the Roman Catholic Church leader, Archbishop Mario Revollo Bravo, and three former Conservative and Liberal presidents—Alfonso López Michelsen, Julio César Turbay Ayala, and Misael Pastrana—and a representative of the leftist party Union Patriótica issued a document in which they offered the traffickers possible leniency if they would release their hostages, stop their bombing campaign and halt cocaine exports: "We assure you that Colombian society will consider a declaration of *The Extraditables* to release the hostages and suspend immediately their drug exports to other countries with benevolence." (SEM, January 23a, 1990, p. 24)

⁶¹ Three months earlier, the drug traffickers had already recommended the establishment of a commission consisting of the following members: two Archbishops, Mario Revollo Bravo and Alfonso López Trujillo, ex-Minister Joaquín Vallejo Arbalaez, the Mayor of Medellín Juan Gómez Martínez, the former congressman Guido Parra Montoya, the former Attorney General Carlos Jiménez Gómez, and representatives of other leftist organizations. See EE, October 10, 1989, p. 294.

Once the document of the ad-hoc commission *The Notables* was published the reactions of the major political actors were immediate, making evident that more and more politicians were willing to adopt a less costly strategy for Colombia. Most important were the reactions of the political candidates that were running for the presidency in May 1990 since their positions and preferences were critical to the future drug policy in Colombia. For example, Liberal presidential candidate Hernando Durán Dussán was pleased with the commission's declaration because it would help "to stop the blood that is spreading out in Colombia." (EE, January 16a, 1990, p. 12A) In addition, Ernesto Samper—another Liberal presidential candidate—interpreted the document of *The Notables* not simply as a humanitarian call to stop drug terrorism, but most importantly as a call to the Colombian government to pronounce its position vis-à-vis de possibility of negotiation. In that context, he insisted that the legalization of drugs presented another solution in the fight against drugs. (EE, December 27, 1989, p. 131)

The commission's member Misael Pastrana—who insisted that he had signed the document not as a representative of the Conservative party, but in his function as a former president—argued that the declaration of *The Notables* was designed to "seek other ways of taking off the heat of the conflict." (EE, January 16b, 1990, p. 13A) Furthermore, Rodrigo Barraza Saicedo, the director of the Board of the Social Conservative Party, declared that he was in favor of dialogue with the Colombian drug traffickers since the "country was tired of this war." (EE, January 16a, 1990, p. 12A)

On January 17, 1990 the Medellín cartel proposed to the Barco government "Let there be dialogue, let there be peace, let there be amnesty" and declared a truce in their eleven-point communiqué. By releasing two hostages—among them, the son of General Secretary German Montoya—the drug traffickers asserted that they would meet all the demands of *The Notables* in return for respect for their rights: (SEM, January 23a, 1990, p. 24)

We accept the triumph of the State, the institutions and the government [...] We have decided to suspend the export of drugs and to give up arms, explosives, the laboratories, the hostages, the clandestine airstrips and other elements of our activities as long we receive constitutional and legal guarantees [...] The essential cause of our fight has been always: our family, our liberty, our people, our life and our right of nationality and home-country.

The emphasis on their rights of nationality and home country was interpreted as the drug traffickers' call to end extradition to the United States. In the following weeks, the traffickers attempted to provide signs of their willingness to surrender to Colombian authorities. For example, they released about a dozen hostages and the Medellín cartel hoped to show that they were serious about submitting to the law. With world attention focused on the drug summit conference in Cartagena with the participation of President Bush and the presidents of the three major Andean coca producing countries—Virgilio Barco from Colombia, Alan García from Peru and Paz Zamora from Bolivia—the Medellín cartel seized the opportunity for the spotlight by turning over to Colombian authorities an enormous complex of cocaine-processing laboratories in the Department of Chocó, near the border with Panama.⁶² (SEM, February 20, 1990, p. 24)

⁶²Presumably, the complex was producing 20 tons of cocaine each month.

In contrast to the shift by members of the most important political parties and of the Colombian Congress toward a less costlier strategy, the leaders of the military, police and security forces, the Roman Catholic church and the Colombian media remained skeptical about negotiating with the illegal drug trafficking industry. Gral. Harold Bedoya expressed his skepticism about the drug traffickers' true willingness to suspend their cocaine business, to turn over laboratories and landing airstrips, and to surrender to Colombian authorities. He even suggested that the communiqué of *The Notables* was drafted with the help of the drug traffickers. (EE, January 17a, 1990, p. 14A) Similarly, the directors of the Colombian security and policy forces—Gral. Miguel Alfredo Maza Marquéz and Gral. Miguel Antonio Gómez Padilla—maintained that the drug traffickers' turn over of the enormous complex of cocaine-processing laboratories in the Department of Chocó was a farce since these facilities were out of work, and already been replaced with new laboratories at other locations. (EE, February 15, 1990, 3A)

Similarly the two most important Colombian newspapers, *El Espectador* and *El Tiempo*, rejected in their editorials the possibility of dialogue with the drug cartels. *El Tiempo* disagreed with Colombians who “believed in the sincerity of mentalities that were infected with vice, assassinations and the bloodiest terrorism ever;” and the *El Espectador* stated that it was an error to believe that “peace would be achieved with humanitarian

justification for the most dangerous enemies of humanity.”⁶³ The Roman Catholic church assumed a mixed position regarding the negotiation issue. Whereas one Archbishop supported the dialogue being member of *The Notables* group, another prestigious Archbishop, Alfonso López Trujillo, sustained that “the church had opposed the dialogue with the drug traffickers” and that it “would not be a part of an attempt to establish an institutional dialogue with them.” (EE, January 21, 1990, p. 12A)

Most interestingly was the question of what the position and perceptions of the Barco administration were. One might argue that President Barco’s response to the negotiation issue was confused and ambiguous. Through high governmental officials he started to send out mixed messages. On the one hand, the government representatives insisted that the Colombian government was refusing any kind of dialogue or negotiation. For example, President Barco’s former Minister of Government, Carlos Lemos Simmonds, made it very clear that the government would not negotiate with the drug traffickers. He emphasized that the government had neither knowledge of the communiqué of *The Notables* commission nor any intention to respond to it. (EE, January 16b, 1990, p. 13A) Furthermore, the Minister of Interior argued that the government had no reason to change its drug control strategy and to make any concessions to *The Extraditables*. (EE, January 16b, 1990, p. 13A) In the same way, the Minister of Government, Horacio Serpa Uribe, insisted that the

⁶³See SEM, January 23b, 1990, p. 30. In April 1989, the drug traffickers responded to the newspaper’s critique about the secret conversations between the executive branch and the drug traffickers with threats against the Cano family and declared that they would “position 5 tons of dynamite in one of Bogota’s oligarchic neighborhoods for each Colombian who is extradited to the United States.” As a result, during President Barco’s stay in Europe, the newspaper suspended its editorials due to the lack of security guarantee from the government. See EE, April 3b, 1990.

government continued “to be firm and committed in its fight against drug trafficking.”(EE, April 6c, 1990, p. 13A)

Probably the most explicit expression of the anti-negotiation stance of the Colombian government was reflected in the testimony of the Colombian Ambassador to Czechoslovakia, Enrique Parejo González, before the Subcommittee on Investigations of the Senate Committee on Governmental Affairs. (U.S. Congress 1989h, p. 105-106) He argued that the Colombian government was committed neither to negotiate with the drug traffickers nor to give them special (political) treatment: (U.S. Congress 1989h, p. 105-106)

There is no room for dialogue with the narcotraffickers. Dialogue is the vehicle of civilization and coexistence. One cannot coexist with the criminal agents who tear the basis of social stability with the most despicable selfish purposes. The agents must be submitted to the rule of law and justice. On the other hand, there is no worse enemy to humanity than narcotrafficking, comparable only to arms trafficking, with which it is closely associated. [...] In the particular case of Colombia, the enormous sacrifices that this struggle has cost, especially in human lives, would have been in vain, if they had only served to induce the country to negotiate with the assassins. It is not possible to compromise by freeing them from the weight of law, or by granting a moral impossible forgiveness for their crimes and allowing them access to a society which rejects them with indignation and shame. Regarding them, the only venue is to submit them to the law, by will or by force, and force them to pay for their crimes.

Similarly, in January 1990, the Colombian diplomat Eduardo Muñoz testified before the Subcommittee of the Defense Policy Panel and Investigations of the House Committee on Armed Services that the Barco administration was still committed to continue its confrontational strategy against the drug trafficker industry, including extradition: (U.S. Congress 1990a, p. 18, 32)

[Colombia] has extradited people to the United States and is continuing to do so. [...] The Colombian Government has stated very clearly as late as two weeks ago through a communiqué put out by the National Security Council, that it would go to the end in this fight, that it would commit all of the resources necessary, and that it would neither engage in exchanges, negotiations or dialogue with the traffickers. That is a Government commitment as well as a personal commitment by President Barco.

However, other Colombian governmental officials sent out mixed messages. For example, the Colombian Ambassador to the United States, Victor Mosquera Cháux, affirmed that each Colombian who would turn himself in would be protected by his constitutional rights. (EE, January 19, 1990, p. 12A)

Barco himself also made ambiguous statements on this issue. On the one hand, Virgilio Barco expressed and demonstrated in several occasions his opposition against dialogue or negotiation with drug trafficking groups. At the Cartagena Summit in January 1990, President Barco declared to the international community that it was “morally unacceptable to negotiate with people who are accused of killing scores of Colombians,” by stating that the drug traffickers know that “the Colombian law is not negotiable.” (EE, February 16b, 1990, 2D; SEM, February 20, 1990, p. 26; NYT, March 30, 1990)

Another important indicator that President Barco was still fully committed to the war on drugs and the extradition issue was reflected in how he managed his initiative for a referendum on a new constitution. Under domestic pressure *to do something* about the violent situation in Colombia, President Barco increasingly viewed the situation as a consequence of an institutional, rather than a policy, crisis. He convinced the leaders of the other political parties to sign a political agreement, called the Nariño House Accord (Acuerdo Casa de Nariño), that represented a consensus on the need to hold a national

plebiscite on a new constitution.⁶⁴ After the State Council declared this accord invalid, President Barco introduced the referendum initiative to the Congress. But when the Colombian Congress' First Commission (later, in its plenary session) and the Senate's First Commission voted in favor to include the issue of extradition into the referendum, President Barco chose to withdraw his constitutional reform package. This was a clear sign that the government was still pursuing a confrontational drug control strategy.

Furthermore, in April 1990, shortly before President Barco traveled to Europe—on invitation of Great Britain's Prime Minister Margaret Thatcher and the European Parliament—he stated in a televised address to the Colombian people that the Colombian press had misinformed and confused the public about possible secret conversations between the Colombian government and the drug traffickers. He argued that the “humanitarian actions” advanced by some members of his cabinet—referring to conversations between the drug traffickers and General Secretary Montoya regarding the release of his kidnapped son—would not compromise the government: (EE, March 31b, 1990, p. 13A)

The fact that some individuals engaged in humanitarian actions in order to release hostages, does not compromise the policies or actions of the national government. [...] In these moments in which the country suffers the consequences of a strategy of confusion, I want to make a call for endurance, serenity, and moderation. [...] United we will defeat violence and terrorism! We have to stay united for defending effectively our democracy.

The statistics of the fight against drugs reflected also the determination of the Barco administration to keep persecuting and defeating the Colombian drug traffickers.

⁶⁴ Interview with Juan Manuel Charry, one of the leading Constitutional Lawyers in Colombia, who provided me with details of the proceedings and obstacles of President Barco's constitutional reform project.

In the first three months of 1990, the Colombia's government made 844 drug arrests, destroyed 47 laboratories and 29 airstrips, and seized 8.5 tons of cocaine, 10 tons of dynamite, 444 weapons, 387 pounds of gold and \$30.9 million in cash. (NYT, January 4, 1990) Furthermore, Colombian police forces killed one of the most notorious Medellín drug traffickers, Rodríguez Gacha.

However, despite his statements and actions that reflected his opposition to the dialogue with the drug traffickers, President Barco issued other comments that indicated certain flexibility on the negotiation issue. For example, he stated that the government did not have “inflexible positions” and that the government would be willing to study “alternatives to what the judicial system offers” which gave rise to the hypothesis about “the government’s flexibility with the drug traffickers.”(EE, January 23, 1990, p. 3A; EE, March 7, 1990, 4A; EE, January 21, 1990, 1A) Furthermore, during his visit to Europe President Barco said that the drug traffickers who surrendered to the Colombian authorities would be tried by special courts and not extradited to other countries. (EE, March 7, 1990, 4A) This statement indicated that the Colombian president was seeking an alternative solution, via judicial reforms, to deal with the drug traffickers. At the same time, the resignation of the drug hard-liner Minister of Interior Lemos Simmonds in March 1990, was interpreted as a sign that the government had gone soft on the cartel.⁶⁵

⁶⁵See EE, March 28, 1990, p. 11A; EE, March 30a, 1990, p. 10A. When Carlos Lemos Simmonds was informed some weeks earlier about the secret contacts between General Secretary Montoya and the drug traffickers regarding the kidnapping of Montoya’s son, he accused President Barco of having gone soft on the Medellín cartel and said that “either the country or he had been fooled.”

As Colombian news magazine *Semana* summarized the different positions on the negotiation issue: “The drug traffickers are impatient, the government is confused, and the United States uninformed.” (SEM, February 20, 1990, p. 27)

Even more important than President Barco position—who had only six month left in office—became the perceptions and preferences of the presidential candidates who were then in the final election: Rodrigo Lloreda Caicedo (Conservative Party), Alvaro Gómez Hurtado (Social Conservative Party), and César Gaviria (Liberal Party). Both Liberal Party candidates Hernán Durán Dussán and Ernesto Samper—who some months earlier had declared openly their support for a dialogue with the drug traffickers—conceded defeat after voter polls indicated that César Gaviria Trujillo held an insurmountable lead in the primary elections.

Both presidential candidates from the conservative camp, Lloreda Caicedo and Gómez Hurtado, maintained that it was time to reconsider the government’s confrontational strategy and proposed to evaluate the issue of legalizing drugs. (EE, March 7, 1990, p. 13A) For example, Lloreda Caicedo—who rejected firmly continuing the policy extradition—stated that “Colombia should enforce and promote internationally the legalization of drugs,” but that it would only make sense if both drug producer and consumer countries would do it at the same time. (EE, April 8, 1990, p. 10A) Similarly, Social Conservative leader Gómez Hurtado defined extradition as a “caprice of the U.S. government” that was causing high costs to Colombia. (SEM, April 3, 1990, p. 25)

The presidential candidate, however, with the highest chances of becoming president in the May 1990 elections was César Gaviria Trujillo. The Liberal Party candidate had served during the Barco administration as Minister of Finance and as Minister of Government. Furthermore, he served on nine occasions as Acting President during the Barco government.⁶⁶ In 1989, in an effort to overcome divisions in the Liberal party, Luis Carlos Galán, who had formed the dissent New Liberal Movement, invited César Gaviria to become his campaign manager. After Galán was killed, Gaviria became the front-running presidential candidate of the Liberal Party. Probably, one of the most symbolic and moving gesture was when Galán's son entrusted Gaviria at his father's funeral with the political project of his father: (NYT, May 29, 1990)

As millions of Colombians watched on television or listened on the radio, Galán's 17-year-old son, Juan Manuel, turned unexpectedly to César Gaviria and declared: "We entrust in you the flags of my father. You can count on our support to become the President that Colombia wanted and needed. Save Colombia!"

As the *New York Times* notes, the most important aspect of Gaviria's campaign evolved around "keeping Mr. Gaviria alive" which led to the fact that he ran his campaign "from a bunker built of steel and reinforced bulletproof glass" and surrounded by 15 bodyguards." (NYT, May 29, 1990) In the period from March to April 1989, the drug traffickers had killed two other presidential candidates from the left: Carlos Pizarro León-Gómez, the presidential candidate who ran for the party *Alianza Democrática* that was established shortly before by the ex-guerrilla group M-19; and, Bernardo Jaramillo Ossa, presidential candidate of the *Union Patriótica*.

⁶⁶ Since Colombia has no Vice President, the Minister of Government becomes Acting President when the head of state is out of the country or otherwise.

In comparison with the other presidential candidate, César Gaviria Trujillo was still defending a hard-line position against the drug traffickers. Only one week after the assassination of Luis Carlos Galán in August 1989, Gaviria declared publicly that his primary goal was to continue with Galán's political project and to "hold up the banner of his principles." (EE, August 25a, 1989, p. 169)

However, gradually and in a subtle manner, Gaviria started to prepare the ground for shifting away from President Barco's drug control strategy. In November 1989, Gaviria revealed in an interview with the *El Espectador* his changing attitude from an internationalist toward a more nationalist position: (EE, November 4, 1989, p. 50)

I believe that we have reached a quite inconvenient situation in which extradition exists as the single instrument to punish drug trafficking crimes. I am in favor of extradition, but I consider it as an alternative mechanism, a complementary mechanism, and not as the only tool of our society to deal with drug trafficking issue. We should be able to sanction these crimes on our own territory, with our justice system, with our judges, [...] with special courts, with high security prisons that allow us to demonstrate the capacity of Colombian institutions.

Similarly his thoughts on the question of which governmental branch would be responsible for defining the guidelines of surrender of the drug traffickers, suggested that he had a different drug policy strategy in mind. For example, the Liberal Party candidate explained in April 1990 that the government "unilaterally was able to define the conditions for surrender" and also in the position to decide whether to extradite a drug trafficker who himself had turned in.⁶⁷ Most important, Gaviria made clear that in case that the entire Colombian justice system would be improved and reformed, he would not like to see the

executive branch make a final decision on the extradition issue, but rather the Congress or the Colombia people should determine the matter via a referendum. (EE, April 6b, 1990, p. 13A) These statements clearly revealed the preferences of the Liberal candidate that represented a major shift from Barco's confrontational drug control strategy.

4.7.2 Colombia Insists on Economic Compensation for High Costs of War against Drug Trafficking

In the same way that the negotiation issue became a significant indicator for the change in the perceptions and preferences of the major political actors in Colombia, the increasing demand for economic compensation from the United States also reflected the change in attitude of the major Colombian policy makers and actors.

Several Colombian government officials argued that Colombia's economy was suffering because of the associated costs of the drug war and the negative impact of the collapse of the Coffee Agreement. They demanded from the United States specific economic measures designed to alleviate the difficult situation the country was encountering. Ambassador Victor Mosquera Chaux maintained in his testimony before the Senate Committee on the Judiciary and Caucus on International Narcotics Control: (U.S. Congress 1990b, p. 60)

⁶⁷See EE, April 7, 1990, p. 11A; EE, April 17, 1990, p. 5A.

As the violence escalates and the government takes strict security measures, increasing expenditures on law enforcement and the military, the level of activity in the Colombian economy is decreased. This, together with the sharp decline in coffee prices, has caused a significant economic downturn.

Similarly, Eduardo Muñoz, the First Secretary of the Colombian Embassy in the United States, maintained that since Colombia was the country that was “putting everything on the line in the narcotics traffic” it would need “very quickly and very effectively” assistance. (U.S. Congress 1990a, p. 32-33) He argued that if the United States would not change its economic policy towards Colombia, the outlook on guaranteeing a confrontational drug strategy was grim: (U.S. Congress 1990a, p. 32-33)

If we take into account several factors, number one, the economy is beginning to suffer because of the demise of the International Coffee Agreement and because of all the resources that are having to be spent on the fight against narcotics and being taken out of social investment and public investment programs, if we take into account, the incidence of violence, the effects that violence has on people and if we take into account that more aid and more concrete measures of support are not being taken at the level we thought were going to be taken, it is clear that public opinion will begin to erode. In fact, some voices are being raised already in Colombian public opinion suggesting negotiations [with the drug traffickers].

The Colombian diplomat warned U.S. policy-makers that if the United States would not respond effectively to Colombia’s economic needs, than they could expect a policy change regarding the drug issue with the upcoming presidential elections in Colombia: (U.S. Congress 1990a, p. 32-33)

I can vouch for the Barco government. We have to remember that the Barco government will be out in less than a year. We have presidential elections [...] and if the situation continues the way it is for very long, I cannot promise you that the presidential candidates are not going to move away from this position and they are going to be very hard pressed not to make any sort of concession. So I think it really depends on how far the world is willing to go on this—not just Colombia—but how far are the United States and the industrialized countries willing to back us up.

Besides the disappointment over the collapse of the Coffee Agreement—for which Colombians primarily held the United States responsible—Colombian policy-makers

experienced another setback in the economic relations with the United States. In June 1990, with the exception of the United States, thirty member nations of the GATT (General Agreement of Trade and Tariffs) voted in favor of the inclusion of Colombia under the GATT's Code for Subsidies. The United States' decision against Colombia's integration was commented on by María Mercedes de Martínez, Colombia's Minister of Development, as follows: "The Colombian economy needs to be strong if we are going to continue with the war on drugs. [...] Colombia asks for fair treatment and for effective access to the [international] market." (EE, June 9, 1990, p. 10A)

At the same time, Colombian newspapers that had supported Barco's confrontational drug strategy became highly critical of the costs associated with full international cooperation. For example, in July 1990, the *El Espectador* criticized in its editorial titled *The Lies about the Drug War* the inefficiency of the drug war, the high costs of extradition, and the lack of economic help from the United States. (EE, July 14, 1990, p. 2A) The resentment against the United States amongst the most important political actors in Colombian had increased significantly.

4.7.3 The United States Understands the Message and Increases Economic Help

Given that the United States was losing Colombia as a firm ally in the war on drugs and due to the emergence of a powerful national coalition that refused to continue to assume the high costs in the war on drugs, the United States sought a different strategy

based on economic assistance. U.S. policy makers realized that in order to sustain the crackdown on drug traffickers in Colombia, they had to change their repressive drug control strategy toward the Andean country. Furthermore, aware that Colombian policy-makers were reluctant to a foreign militarization of the drug crisis, the United States shifted towards a policy of economic cooperation, the so-called *Andean Strategy*, in order to “keep up Colombians’ spirit” in the fight against drugs.

This new drug control strategy consisted, on the one hand, of a more psychological component which was based on the constant expression of admiration and solidarity for the Colombian government and people. For example, in February 1990, at the Cartagena Drug Summit—where President Bush met with the Presidents of the three major Andean coca producing countries—Bush said in his arrival statement: (U.S. Congress 1990c, p. 75)

As I have said so many times, President Barco, his colleagues, and all the citizen of Colombia who have joined him in the difficult struggle to fight international narcotics traffickers have earned my profound admiration and that of the American people. We are deeply grateful.

In addition, the U.S. government committed itself to increase economic cooperation with Colombia and the other Andean countries that were involved in the fight against drugs. At the Cartagena Drug Summit President Bush promised to explore different ways “to achieve a greater opening in the U.S. markets for Andean products” and to help “to facilitate new negotiations on the International Coffee Agreement.” (U.S. Congress 1990d, p. 3)⁶⁸ In the final declaration of Cartagena, the Andean countries expressed their willingness to continue

to disrupt trafficking of illegal drug products, to prevent the diversion of chemicals and to discourage illicit coca cultivation. The United States committed itself to reduce domestic demand for drugs and to assist other countries in reducing the supply of illegal drugs, to develop alternative source of income for coca growers, and to enhance interdiction capabilities.⁶⁹

As evidence by this statement of William Bennett, the director of the Office of National Drug Policy, reflects, the U.S. government was aware that it had to give Colombia more economic incentives to keep the Andean country motivated to cooperate fully with the United States on the drug issue: (U.S. Congress 1990d, p. 2, 11)

Colombia has stepped up to its responsibilities and engaged in a very serious effort to take on the cartel. [...] It has resulted in a significant disruption of multinational criminal enterprises. A year ago kingpins like Pablo Escobar and Rodríguez Gacha were declaring war against Colombian Government. Today Gacha is dead and Escobar is suing for peace. The lesson is simple: these criminal organizations and their leaders are weakened when the heat is on. [...] The President thinks that Colombia should be given every fair and due consideration. Lets not lose this one, lets be sure we pay attention to it and do what we can to signal in a substantive way our interest in working with them. [...] All Americans should be grateful for President Barco's will to keep the pressure on. The administration intends to give him the support he deserves.

With the information that some sectors of Colombian society were considering negotiation with the drug traffickers and the increasing critique of Colombian policy-makers about the economic costs associated with the fight against drugs, the U.S. Congress was concerned about the future commitment of a new Colombian president in the fight

⁶⁸Testimony by William Bennett, the director of the Office of National Drug Control Policy. See also his testimony before the Senate Foreign Relations Committee on February 28, 1990. (U.S. Congress 1990e, p. 3ff) At the Cartagena Drug Summit, the Andean governments had urged the U.S. government to reduce drug consumption and demanded an improvement of their trade relations.

against drugs. For example, the House Foreign Affairs Committee expressed in February 1990 its concern about the effect of the presidential elections in Colombia on the Andean strategy initiative, given that “some of the presidential candidates in Colombia have some troubling views.” (U.S. Congress 1990d, p. 111)

However, in the U.S. executive branch the perception prevailed that with front-running presidential candidate César Gaviria the United States would have nothing to fear about policy changes: (U.S. Congress 1990d, p. 111)

In Colombia, [...] President Gaviria has been even more outspoken than President Barco in his commitment to fight the cocaine traffickers has. We anticipate no departures from our current policies and agreements with the Colombian government.

The U.S. media also perceived and portrayed César Gaviria Trujillo as a “strong foe against the cocaine drug traffickers,” and interpreted the Colombia’s decision to vote for him as a “vote for courage” and an “outspoken foe of cocaine traffickers.(NYT, May 28, 1990; NYT, May 29, 1990; NYT, May 31, 1990) Newly-elected President Gaviria was considered in the United States as a strong ally in the war on drugs, and—similar to Virgilio Barco—as a true defender of a confrontational strategy.

But whereas Gaviria enjoyed great popularity within the U.S. executive branch, a number of congressmen expressed their concern about a possible drug policy shift. For example, in the March 1990 hearings of the House Committee on Foreign Affairs, the

⁶⁹See the testimony by Melvyn Levitsky, Assistant Secretary for International Narcotics Matters of the U.S. State Department, before the House Foreign Affairs Committee on October 10, 1990. (U.S. Congress 1990j, p. 7ff)

questions of Congressman Lawrence Smith directed at the executive branch reflected these preoccupations:⁷⁰ (U.S. Congress 1990g, p. 146-148)

Mr. Smith: We have gotten information from our own Embassy that more and more people in that country are calling for President Barco to sit down and talk to [the drug traffickers]. [...] According to significant and very reliable sources, at least three presidential hopefuls have expressed their willingness to hold a dialogue with the so-called Extraditables. If such a candidate were ultimately elected, one of those three, how would it impact on our Andean strategy?

[...]

Mr. Michael Skol: You are right. The polls indicate and the feeling in Colombia indicates that a very good percentage of Colombians say that they want to see peace arrive.

[...]

Mr. Smith: Do we have contingency plans for dealing with changes that might occur as a result of a change in policy by the Colombians? [...] My question is whether or not that change would have significant shock waves in the region and if it would upset much of our policy.

[...]

Mr. Levitsky: All of these situations impact on the other. The Colombian one is the key [...] Clearly it would have an effect.

These statements reflected the increased concern in the U.S. Congress about the extent to which Colombia was willing to cooperate with the United States, and which effect it would have in the Latin American region.

4.8 Summary

The United States had a firm ally in President Barco who not only had signed the 1979 extradition treaty between the two countries, but who was also strongly committed to enforcing the agreement—even against the obstacles set by the judicial branch and Congress. Although opposed to the deployment of American troops in Colombia, the Barco

⁷⁰See also testimonies of Michael Skol, Deputy Assistant Secretary, Bureau of Inter-American Affairs, and Melvyn Levitsky, Assistant Secretary for International Matters, from the U.S. State Department before the House Foreign Affairs Committee in March 1990. (U.S. Congress 1990g, p. 146-148)

administration did not reject U.S. pressure to increase the Colombian military involvement in the war on drugs. The Colombian government complied also with the U.S. demands to use herbicides in its eradication efforts.

His determination to persecute and capture the Colombian drug traffickers was not only reflected in his international commitment, but in his domestic policy choices. On several occasions, President Barco used his extended presidential powers to forcefully implement a confrontational strategy and to override institutional obstacles to enforce the extradition of Colombian drug traffickers to the United States. However, despite the decisiveness and determination of the Barco administration in the war on drugs he gradually lost the support of the major political actors who initially had supported full cooperation with Washington.

The principal cause for the erosion of domestic support was due the increase of drug-related violence and terrorism that was associated with Barco's policy of compliance. As already shown, the positions of the most important political groups shifted toward a more national coalition that demanded a less costly domestic strategy, particularly reflected in the demand for negotiations with the drug traffickers. In addition, criticism increasingly mounted against the pressures and economic policy of the United States toward Colombia.

As a result, the U.S. drug control strategy of pressure on Colombia to fully cooperate, particularly on the extradition issue, proved to become ineffective since the associated costs to the major political actors in Colombia exceeded the benefits of this

cooperation and led to an increasing opposition against the confrontational drug control strategy. As I describe in the following chapter, the surpassing of that threshold resulted in the fact that the newly elected President Gaviria shifted from a policy of full cooperation to a politics of *compromise*. This strategy consisted, on the one hand, of compliance with domestic demands by decreasing drug-related violence and terrorism. On the other hand, it implied full cooperation with the United States which required continuing a confrontational strategy—particularly through the enforcement of extradition.

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5. The Shift of Colombia's Policy of Compliance to Compromise

In this chapter I examine the political outcome that resulted from the erosion of support for President Barco's policy of compliance with the demands of the United States. The commitment of the Barco administration to enforce the extradition treaty and increase the militarization of its anti-narcotic efforts, led to an unprecedented level of drug-related violence and terrorism against both the supporters of this policy and the Colombian public. Accordingly, instead of benefiting from this international cooperation strategy, the major political actors in Colombia began to suffer the negative consequences of it. Once this threshold was passed, President Barco was isolated alone in his confrontational strategy as the support of the most important political players—among them political parties, presidential candidates, economic interest groups, and even some high-ranking officials—eroded and calls for negotiation with the drug traffickers became louder. Although Colombia foreign policy behavior was rewarded internationally—for example, it enjoyed the image of a committed ally in the fight against drugs—, it had devastating domestic consequences.

Newly elected President César Gaviria Trujillo was exposed both to domestic and international pressures regarding the drug issue. At the domestic level, the drug trafficking cartels threatened the country's economic, political, and social stability which in turn led to the increase of nationalist forces that were not willing to assume the high costs of the drug war anymore. Therefore, the major political actors pursued their interests by pressuring the

Colombian government to adopt favorable drug policies At the international level, Gaviria was facing the pressures of the United States and was exposed to the threat of diplomatic or economic sanctions, and even military force in case of non-cooperation. As already described in Chapter Four, the Ochoa case demonstrated that the United States would not hesitate to impose sanctions on the country, or to consider the deployment of American troops in case Colombia would not comply with its demands.

The important question was how President Gaviria would respond to both domestic and international pressures. I argue that the new Colombian president sought to mitigate these pressures through a policy of *compromise* that—as defined by Robert Putnam—fell in the range of acceptability of both the contending groups that comprised the policy maker’s domestic constituency and the policy maker’s international counterpart, the United States.

I provide evidence that President Gaviria sought to maximize his own ability to satisfy domestic pressures by choosing a less costly drug control strategy consisting of a new surrender policy which made the use of extradition discretionary. Similarly, I show that the majority of the most important actors supported this new drug control policy. Furthermore, drawing on Putnam’s framework that emphasized actors and institutions, I maintain that the policy shift was brought about both by the changes in preferences of the major political actors and in the institutional arrangements in Colombia that increased the channels of access to these societal actors. However, in contrast to Putnam, I am interested in the question of these institutional changes—in this case the establishment of the

Colombian Constituent Assembly— came about and what the role of President Gaviria was in this process.

At the international level, I argue that whereas President Gaviria sought to comply with the demands of his domestic constituencies, he was able at the same time to minimize the adverse consequences of foreign development. One of the major factors that allowed him to minimize tensions with the United States over his drug surrender policy was that he was in a good bargaining position vis-à-vis the United States. He was able to capitalize on the legacy of the Barco administration: high commitment to full cooperation with the United States, and evidence of the government's willingness to bear the consequences and costs associated with it. Accordingly, U.S. policy makers were convinced that with President Gaviria they had found a trustworthy guarantor of the continuity of the war on drugs.

As I show, the U.S. drug policy had become self-defeating to the point that when President Gaviria gradually de-escalated the war on drugs—with the new surrender policy and prohibition of extradition—the U.S. policymakers had no other choices left than “playing along” with Colombia's new drug control policy and to be cautiously supportive. Furthermore, after the end of the Cold War the overall context of anti-communism was replaced with new issue areas—migration, environment, illegal arms trade—and relations with Latin America became more complex and the drug issue in Colombia took on a new importance. Unwilling to risk losing Colombia as the showcase and model of the U.S. drug policy in the Latin American region Washington was more tolerant of Gaviria's new

independence that it might otherwise have been. Otherwise, the implications would have been even worse: that is, to lose its firmest ally in the Andean region and to declare the U.S. drug control policy toward Latin America as a failure.

After César Gaviria Trujillo was elected President of Colombia with 47 percent of the vote, President of Colombia, he announced in his inaugural speech on August 7, 1990—titled *Welcome to the Future*—that he was committed to assume the historic responsibility “to pacify Colombia, to modernize the institutions and to strengthen its economy.”¹ First, in light of the end of the Cold War, President Gaviria sought ways other than a military solution to deal with Colombia’s pro-Communist guerrilla organizations: it offered the guerrilla groups political treatment that consisted of amnesty and re-integration into Colombian society and political life.² Secondly, he seized the opportunity to broaden the country’s democratization process by increasing the channels of political participation via the convention of the Constitutional Assembly. The drafting of a new constitution represented for him a major challenge to the Colombian political system, since the Constitutional Assembly—that was to be convened by the Colombian people on November 25, 1990—had the task reforming the Congress in order to transform it “into the true expression of political pluralism and counterweight to the executive power.” (CG, August 7,

¹I will refer to the presidential speeches of César Gaviria during 1990 and 1994 as follows: (CG, Date, page). See Gaviria’s Inaugural Speech on August 7, 1990 (Bogotá). In: César Gaviria Trujillo, *Discursos*. (Bogota: Presidencia de la República, October 1993), p. 6. Rodrigo Lloreda, the Conservative Party candidate, obtained 12 percent of the vote, while Alvaro Gómez, the Social Conservative Party leader, received 24 percent, and Antonio Navarro Wolff, the candidate of M-19—a leftist guerrilla group that laid down its arms two months earlier and entered the electoral process—obtained 13 percent.

1990, p. 14) Third, one of Gaviria's primary goals was to open Colombia's economy—the so-called *Apertura Económica*—by promoting comprehensive market liberalization and trade relations.

Furthermore, through the constitutional reform process the Gaviria administration sought to design a *state drug control policy* that would prevent the return of the phantasm of the past—that is, the solitary fight of the executive branch in the fight against drugs: “The harmonious collaboration between the three political branches is today a constitutional principle that needs to be reinvigorated in order to fight sophisticated organized crime.” (CG, August 7, 1990, p. 12) Due to the negative experience of the Barco administration in which Congress and the judicial system sought on several occasions to impede a number of anti-narcotic initiatives by the executive branch, Gaviria's overall goal was to include and bind together the three governmental branches in a comprehensive drug control strategy.

I divided this chapter into four phases. In the first one, I focus on the increase of kidnappings by the Medellín cartel boss Pablo Escobar in order to pressure the Colombian government for better surrender conditions. In the second phase, I analyze in detail the development of the convention of the Colombian Constituent Assembly and the prohibition of extradition. In the third and fourth phase, I explore the reactions of Colombian and U.S.

² In President Gaviria's view the armed fight of the Colombian guerrilla movements had become obsolete in the light of the political transformation in the socialist world and the desire of the Colombian people for peace.

policymakers and major political actors to the surrender of Pablo Escobar and his escape from prison.

5.1 Gaviria's International Strategy: Drug Terrorism Is Colombia's Problem, Drug Trafficking Is International Phenomenon

5.1.1 Colombia Will Fight Drug Terrorism, but not Drug Trafficking

At the international level, President Gaviria drew in an ingenious move a conceptual line between *narcoterrorismo* and *narcotráfico*: "Just as drug terrorism is our problem, drug trafficking is an international phenomenon that can only be resolved through joint action of all affected countries."³ In his view, it was drug terrorism, not trafficking, that he perceived as the main threat to the country's democracy and that he was committed to fight: (CG, August 7, 1990, p. 9)

We will confront it without concessions. [...] Since this task cannot be delegated, the President of the Republic will lead the actions of the military, police and security forces to fight the terrorists and to end the acts of barbarism.

President Gaviria made it very clear that he was no longer willing to assume the high costs of a confrontational drug control strategy: "The drug war has been a failure because it has represented more costs to the nation than benefits for the community."⁴

³See CG, August 17, 1990, p. 9. Without dwelling on the origin of this new concept of splitting the drug issue into *narcoterrorism* and *narcotráfico*, it is interesting to note that Juan Gabriel Tokatlian, a political scientist from Center of International Studies at National University in Bogota had brought up this concept already in an *Semana* article in May 1990. See SEM, May 8, 1990, p. 78-85.

⁴ See *Time*, "Drug Lords and Mind Games," September 24, 1990, p. 64.

With respect to the most important issue in Colombia-United States relations, that is the extradition issue, Gaviria announced a “carrot and stick” policy consisting of new legal instruments to deal with the drug traffickers. In a speech before the National Press Club in Washington on September 28, 1990, President Gaviria outlined in more detail what he meant by the “new legal instruments” and under which conditions the Colombian government would extradite Colombian drug traffickers to the United States. (CG, August 7, 1990, p. 9) The Colombian president stated he had offered reduced jail sentences to drug traffickers who would surrender to Colombian authorities, confess their crimes, turn in their arms and all their illegally obtained properties, and cooperate fully with government prosecutors. The drug traffickers who would not surrender, when captured would receive more severe penalties or even be extradited to the United States. (CG, August 7, 1990, p. 249) On September 5, 1990, he presented decree 2047 that introduced the government’s new surrender policy—the so-called *política de sometimiento*—of the drug traffickers. President Gaviria also announced that other new instruments would be part of this new policy—such as special jurisdiction over drug traffickers, security prisons, special protection programs for judges and other legal changes.

As Juan Gabriel Tokatlian describes, President Gaviria’s new drug policy was supported at the ministerial level from members of all parties and even by the military—that is, by the Minister of Justice of the Conservative Party, the Minister of Health who was former leader of the M-19 guerrilla movement, and the Minister of Defense. (Tokatlian, 1997, p. 479) The Minister of Justice General Oscar Botero “neither criticized explicitly or implicitly ” the government’s new surrender policy. (Tokatlian, 1997, p. 479)

According to Rafael Pardo, the President's Advisor on Defense and National Security Issues, he himself had devised a plan regarding the surrender of drug traffickers to Colombian authorities already some months earlier: "In January of this year, I thought about an idea, by my own initiative, that dealt with the question of what could be done if a drug trafficker, who has no charges in this country, would present himself to an authority." (Pardo, 1996, p. 264) Pardo describes that he wrote a memorandum to Gaviria who stated that this proposal would coincide with his own initiatives on finding alternatives to extradition. As a result, President Gaviria, Rafael Pardo, and Justice Minister Jaime Giraldo Angel were in the first phase responsible for the design of the surrender policy. As Tokatlian describes, Rafael Pardo was responsible for the conceptual outline of the surrender policy, and Jaime Giraldo Angel for the operational level of this new legal instrument. (Tokatlian, 1997, p. 479)

Despite the offer to the drug traffickers to turn themselves in to Colombian authorities, the Colombian president assured the international community that extradition would still be used in the fight against drug trafficking. However, he considered extradition a discretionary instrument of the executive, rather than as the primary tool to deal with the traffickers. (CG, August 7, 1990, p. 10) Before Colombia would make use of this alternative instrument, he announced that the government first had to defeat terrorism and to strengthen Colombia's own justice system. (CG, August 7, 1990, p. 10) Accordingly, President Gaviria made the strengthening and empowering of the judicial branch one of his major objective: "We will raise the judicial branch to the point where it recovers its dignity, its legitimacy and its efficiency." (CG, August 7, 1990, p. 12)

President Gaviria was in a good bargaining position vis-à-vis the United States since he could capitalize on the frontal war against drug traffickers waged by the Barco administration. Barco's high commitment to full cooperation with the United States, and the evidence of the government's willingness to bear the consequences and costs associated with it, convinced U.S. policy makers that Colombia was a trustworthy and committed ally in the fight against drugs.

Furthermore, during the Barco administration Colombia had become the showcase and also model for the United States drug policy in Latin America. U.S. governmental officials considered Colombia "the most important country in the world control effort, with the greatest internal capacity to wage an anti-narcotics campaign in the Andean Region." (U.S. Congress 1990k, p. 88) Accordingly, this political capital enabled President Gaviria to demand from the United States that they replace their rhetoric of solidarity with a commitment to an equal share of the responsibility and economic incentives for the war on drugs: (CG, August 7, 1990, p. 9-10)

In the history of humanity no other nation, has paid such a high prize as Colombia in confronting a crime that is of an international nature, in confronting the most powerful criminal organizations one can remember. [...] The rhetoric of international solidarity with our country should translate into effective actions. We expect more than only drug demand reduction from the industrialized countries. [...] The design and application of a real multilateral strategy is required which makes viable this fight and that distributes more equally the costs that our nation bore disproportionately until now.

On September 2, 1990, in his address to the National Press Club in Washington President Gaviria argued that the United States should not have false hopes about Colombia's intentions to risk indefinitely its democratic institutions in the fight against

drug trafficking. He stated that if Colombia had learned one thing in the past it was that “its democracy had to be defended at all costs.” (CG, August 28, 1990, p. 251)

We have been pushed to the limits of our democracy and we have seen the depth in which we could have fallen. We realized that democracy is more important than anything else. We cannot and should not depend even on our allies and close friends in order to protect our principles. It would be a mistake to expect something different.

With respect to the United States’ strategy to compensate Colombia’s efforts with military and economic aid, President Gaviria repeated his disappointment about the collapse of the International Coffee Agreement—for which most Colombians held the United States responsible for. He argued that it had caused “irreparable damage” to the country’s economy. At the same time, he made clear what his government and the Colombian people were expecting from the United States: (CG, August 7, 1990, p. 23)

However, we are awaiting the developments that derive from the Declaration of Cartagena. It is neither direct economic aid, nor is it military aid that we demand primarily. We demand fair treatment. We want free trade.

Furthermore, the Gaviria administration attempted to capitalize on the verdict of Washington’s Mayor Barry who stood trial for cocaine possession. In late August 1990, Barry was secretly filmed while he was smoking crack in a hotel room in Washington. However, when he was convicted of only one of 14 charges relating to drug use—with a maximum sentence of one year—it confirmed deep suspicions among Colombians that the United

States was not really serious about curbing cocaine demand.⁵ Colombian government officials responded harshly by arguing that this incident was threatening the keystone of American drug policy: the extradition of Colombian drug traffickers to the United States. President Gaviria had stated already early in April in an interview with the New York Times before the Barry case had made public: "Here we are facing terrorism [...] There, you have an authority who takes drugs, is not put in jail, and still occupies his functions." (NYT, August 12, 1990, p. 4) After the Barry verdict, President Gaviria vowed through Ambassador Mosquera Cháux that Colombia had increasing doubts about the American justice system: (ET, October 21, 1990, p. 3A)

I do not know what the future of extradition will be, but what I do know after the trial of Marion Barry, the Mayor of Washington—if one might call him so—is that there is little confidence left for the American justice system.

Furthermore, Colombia's Attorney General Alfonso Gómez told reporters in Washington: "It is going to be very difficult to convince our people of the necessity to extradite our nationals given these kinds of verdicts." (NYT, August 27, 1990, p. 3) Similarly, Minister of Justice, Jaime Giraldo Angel, argued that if such "an important public servant, who is an example for his fellow citizens, is not punished for the crime against which we are struggling so hard, then we feel bad." Also, the Foreign Minister, Luis Fernando Jaramillo Correa maintained: "The Colombian people feel deceived by the

⁵As the New York Times reported, the Barry trial came to be viewed in Colombia as a symbolic test of American commitment to reduce drug consumption. The reaction of the three major newspaper and high government officials to a secretly filmed videotape that was aired by Colombian television and that showed the Mayor smoking crack in a Washington hotel room, was harsh. "Surprising and scandalous" was the editorial reaction by *El Espectador*, and Francisco Santos wrote in the *El Tiempo*: "It is worth asking whether the war on drug trafficking should be fought in this country." In addition, *Semana*, the nation's leading newsweekly, wrote in a cover story on the Barry verdicts: "In the war against drugs, the United States is ready to fight to the last Colombian." See NYT, August 27, 1990, p. 3.

harshness with which the law is applied to our compatriots - in contrast to the laxity of the case with Mayor Barry, which produced only a light penalty.”⁶ Colombia's highly committed drug fighter in the investigative police, Gen. Miguel Maza Márquez, said of the Barry verdict: “The impression given to the world is that, in North American courts, a gram of cocaine produced deserves a life sentence, while a gram of cocaine consumed is worth a pardon.” (NYT, August 27, 1990, p. 3)

In sum, Gaviria new policy of compromise was two-fold. He was committed to end drug terrorism in Colombian territory, but believed that drug trafficking was an international problem that required an international solution. Furthermore, he sought new legal instruments that would maintain extradition as a discretionary tool. This policy of compromise allowed him to mediate the domestic and international pressure, and to satisfy the demands of his domestic constituency without risking friction in U.S.-Colombian relations.

As the Colombian news magazine *Semana* summarized: "The President designed a ingenious policy in that consisted in removing extradition for those who would surrender, and in maintaining it active for those who would not. This was known as the “carrot and stick”

⁶As the New York Times reported, the Barry trial came to be viewed in Colombia as a symbolic test of American commitment to reduce drug consumption. The reaction of the three major newspaper and high government officials to a secretly filmed videotape that was aired by Colombian television and that showed the Mayor smoking crack in a Washington hotel room, was harsh. “Surprising and scandalous” was the editorial reaction by *El Espectador*, and Francisco Santos wrote in the *El Tiempo*: “It is worth asking whether the war on drug trafficking should be fought in this country.” In addition, *Semana*, the nation's leading newsweekly, wrote in a cover story on the Barry verdicts: “In the war against drugs, the United States is ready to fight to the last Colombian.” See NYT, August 27, 1990, p. 3.

policy that combined elements of firmness and flexibility. [...] It left nearly all actors satisfied, including the U.S. government.” (SEM February 5, 1991, p. 15)

5.1.2 United States First Response to Gaviria’s Surrender Policy Is Positive

The interesting question, however, was how the United States would react to Colombia’s announced policy shift. Throughout the 1980s, the United States had pointed out that the high level of corruption and intimidation had paralyzed the Colombian justice system, leaving it without the means to persecute and try Colombian drug traffickers. Accordingly, the U.S. government was pressuring the Colombian government to extradite the traffickers to the United States where they would receive the adequate punishment for their crimes. With the announcement of President Gaviria that extradition would no longer be the primary instrument in fighting drug trafficking, and that the objective of the new surrender policy to try the drug traffickers in Colombia, one might have expected a harsh reaction from the U.S. government and increasing pressure on Colombia. This was not the case, however. Instead of perceiving of the new policy as a lessening of Colombia’s commitment to fight the drug war, the U.S. government and congress, as well as the American news media were convinced that Gaviria’s new surrender policy would not change his commitment to full cooperation with the United States, and interpreted the strengthening of the Colombian justice system as a move into the right direction.

The first sign of support for the Gaviria administration was already signaled in July 1990 when the Colombian president met with President Bush. At this meeting, President

Bush communicated to Gaviria that his country had decided to revoke the veto against Colombia's inclusion into the GATT Code for Subsidies (EE, July 22, 1990, p. 10A) However, the most important signal of backing Gaviria's surrender policy was sent when President Bush presented a legislative proposal to Congress that dealt with special commercial treatment for the Andean countries. (EE, October 10, 1990, p. 11A) On October 5, the legislation proposal provided for the Andean countries the implementation of a tariff preference regime for a period of ten years. In his address to the Congress, President Bush stated that this so-called Andean Trade Preference Initiative was intended: i. to partly fulfill his commitment made at the Cartagena Summit to expand economic alternatives for the Andean countries; ii. to complement the economic and drug control assistance as well as the economic reforms the Andean countries had agreed on; and, iii. to provide U.S. economic support to those Andean countries that were fighting against the production, processing, and shipment of drugs.⁷

Other indications of the positive response of the U.S. government were the statements issued through its Ambassador Thomas McNamara and Attorney General Thornburg. McNamara considered the new legal initiatives regarding extradition "as novelties that would contribute to fight drug trafficking" and assured that the United States would respect the measures that the Colombian government had adopted in sovereignty. (EE, September 7, 1990, p. 6A)

⁷ See for more details U.S. Congress 1990i, p. 1ff; EE, February 16a, 1990, p. 1D ; EE, February 16b, 1990, p. 2D.

Furthermore, on January 6, 1991, in a briefing to a delegation of the House Select Committee on Narcotics Abuse and Control that visited Colombia, Ambassador McNamara said that it was mistaken to believe that the Colombian President was “lessening support for the drug war” and that his judicial reform was not a surrender to the threats of the drug trafficking industry. (U.S. Congress 1991a, p. 13) He stated that Gaviria’s judicial reform was not a change in policy: “The policy is the same as President Barco’s, but Gaviria put the policy into decrees making it the law.” (U.S. Congress 1991a, p. 13) In a similar way, U.S. Attorney General Dick Thornburg welcomed Colombia’s decision to reform the judicial system, but insisted also that if the drug traffickers would not surrender under the new policy, “the United States would support Colombia’s efforts to arrest and extradite them to the United States for trial.” (EE, September 7, 1990, p. 6A)

One of the reasons why the U.S. government responded in such a positive way, was the fact that they had considered over the recent years that the single greatest weakness in Colombia’s anti-narcotics effort was the country’s judicial system. In the August 1990 report of the House Committee in Government Operations the Colombian justice system was described as “old-fashioned, undertrained, underpaid, and unprotected” and as being in “an acknowledged statement of collapse.” (U.S. Congress 1990h, p. 87-88) As a result, the United States decided to concentrate its economic assistance more on the strengthening of Colombia’s judicial system by initiating a two-pronged plan that would support judicial enhancement and short-term protection training and equipment—such as, armored cars, bulletproof lifevests, and motorcycles. (U.S. Congress 1990h, p. 88ff)

In the October 1990 hearings about the status of the United States and host country compliance with the Cartagena Agreement, Melvyn Levitsky—the Assistant Secretary for International Narcotics Matters of the U.S. State Department—likewise did not criticize word the new drug control strategy of the Gaviria administration. On the contrary, he highlighted Colombia's key role in the international anti-narcotics policy and praised Colombia for its heroic efforts: (U.S. Congress 1990j, p. 5, 17)

Colombia's progress in attacking these organizations exceeds what we anticipated a year ago despite unrelenting pressure from the drug traffickers and insurgent groups. The Government of Colombia has acted forcefully to protect itself and preserve its democratic institutions. U.S. assistance has helped to sustain Colombia's operational efforts and to focus them on key targets. [...] All the traffickers are not caught and not in jail, but they are on the run and harassed and 23 of them are now in the United States awaiting various stages of trial.

A report of the drug law enforcement activities of 1990 reflected that throughout the year Colombia had achieved impressive result compared to the previous year: 2,365 Colombian traffickers were captured; 1,2 tons of drugs, 764 farms, and 263 laboratories destroyed; and, 114 landing trails, 780 weapons, 200 vehicles, 294 radios, 19,616 kg of dynamite confiscated. (EE, November 11, p. 15A)

But whereas the U.S. government welcomed the decision by President Gaviria to strengthen the judicial system and to seek other legal instruments to deal with the drug traffickers in addition to keeping extradition as a powerful instrument, the U.S. media was more critical. The *New York Times* interpreted Gaviria's surrender policy as an easing of enforcement against drug traffickers, as a relaxation of the drug war and as a sign of abandonment of the policy of extradition. (NYT, August 12, 1990; NYT, September 6, 1990; NYT, September 8, 1990) As the *New York Times* maintained: "Mr. Gaviria should

know better than anyone that the results of his new policy will speak for themselves.” (NYT, December 26, 1990, p. 30) Accordingly, it was no surprise that the Gaviria administration was eager to prove itself by presenting both to Colombia and the international community with convincing results.

5.2 First Phase: Pressures of the Medellín Cartel to Improve Surrender Conditions

The surrender of the most notorious drug baron of the Medellín cartel, Pablo Escobar, to Colombia’s justice system became the symbol of the success or failure of Gaviria’s new drug control strategy. Although President Gaviria’s surrender policy offered the drug traffickers a reduction in jail sentence and immunity against extradition—still the greatest fear of the drug traffickers was to spend decades behind bars in the United States—the Medellín cartel set out to pressure for even better terms of surrender. They embarked on a kidnapping strategy that was targeted against the Colombian political establishment in order to pressure the Gaviria government to modify the first decree-law 2047 so as to receive the same kind of political treatment as the several left-wing guerrilla groups, and to receive the full guarantee not to be extradited to the United States.⁸ At the same time, Medellín boss Pablo Escobar wanted to make sure that other drug traffickers would not surrender to the

⁸In the following months, the Gaviria administration released in addition to decree 2047, seven other decrees related to the surrender policy: decree 2147 (September 1990), 2372 (October 1990), 3030 (December 1990), 303 (January, 1991), 1303 (May 1991), 2265 (October 1991), 1833 (November 1992). The Supreme Court declared all decrees constitutional.

Colombian authorities, as an *El Tiempo* editor stated: “Escobar's answer to Gaviria's offer was a resounding no. [...] He is doing this partly to keep his people in line, partly to show that he can still act. He feared an avalanche of small cartel people turning themselves in.”(NYT, September 23, 1990)

5.2.1 The Medellín Cartel Seeks Political Treatment and Guarantee Against Extradition

In the early weeks of September 1990, the Medellín cartel kidnapped seven Colombian journalists, among them Francisco Santos Calderón, journalist and the son of the owner of *El Tiempo*, and Diana Turbay, the daughter of former Liberal president Julio César Turbay Ayala.⁹ Marina Montoya de Pérez, the sister of former General Secretary German Montoya, was also held hostage by the Medellín cartel. On September 21, in a three-point communiqué the drug traffickers declared that they were responsible for the kidnappings, and demanded from the Colombian government that they “be treated as a political or military group in the same way as the government had done with other groups, such as the M-19 and EPL.” (EE, September 21, 1990, p. 10A)

The Gaviria administration through his Minister of Justice, Jaime Giraldo Angel, responded to the Medellín cartel that “the government refused to give the traffickers political treatment.” (EE, September 22, 1990, p. 11A) However, a few days later Giraldo

assured that his government would study the possibility of granting more guarantees to the drug traffickers who would turn themselves in. (EE, October 6, 1990, 13A) Once again, but this time officially supported by the government, the ad-hoc commission *The Notables* stepped in as intermediaries—suggesting to the drug traffickers that only through the “interchange of ideas, not pressures might there be positive results” with the government. As a result, with the participation of Pablo Escobar’s lawyer, Guido Parra, a long process of negotiation between the Medellín cartel and the government began.¹⁰

On October 10, 1990, President Gaviria issued under enormous public pressure a second decree-law (*decreto 2372*) offering further concessions to the drug traffickers. The cornerstone of the new decree was that the same judge, effectively chosen by the drug trafficker himself, would hear all charges against one criminal. However, Pablo Escobar was not satisfied with the new decree-law and continued with his kidnapping strategy to pressure for even better surrender conditions. In November 1990, the Medellín cartel kidnapped Maruja Pachón de Villamizar, a sister-in-law of Luis Carlos Galán and a former television news producer. (SEM, November 13, 1990)

⁹Colombia’s famous Nobel prizewinner and novelist Gabriel García Márquez documents in his book *Noticia de un Secuestro* the tragedy of these kidnappings and the difficult negotiation process between the Medellín cartel and the government. See Gabriel García Márquez, *Noticia de un Secuestro*. (Bogota: Grupo Editorial Norma, 1996). See also for more details SEM, September 18a, 1990, p. 14-20; SEM, September 25, 1990, p. 14-18; SEM, October 2c, 1990; SEM, October 9, 1990.

¹⁰*The Notables* commission included Liberal former presidents, Alfonso López Michelsen and Misael Pastrana; the leader of the Union Patriótica, Diego Montaña Cuellar, and Cardinal Mario Revollo López Bravo. At some point, former president Julio César Turbay Ayala, whose daughter was in Escobar’s hands, was assisting the meetings. See EE, October 6, 1990, p. 13A; SEM, November 6, 1990, p. 38.

After an interchange of a number of letters between Escobar's lawyer, *The Extraditables* and *The Notables*, the latter issued in November 1990 a memorandum that reflected the objectives of the drug traffickers. According to Pardo, this document not only represented the position of the Medellín cartel, but also seemed to be endorsed implicitly by the members of the ad-hoc commission. (Pardo, 1996, p. 281) He stated that *The Notables* agreed in general with various points made by the drug traffickers, particularly on the confession issue, which both groups considered unconstitutional: (Pardo, 1996, p. 281)

Curiously enough, they found valid arguments that gave foundation to the principal demands of the drug traffickers, in particular, that were related to the figure of confession. However, they assured that it was unconstitutional to consider it as a requirement.

Furthermore, the members of the ad-hoc commission seemed to agree with the position of the drug traffickers that the government could not expect them to denounce other drug traffickers since "*The Extraditables* stated that they would surrender collectively." (Pardo, 1996, p. 281) In addition, Guido Parra, the lawyer of Medellín boss Pablo Escobar, argued that drug trafficking had to be considered as a collective crime and *sui generis*. He reinforced his argument by indicating that more than 200 drug traffickers would hand themselves in. The reason for that was to justify political treatment for the entire drug trafficking organization: (SEM, November 27, 1990, p. 25)

Drug trafficking has been traditionally an individual crime [...] After some time, as the Colombian case demonstrates, drug trafficking has, however, become a collective crime: the production, transportation, commercializing and money laundering requires a chain of intermediaries who are all necessary accomplices and participants in the crime.

Also, the ad-hoc commission's memorandum repeated the request of the drug traffickers not to be extradited to the United States, and to be imprisoned in high-security prisons in Colombia. Due to their fear of being killed by their enemies—such as rival drug

traffickers or paramilitary groups—they even insisted that the prisons should be under the surveillance of the Colombian military or police forces—or even under the international auspices of America’s Watch Committee of Human Rights or the Red Cross. (SEM, November 27, 1990, p. 25) However, one of the major obstacles to surrender for the Medellín cartel was the requirement to confess to their crimes and the lack of a full guarantee not to be extradited to the United States. Accordingly, they argued that confessions were unconstitutional and demanded more guarantees against extradition. As a sign of their good intentions and willingness to surrender, Pablo Escobar released in December two of the seven kidnapped journalists. (SEM, December 18, 1990, p. 33)

The Gaviria administration responded on December 17, 1990 with a third decree-law (*decreto* 3030) that still demanded confession, but allowed the traffickers to qualify for full judicial benefits by confessing to one crime alone. Under the new decree, if any charges were brought after their surrender, it was sufficient to confess to just one crime instead of all offenses committed as required under the first decree-law (2047) in order to ensure their immunity against extradition. For example Minister of Justice Giraldo Angel stated that “it was not necessary to confess to all crimes, but to some of them.” (SEM, November 27, 1990, p. 26) On the same day the Colombian government issued the third decree, the three Ochoa brothers of the Medellín cartel—Fabio, Jorge Luis, and Juan David—surrendered to Colombian authorities. (SEM, September 4, 1990, p. 34; SEM, December 25, 1990, p. 24-28)

This meant that Pablo Escobar was now confronting alone the war against the political establishment and confronted with two possibilities. If captured, he would be extradited. If he surrendered, he could still be extradited by losing all judicial benefits if he were proved guilty of the kidnappings and murders he had ordered since the first decree was issued in September 1990. According to the first decree 2047, a drug trafficker could only enjoy all judicial benefits if he had not committed any crime after the day the decree was issued—that was September 5, 1990.

On January 22, 1991, the situation worsened when Colombian elite forces gunned down Pablo Escobar's two brothers who had led Escobar's sicario gang, the *Priscos*. In revenge, he killed Marina Montoya. Furthermore, during an ill-fated raid by the Colombian elite forces, Diana Turbay's captors shot her in the back. The murder of Diana Turbay eventually became the symbol of the difficulties of the Gaviria administration to resist, on the one hand, the pressures and threats of the Medellín cartel, and, on the other hand, to ignore the demands of the families of the victims—even more when these were close friends.

The Turbay family, for example, had attempted continuously to convince President Gaviria to seek through a new decree a peaceful solution, rather than risk the lives of the hostages through rescue actions by military or police forces. In a letter to President Gaviria, Diana Turbay's mother, Nydia Quintero de Balcázar, asked explicitly not to attempt to rescue her daughter since all family members were aware that if "during those raids elite forces would encounter the kidnappers, a horrible tragedy could happen." (SEM, July 2, 1991, p. 16) As

newsmagazine *Semana* described, President Gaviria never received that letter. As the communication was en route to the presidential palace, five helicopters and 120 men were already on their way to advance their operations. One day later, President Gaviria issued the fourth decree-law (*decreto* 303)—to which the Turbay family had strongly supported previously—that conceded even more guarantees to the drug traffickers.

At the funeral, the Turbay family accused the Gaviria administration of bearing half the responsibility for Diana Turbay's murder: "I think that for Diana's death not only are the insensitive and foolish *Extraditables* responsible, but also half the responsibility lies with the government and the President of the Republic." (SEM, January, 29, p. 18-19) Some months later, Nydia Quintero de Balcázar criticized the Gaviria government for having taken so much time to issue decree-law 303: (SEM, July 2, 1991, p. 16)

Unfortunately, my daughter was the victim of absurd mistakes and the slowness of the government [...] During one month I was waiting for the government to issue a decree that it had already decided on and that was considered to be necessary for the success of his policy. [...] Unfortunately, what we were afraid of all along happened. One day after Diana's death the decree was finally issued which allowed them to save the lives of Francisco Santos and Maruja Villamizar.

Rafael Pardo—who at that time was not only a personal friend of the Turbay family but also, along with DAS director General Maza Márquez, represented the liaison between the family and the government—insisted that the intervention of the Colombian elite forces was never planned to be a rescue operation. However, the following statement reflects that he was deeply affected by the death of Diana Turbay: "This was for me a very painful personal experience. Later, I came to the conclusion that this was one of the highest costs that one pays in some moments in the public sector in which it is sometimes difficult and

painful to separate the feelings of friendship from the functions and responsibilities of the government.” (Pardo, 1996, p. 288)

The new decree-law 303 provided special benefits and immunity against extradition even for drug traffickers who had committed crimes after the date of the first decree. Now the date of their surrender was sufficient to take advantage of the benefits of the government’s surrender policy. From that moment on, Rev. Rafael García Herreros, an 82-year-old Roman Catholic priest, initiated a process which mediated the surrender of Pablo Escobar in a series of meetings and radio conversations beginning in late May. (SEM, May 28, 1991, p. 28)

5.2.2 Colombians Look Forward to Pablo Escobar’s Surrender

The interesting question was how the major political actors in Colombia perceived the possible surrender of Pablo Escobar to the local authorities. According to *Semana*, the surrender of Pablo Escobar represented for most Colombians an end of one of the most violent periods in the country’s history: (SEM, May 28, 1991, p. 28)

Although it is not feasible that the overall drug trafficking business will change significantly, it is a fact that Colombia has eradicated one of the two major sources of affliction of its recent history: drug terrorism.

In general, the interest of Colombians in the drug war had waned. The majority of Colombians were not convinced that the surrender of Pablo Escobar would bring an end to

drug trafficking. However, as a June 1991 survey shows, 25 percent of the interviewed Colombians believed that the surrender of Pablo Escobar would change “greatly” Colombia’s violent situation and 42 percent were convince that at least “a little bit” of the drug terrorism would be reduced. (SEM, June 11, 1991, p. 35) ¹¹ On the question og whether Escobar’s surrender would impact drug trafficking, 41 percent maintained that drug trafficking would continue as before. (SEM, June 11, 1991, p. 35)

Major political actors also agreed that the surrender of the Medellín boss would have a positive impact on the decline of violence and terrorism in Colombia. Former M-19 guerrilla leader Antonio Navarro Wolff stated that with the possible surrender of Pablo Escobar the country was closing a chapter in a war “that should never have started.” (SEM, June 11, 1991, p. 36) Leaders of the major economic interest groups—such as Alvaro Silva, the president of SAC; Alberto Montoya Puyana, the president of Camacol; and German Bula, the President of Acopi—maintained that Gaviria’s surrender policy would not only lead to the strengthening of Colombia’s justice system and institutions, but at the same to a more positive image of Colombia in the world. German Bula stated: (SEM, June 11, 1991, p. 40)

Before the eyes of the international community, Colombia will pass from being a corrupted *Banana Republic* to be a country in which the laws are respected and the criminals are punished. This might lead to an increase in foreign investment.

¹¹In June 1991, 440 persons were interviewed in Colombia’s five major cities. This survey was conducted by the National Center of Consulting (Centro Nacional de Consultoria).

Other economic interest group leaders, such as Sabas Pretelt of Fenalco also viewed Gaviria's new drug policy as beneficial for the country's economy: (SEM, June 11, 1991, p. 39)

The association of merchants was one of the groups that was most affected by the drug terrorism. Therefore, we consider the possible surrender of Pablo Escobar as very positive. If this happens, Colombia will enter a period of fast economic growth [...].

Pretelt considered Escobar's surrender as a perfect symbol of the functioning of the Colombian justice, and Gaviria's new policy.

Furthermore, Colombian political scientist Eduardo Pizarro argued that Escobar's surrender was the most realistic solution to Colombia's problem: (SEM, June 11, 1991, p. 41)

President Gaviria could not continue the inherited policy of Barco that consisted of a total war and on extradition as the single instrument. The new formulas resulted as beneficial for both sides and for the country in general.

Even Colombia's famous Nobel prize winner Gabriel García Márquez was in favor of President Gaviria's new drug control strategy: "As a question of principles, I was the one who most fought against extradition, because I considered it humiliating." (EE, January 12, 1991, p. 11A) In general, President Gaviria's new drug control strategy was supported by the majority of the most important political players—his cabinet members, the judicial branch, the congress, the Roman Catholic church, and the majority of economic groups.

It is interesting to note that since Gaviria's inauguration as President of Colombia, very few critical voices were raised against his new drug policy.¹² Among these voices were former Ambassador Mosquera Cháux who criticized the effectiveness of the new surrender decree-laws and the low punishment for "those who had committed horrible crimes." (EE; February 2, 1991, p. 6A) In December 1990, the *New York Times*—obviously impressed by so little criticism—stated that six high-ranking government officials, who in the past had freely talked about the drug war, declined repeated requests for interviews on the new drug policy. On the official silence, the newspaper cited a comment of a Colombian newspaper editor: "There is an order from the top to shut up on drugs." (NYT, December 18, 1990, p. 1)

5.2.3 United States Shows Mixed Reactions to Gaviria's New Surrender Policy

The reactions in the United States to Gaviria's new surrender policy were mixed. Whereas the American news media continued to be highly critical of Colombia's new drug policy, U.S. congressmen—although more skeptical—and governmental officials were cautiously supportive for political and geopolitical reasons. For example, newspapera—such as, the *New York Times*, *Washington Post*, *Wall Street Journal* and *Miami Herald*—argued that Gaviria was making too many concessions to the drug traffickers. The headlines were speaking for themselves: *Colombian Peace Pact Offers*

¹²Obviously, most of the family members of the victims—such as Guillermo Cano, Carlos Mauro Hoyos, and Luis Carlos Galán—that had sacrificed their lives in the war on drugs were convinced that the Gaviria administration had granted to many concessions to the major drug traffickers in Colombia: "This is a shame at the international level." See SEM, July 2, 1991, p. 19.

Leniency To Drug Traffickers (NYT, December 18, 1990); *Colombian Judicial Integrity More Important Than Extradition* (WS, January 28, 1991); *Colombians Forced To Bargain With The Devil* (WS, February 1, 1991).

In a December 1990 editorial of the *New York Times*, David Anderson argued that President César Gaviria's immunity from extradition program for confessed drug traffickers was a step backward for US-Colombian efforts. (NYT, December 26, 1990, p. 30) In his article he stated that with Gaviria's new surrender policy there were reasons to believe that Colombia had "caved to its drug cartels." (NYT, December 26, 1990, p. 30)

Mr. Gaviria protests that his policy represents no retreat, while Washington remains cautiously supportive. [...] A report prepared last year by U.S. officials found that the feeble enforcement system cannot begin to cope with the major narcotics traffickers, who have used bribery, intimidation, terrorism, and the best lawyers in a legalistic society to keep themselves out of Colombian jails. That's why Washington was heartened by the determination of Mr. Gaviria's predecessor, Virgilio Barco Vargas, not only to capture drug traffickers but also to extradite them to the U.S. for prosecution. Why would Mr. Gaviria settle for anything less?

Another editorial of the *Miami Herald* described President Gaviria as "vacillating and confused" and suggested taking a firmer stance against drug traffickers. (MH, February 14, 1991)

In a similar way, a number of U.S. congressmen expressed their skepticism about Gaviria's new drug policy. A November 1990 report of the House Committee on Government Operations reflected the concern about the Colombian government attempts to *de-escalate* the drug war: (U.S. Congress 1990k, p. 86)

Colombians seem ambivalent about the anti-drug campaign, and appear exhausted by the violence generated by the drug war [...] In a mayor departure from Barco's policy, Gaviria has announced that any trafficker who voluntarily surrenders will receive lighter sentences and, most importantly, will not

be extradited to the United States. Gaviria has de-emphasized extradition, stating that fewer extraditions will take place under his Government. [...] Numbers of arrests and extraditions by the Government as well as bombing and killings by the traffickers have dropped off significantly in recent months.

The report stated, however, that the Colombian government had shown impressive results in confronting the drug traffickers: Colombia had made 4,100 drug arrests and seized 53 tons of cocaine in 1990 compared with 3,600 arrests and 37 tons of cocaine seized in 1989. (U.S. Congress 1990k, p. 86) Nonetheless, the report found that Gaviria's anti-drug campaign was "highly selective" since it targeted almost exclusively the more notorious Medellín cartel.

In a similar way, various members of the House Select Committee of Narcotics Abuse and Control were skeptical about the effectiveness of Gaviria's surrender policy as the June 1991 hearings on the Andean strategy reflected. Although Congressman Lawrence Coughlin recognized that Colombia had "suffered tremendously in this struggle against the drug traffickers," he expressed his doubts about the effectiveness of Gaviria's new drug policy in terms of adequate punishment and security prison control. There were rumors that the Ochoa brothers continued their drug business from prison: (U.S. Congress 1991c, p. 3, 11)

We get an uneasy feeling here [...] reading the news that the Colombian drug kingpins continually conduct their operations from prison. If this is true, this is a troubling fact that would have an impact on the overall Colombian counternarcotic activities. It makes it pretty hard to conduct a law enforcement operation if you find that the person you've got incarcerated is continuing to conduct his activities [...]. We have great respect for President Gaviria on this Committee and we've met with him at length, but we have an uneasy feeling [...] about the kinds of sentences that the Ochoa brothers will get and what would happen to Pablo Escobar were he to surrender.

However, in general, the House Select Committee on Narcotics Abuse and Control was cautiously supporting President Gaviria's new policy. After a study mission of this Committee visited Colombia in January 1990, Chairman Charles Rangel found that the Government and people of Colombia were strongly committed to make the new drug control strategy work:¹³ (U.S. Congress 1991a, p. 2, 19-29)

The delegation is very encouraged by President Gaviria's commitment to strengthen the Colombian judicial system in order to try successfully Colombian narcotraffickers in the country. Members agree with the President that the key in making the Colombian system work is continuing the two-fold pressure of heavy law enforcement and the threat of extradition.

At the same time, Congressman James Scheuer expressed his admiration for President Gaviria: "I was enormously impressed with this man; with his guts, with his high intelligence, with his strength, with his dedication to make making Colombia a drug-free country and facing up to the drug cartels." (U.S. Congress 1991c, p. 4)

In addition, representatives of the U.S. executive branch continued to express their support for Gaviria's new drug policy and his objective of strengthening the judicial branch. For example, the United States new drug czar Robert Martinez declared in his testimony in June 1991 before the House Select Committee on Drug Abuse and Narcotics: (U.S. Congress 1991c, p. 3, 6)

Two years ago no one could have predicted that the Colombian law enforcement crackdown would have forced the surrender of the Ochoa hierarchy and soon, we hope, the surrender of the most vicious and venal of drug criminals, Pablo Escobar. [...] Assuming that a good system is put in place in

¹³In Colombia, the Committee met with President Cesar Gaviria and the following members of his cabinet: Foreign Minister, Luis Fernando Jaramillo; Minister of Defense, Gen. Oscar Botero Restrepo; the Commander of the National Police, Rafael Pardo Rueda; the Presidential Councilor for Human Rights, Jorge Orlando Melo; Presidential Counselor for Communications, Mauricio Vargas Linares; Private Secretary to the President, Jose Miguel Silva Pinzon; and the Presidential Advisor for International Affairs, Gabriel Silva Lujan.

Colombia, assuming good appointments are made to occupy the posts that the criminal justice systems creates, assuming that the trials are conducted and there is effective prosecution, then assuming that the sentences of those who are found guilty are appropriate, then I believe we can safely say that one of our goals to establish a criminal justice system that works would be in place.

Furthermore, Martinez warned the Congress that while it was imperative to maintain pressure on Colombia, the United States had “to recognize their commitment to survival as a democratic nation.” (U.S. Congress 1991c, p. 42) Even in light of the possibility that extradition would be completely prohibited via the Constituent Assembly, he assured the congressmen that the U.S. executive branch was awaiting the results of Colombia’s drug policy and reform of the judicial system: (U.S. Congress 1991c, p. 42)

There are many that feel that all may be lost if the Colombian Constituent Assembly outlaws extradition of the narco-traffickers. I would say that the better gauge of success, the ultimate goal of both of our countries, is that justice wins. We support Colombian efforts to reform the judicial system so that the traffickers [...] can be successfully brought to justice in Colombia. I believe that President Gaviria is fully committed to bring these assassins to justice. While the extradition of traffickers is an important tool for meting out justice, the long-term goal is to reform the Colombian judicial system so that drug-related crimes can be effectively prosecuted and traffickers incarcerated at home. We are carefully watching and actively supporting the Colombian reform of its judicial system.

However, DEA director Robert Bronner expressed a more critical and cautious position at the IX International Summit of Anti-Narcotics Police Forces in April 1990. He insisted that although the United States was fully backing the four decrees issued by President Gaviria, it would not mean that the extradition of Colombian drug traffickers to the United States was not necessary anymore: (ET April 25, 1991, p. 1A, 6C)

Once you are in the process of strengthening the justice system, and only once judges will act without extortion and threats, we can say that extradition is not necessary. But, meanwhile this is in the process, I do believe, that extradition is a weapon that should be used.

He argued that avoiding extradition was the only incentive for the drug traffickers to surrender, and if the Constituent Assembly would eliminate extradition, the Colombian drug traffickers would remain free and would have no reason to turn themselves in.

Melvyn Levitsky—the Assistant Secretary of State for International Matters—also assumed in his testimony before the House Select Committee on Narcotics Abuse and Control a more cautious attitude. He argued, that although Colombia “had a tremendous record, the best in the world, against the drug trafficking organizations,” there were indications that their “political will was flagging.” (U.S. Congress 1991c, p. 25, 54) Levitsky indicated that major trafficking figures, like the Ochoas, kept trafficking organizations intact despite surrender. (U.S. Congress 1991c, p. 25, 54)

Accordingly, although President Gaviria had assured the United States that he was committed to making his new system work, Levitsky had serious doubts that the Colombian president would be able to do so: (U.S. Congress 1991c, p. 56-60)

The Government of President Gaviria is currently adopting a risky two-track policy to deal with the power of the trafficking cartels and trafficker manipulation of the emotional extradition issue. By applying strong police pressure against traffickers, Gaviria hopes to induce them to surrender under plea bargaining decrees [...] Although ten major traffickers have surrendered, it is too early to determine whether the judicial system will be strong enough to withstand trafficker intimidation and corruption. [...] We remain concerned, however, that the trafficker cartels arrayed against the Colombian Government continue to wield considerable influence in blunting the rule of law in Colombia.

In contrast to the skeptical attitude of the U.S. media press and some members of the U.S. congress, the executive branch praised Gaviria’s anti-narcotics efforts and supported his surrender policy and his objective of reforming Colombia’s justice system.¹⁴ As the *New York Times* described, on February 26, 1990—in the midst of the Persian Gulf

war—President Bush took some time off to personally meet President Gaviria as “a sign of his commitment to back the Colombian leader as he confronted a surge in drug-related kidnappings.” (NYT, February 27, 1991, p. 8) In their meeting, President Bush made clear that he would support Gaviria’s project of strengthening the Colombian justice system and surrender policy—despite the offer to negotiate the surrender of drug traffickers in exchange for immunity from extradition and shorter prison terms. “You are a man of courage,” Mr. Bush told Mr. Gaviria at a White House ceremony characterized by warm handshakes and pats on the back, “you are a man devoted to law and to liberty, and for that you have our admiration and respect.” (NYT, February 27, 1991, p. 8)

Furthermore, President Bush assured the Colombian president of continued U.S. assistance in his endeavor to strengthen the Colombian judicial system:¹⁵

Today, we held a thorough and frank discussion on a range of issues of mutual concern, particularly the drug war. [...] We want to tell Colombians that they inspire us by standing up—despite intimidation, despite the costs—for justice and for law [...] I made it clear that Colombia is not alone in this fight [...] We’ve signed an innovative agreement on mutual judicial cooperation to more effectively prosecute the drug traffickers. And I told the President that we would sign a multimillion-dollar, long-term agreement expanding our support for his bold initiative to strengthen the Colombian judicial system.

During his visit to Washington on February 26, 1990, President Gaviria signed four agreements intended to improve trade and cooperation in law enforcement.¹⁶ Besides US\$ 41 million that Colombia received two weeks earlier for compensating the cost on the fight

¹⁴In January 1990, U.S. government officials criticized the impetuous release of drug trafficker Gonzalo Mejía Sanin—a Colombian judge released the trafficker after he served only six weeks in jail—as a “form of capitulation to the drug traffickers.” However, one month later, with the first meeting between President Gaviria and President Bush this incident was overcome. EE, January 25, 1991, p. 11A.

¹⁵George Bush, Public Papers of the Presidents of the United States, Washington D.C.: U.S. Government Printing Office, 1992, Book I, p. 177. Cited in: Tokatlian, 1997, p. 481-482.

against drugs, these new agreements provided an additional US\$ 20 million in U.S. economic aid and assistance for joint efforts to monitor American companies that export precursor chemicals to Colombia.¹⁷

The most important agreement on judicial cooperation was designed to enable the United States to share American judicial evidence with Colombian authorities seeking to prosecute drug traffickers in Colombian courts. From the Colombian perspective, the Washington visit was a great success since President Gaviria not only re-confirmed the support and confirmation of the U.S. President and the U.S. State Department, but also drew the most skeptical actors, the DEA and the Justice Department, into a cooperative strategy with Colombia in the sensitive area of interchanging judicial evidence: (SEM, March 5, 1991, p. 23)

By traveling to Washington and meeting with President George Bush he succeeded in getting the U.S. government to commit—on the basis, that drug trafficking was conceptualized as an international crime—to assume its part in the task to bring drug traffickers to spend their jail sentences in Colombian prisons. [...] President Gaviria accomplished what most considered impossible: to get the United States approval of Colombia's drug policy shift.

However, the approval of the more critical U.S. governmental agencies was interpreted also as a tit-for-tat move in exchange for Colombia's support for American policy in the Gulf War: (SEM, June 9a, 1992, p. 30-35)

Analysts maintain that [the approval of DEA and the Justice Department] was achieved due to the fact, that Colombia was the decisive piece in the Security Council of the United Nations shortly before the Gulf War.

¹⁶ See for more details EE, February 16, 1991, p. 10A; SEM, March 5, 1991, p. 22-23.

¹⁷In total, Colombia received US\$80.8 millions for 1991 for export diversification, judicature help and drug prevention. See EE, April 2, 1991, p. 9A; EE, February 16, 1991, p. 10A.

Another important indication of the U.S. government in response to Gaviria's policy shift were the statements made by the U.S. Ambassador in Colombia, Thomas McNamara. He considered the new surrender policy to be beneficial for the Colombian justice system and compared the new strategy to the *plea bargain process* in the United States: (ET, January 6, 1991)

The United States supports Colombia's efforts in its fight against drugs. We foresee interesting and beneficial possibilities with regard to the last decrees of the Colombian government. We hope that this new policy will be successful. [...] We only would like to see that justice is done whether it is a Colombian or American drug trafficker. As I know the government has not said that it would end extradition. The contrary, the government has stated that it would continue extradition. [...] The United States will not negotiate with the drug traffickers. We have a system, the so-called *plea bargain* system, that is a certain form of negotiation, but this negotiation takes place between the prisoner and the government, and not between a fugitive criminal and the government. For years, this kind of negotiation is accepted in our legal system. This is a useful instrument to break down the power of the criminal organizations in the United States. It is not so different from the decrees that were lately issued in Colombia and that exist in several other countries. If this is called negotiation, so be it.

In sum, since Gaviria's announcement of his new drug control strategy U.S. policymakers—with the exception of some congressmen and the news media—have expressed little criticism and demonstrated a cautiously supportive attitude. There are several explanations for this position. First, President Gaviria was still perceived as the guarantor of a confrontational drug war strategy who was seeking other legal instruments that were even accepted and used in the United States to deal with the illegal drug trafficking industry. One has only to be reminded of the view of U.S. Ambassador McNamara that Gaviria's policy was the same as President Barco's with the difference that Gaviria put the policy into decrees. In fact, the surrender of several top level drug traffickers, such as the Ochoa brothers, to the Colombian justice system as well as the high

levels of interdiction and eradication efforts, was for the United States proof that Colombia was still a firm ally.

Secondly, the United States was increasingly sensitive to the high price the Colombian people had paid for the full cooperation with the United States in the fight against drug trafficking. One of the greatest fears of the U.S. government was that they would alienate the most cooperative country in the Andean region if they would oppose Gaviria's new drug policy and put pressure on Colombia. This would have not only produced negative effects on the entire region, but would have signalled the failure of U.S. drug policy toward Latin America. Accordingly, the U.S. policy toward Colombia increasingly created more economic incentives by introducing the Andean Trade Preferences Act and offering financial assistance not only to the police and military, but also to the judicial branch. Some analysts have also speculated that by seeking to ensure Colombia's support on the Gulf War in the U.N. Security Council, the United States was careful not to alinate their Andean ally by reserving criticism of Gaviria's new drug control strategy. (SEM, June 9a, 1992, p. 30-35)

5.3 Second Phase: Institutional Change leads to the Constitutional Ban of Extradition

In this section, I show how institutional changes led to even more significant changes in the drug policy of the Gaviria administration. In that context, I analyze the role

of the Colombian president in the convention of the Constituent Assembly, the positions of the representatives of this assembly, and the impact of these developments on the country's drug policy outcome.

As Putnam's (1988) model suggests, both changes in preferences and perceptions of the major political actors as well as changes in the institutional arrangements play a role for policy shifts. In Colombia, the establishment of a Constituent Assembly increased the channels of access to those societal actors that opposed a confrontational drug control strategy, particularly extradition. The new constitution of 1991—the first since 1886—not only provided a framework for strengthening the judiciary system, decentralizing political power and decision-making, and guaranteeing human and economic rights, but also instituted an about-face in: it banned extradition - the cornerstone of U.S.-Colombian relations regarding the drug issue.

However, in contrast to Putnam, I explore not only the institutional changes per se, but also the actors behind these developments and their political motivations. I am specifically interested in the question how this institutional change came about and what the role of President Gaviria was in this process. Accordingly, I seek to provide answers to the following questions: How did the Constituent Assembly come about? Who promoted it, that is, were popular movements or the political parties responsible for the establishment of the Constituyente? What was the role of President Gaviria in this constitutional process? And, finally, what were the positions of the representatives on the question of extradition?

5.3.1 Constitutional Reform Project Promoted “From Above”

The project of drafting a new constitution for Colombia originated during the Barco government. However, as newsmagazine *Semana* argued, César Gaviria “did not inherit in the true sense the Constituent Assembly,” but was rather “one of the fathers of this creature.” (SEM, May 14a, 1990, p. 20) As a matter of fact, at the beginning of 1988, Gaviria as Minister of Government became one of the greatest promoters of the initiative to reform a constitution through a Constituent Assembly. At that time, he drafted with Communications Minister Fernando Cepeda “the famous memorandum that would turn it into reality.” (SEM, May 14a, 1990, p. 20; EE, January 15a, 1988, p. 170-171)

In light of congressional elections in March 1988, both Ministers presented to President Virgilio Barco a proposal to reform the Colombian constitution via a plebiscite or a Constituent Assembly—only under the condition that the Colombian people would convene it. (SEM, October 16b, 1990, p. 21) The original idea for the Constituent Assembly, however, came not from Gaviria and Cepeda themselves, but from the son of the latter who as a law student at Harvard University had written his master’s thesis on constitutional matters related to Colombia. (SEM, October 16b, 1990, p. 21)

Nonetheless, President Barco decided first to seek consensus among leaders of various political parties and factions on the need to held a plebiscite. On October 9, 1989, with the so-called Nariño House Accord (*Acuerdo Casa de Nariño*) the signatories reached

consensus to postulate a plebiscite to reform the constitution. However, in April 1989, the State Council declared the accord unconstitutional. As already described in Chapter Five, in his second attempt, President Barco chose to introduce the referendum on a new constitution to the Congress in August 1989. (SEM, October 16b, 1990, p. 21-23; EE, November 4, 1989, p. 23) But on December 15, 1989, when the Congress' First Commission (later, in its plenary session) and the Senate's First Commission—exposed to the threats and pressure of the drug traffickers—voted in favor of including the issue of extradition into the referendum, President Barco chose to withdraw its constitutional reform package. (Pardo, 1996, p. 226)

Meanwhile, the idea of an independent Constituyente proposed by the Gaviria-Cepeda memorandum was “still floating around without being clearly defined.” (SEM, May 14a, 1991, p. 21) After Luis Carlos Galán was assassinated in August 1989, the proposal of a Constituent Assembly gradually gained more momentum: (SEM, May 14a, 1991, p. 21)

In that moment, a confused reaction to violence broke out that ended up being channeled into the pro-Constituyente movement. Rather than being organized, it was a spontaneous and disorganized feeling. [...] The people that accompanied Galán's remains held placards that said: “No more violence, we want the Constituyente.

According to *Semana*, the young lawyer Fernando Carrillo played a significant role in this process by becoming one of the most important promoters of the *March of Silence*. During this demonstration students of the most important universities of Bogotá protested against the killing of Luis Carlos Galán. According to most Colombian newspapers, this protest march resulted later in the demand for a referendum on constitutional reforms. (SEM, May 14a, 1991, p. 21)

Although presented in most of the Colombian literature and news media as a “initiative and victory of the Colombian student movements,” the call for a referendum on the need of a constitution was in fact born in the heart of the governmental realm and induced *from above*. (SEM, May 15c, 1990, p. 37-39) After President Barco withdraw the constitutional reform package from Congress, Fernando Carrillo presented to his friend José Manuel Cepeda, the son of Communications Minister Fernando Cepeda, a new idea on how to convene a plebiscite.

Carrillo suggested that since in March 1990, six different parliamentary elections were coming up—for Congress, Senate, House, Departmental Assembly, Municipal Council and City Council—a seventh election could be included. In this seventh election Colombians would have the chance to vote on the following statement: “YES to the Constituent Assembly—NO to the Parliamentary Auxiliaries.” (SEM, October 16b, 1990, p. 22) After Carrillo published his proposal in an article in *El Tiempo* and used for the first time the term the Seventh Vote (the so-called *Septíma Papeleta*), the referendum on the constitutional reform project was gaining impulse. As a result, the two major newspapers, *El Tiempo* and *El Espectador*, gave Carrillo’s idea immediately the publicity and promotion it needed. In addition, President Barco, César Gaviria and Fernando Cepeda started to endorse publicly the Seventh Vote.

The determination of the Barco government to promote the constitutional project was reflected in how it attempted to overcome institutional obstacles. For example, when the Registrar (Registrador) refused to count the votes in the eventual seventh election—arguing

that he was only authorized to include the votes for the six elections—President Barco took advantage of his presidential powers and declared a state of emergency. By this way he was able to issue decree-law 927 that made the seventh election valid by authorizing the Registrar to count the more than three million votes in favor of the constitutional reform project. After the Supreme Court declared on May 24, 1990 this presidential decree constitutional, the door was open to vote now on the convention of the Constitutional Assembly.

On May 27, 1990, on the same day César Gaviria was elected President, Colombians also voted to draft the new Constitution. In accordance with that mandate, 70 delegates were selected in special elections on December 9, 1990. The surprise of this election was the overall support for the *Alianza Democrática* with 19 seats in the assembly. This leftist party was newly formed by ex-guerrillas of the *M-19 movement*. The Liberal Party won 25 seats, the Conservative Party 11, and the Social Conservative Party only 5. Evangelical groups, native tribes, the *Hope, Peace, and Freedom Movement* (EPL), and the leftist party *Union Patriótica* gained the rest of the seats. (Thoumi, 1995, p. 226) Four independent conservatives rounded out the list of 70 representatives of the Constitutional Assembly.¹⁸

In a sort of bizarre juxtaposition the delegates elected the following three leaders as presidents of the Assembly: Antonio Navarro Wolff (AD/M-19), Alvaro Gómez Hurtado (Social Conservative Party), and Horacio Serpa Uribe (Liberal Party). The history of these

three leaders had been tragically linked in 1988, when Navarro Wolff and the M-19 kidnapped the prominent Conservative Party politician, Alvaro Gómez Hurtado, and held him for 53 days, until Liberal Party emissary, Horacio Serpa Uribe, negotiated his freedom. Accordingly, Navarro Wolff was called the *kidnapper*, Gómez Hurtado the *kidnapped*, and Serpa Uribe the *negotiator*.

5.3.2 The Role of President Gaviria in the Constitutional Reform Process

In this context, one of the interesting question is related to the role of President Gaviria in the constitutional reform process. One could argue that—if not actively, at last passively—President Gaviria was *permissive* in certain ways of having the extradition issue introduced as a constitutional reform project in the Assembly. Two important events help to highlight the *laissez faire* attitude of the Gaviria administration that reflects that he was neither interested in controlling or impeding the development of the constitutional ban of extradition: first, the declaration of the Supreme Court to take off the limits of constitutional projects introduced into the Constituent Assembly; and, second, the voting system within the Constituent Assembly.

Regarding the number of constitutional topics to be allowed in the Constituent Assembly, President Gaviria had established via decree-law 1926 a limit on the number of

¹⁸In spring 1991, four additional delegates from the three disarmed guerrilla groups joined the constitutional convention.

topics for the constitutional debate. He recommended not exceeding ten themes, among which he considered the reform of the justice system and congress as the most important. (SEM, August 7a, 1990, p. 33) However, in October 1990, the constitutional reform process became complicated when the Supreme Court declared the presidential decree 1926 constitutional, but decided to take off the limits imposed on the themes in the Asamblea Constituyente. One might argue that it was an opportunity for the members of the Supreme Court to get rid of the extradition issue that they had caused them a lot of headache for so long. As a result, the Constituyente was able to include the extradition issue in its constitutional agenda. According to *Semana*, the reactions of Colombians to the Supreme Court's decision was as follows:¹⁹

The optimists perceived it as a white dove, the symbol of peace and national reconciliation. In contrast, the pessimists thought that the Supreme Court's decision led to the release of a Bengali tiger that could end up eating—instead of moving in a docile way inside the arena—the entire circus.

Similarly, the new magazine stated that this decision had opened “the door to a thousand possibilities, including an aspect that surely did not escape the astute intelligence of Gaviria. [He] had in his hands a hot potato: extradition.” (SEM, May 14a, 1991, p. 21)

Once extradition was introduced into the constitutional debate, another factor played a crucial role in the voting outcome on the prohibition of extradition.

¹⁹ By July 1991 nearly 150 constitutional reform projects were introduced into the Assembly. See SEM, October 16a, 1990, p. 14.

When in May 1991 the State Council declared the Assembly's internal rules as regulations of a simple administrative nature, the members of the *Asamblea Constituyente* responded that it would not accept any interference or jurisdictional control by the Supreme Court or State Council. They argued that the Constituent Assembly was "omnipotent, omnimode and sovereign," and, therefore, was not obliged to submit itself to the control of the judicial branch (SEM, May 14a, 1991, p. 18) As a result, the Assembly declared its internal regulations as constitutional.

One of these regulations had to do with the voting system of the Assembly. Instead of the traditional two-third majority, the members decided that a simple majority was enough to vote on a specific constitutional reform. (SEM, March 26, 1991, p. 19) This meant that in addition to the unlimited number of reform projects that facilitated the inclusion of the extradition issue into the constitutional agenda, only 37 instead of 49 votes were needed to approve the prohibition of extradition.

Due to the composition of the Assembly, it was not only likely that extradition would be banned, but also that the members of the governing Liberal Party (that only were represented with 25 seats) were marginalized from the decision-making process. For example, in addition to the votes of the members who represented minority groups (indigenous, evangelist movements etc.), the coalition of the AD/M-19 and Social Conservative Party alone counted already for 30 constituents.

The Assembly's decision on deciding by simply majority on crucial constitutional projects particularly alarmed the Liberal Party since one of these projects was to dissolve and reform the Colombian congress. The way how President Gaviria handled the controversy between the Constituyente and the Congress—and the Liberal Party—showed that he was not interested in intervening in the Constituent Assembly's decision of their voting system, even at the cost of high criticism by his own party.

Antonio Navarro Wolff, the chief promoter of this initiative and co-president of the Assembly, argued that “the transformation of the Congress was one of the principal motivations why Colombians convened us on December 9.” (SEM, March 26, 1991, p. 18-21) Similarly, the leader of the Social Conservative Party, Alvaro Gómez Hurtado, had signaled that he would not oppose the reform of the congress.

Not surprisingly, the congressmen of the Liberal Party were pressing President Gaviria *to do something* about the increasing power of the Constituyente that threatened to close down the Colombian congress. The congressmen insisted when the Supreme Court declared the convention of the Assembly constitutional, that it also included a condition that limited the Assembly's power “to modify the period of the elected congressmen.” (SEM, May 14a, 1991, p. 19) In other words, the Assembly was not authorized to revoke the mandate of the Congress. In various occasions, President Gaviria had backed up the Supreme Court's decision, as for example, during his two interventions before the Constituent Assembly on February 5, and April, 17, 1991. For example, on the question of

the independence and sovereignty of the Assembly, he implicitly cautioned the Assembly in his April 1991 speech not to exceed its power: (CG, April 17, 1991, p. 72)

The assembly is subjected to the scrutiny of public opinion [...] The Colombian people, that is the only sovereign in a democracy, have limited its judicial competence. Without exceeding this competence, but with full autonomy, the Assembly is fulfilling its specific function to “reform the political constitution” as the vote of the electorate demands.

However, when the Constituyente made clear that it would not respect the Supreme Court’s decision, and demanded as an omnipotent and autonomous institution not to be controlled by the judicial branch, Gaviria faced a great dilemma. On the one hand, he had a firm compromise with his political party and the Liberal congressmen, but, on the other hand, he was strongly committed to the Constituent Assembly. As *Semana* states, while traditional liberalism lived peacefully with the Constituyente, the President was able to maintain his commitment to both. However, once the demand for reforming the Congress increased, the tensions between the Constituent Assembly and the congress augmented and President Gaviria preferred to adopt an attitude of *laissez faire* in order to avoid controversy. (SEM, May 14a, 1991, p. 20) The Liberal Party no longer was sure, if Gaviria was favoring his own party or the Constituyente: (SEM, May 14a, 1991, p. 20)

According to the liberal congressmen, what has happened represented not only a problem of presidential loyalty, but also a clear defeat of the party right in the heart of the Constituyente on a key point. By accepting that the reforms were to be approved by simple majority, the *Liberalismo* was marginalized from the decision-making process.

The Liberal Party interpreted the President’s silence and implicit refusal to step in as a referee between the Congress and the Constituyente as a shift towards the project of the Constituent Assembly. (SEM, May 14a, 1991, p. 20) In fact, neither the Supreme Court nor the government repealed the Assembly self-declared state of independence and simply

tolerated it. As a result of the lack of opposition by the government and judicial branch to the increase of power of the Constituent Assembly, the probability that extradition would be banned constitutionally augmented significantly.

5.3.3 The Constituent Assembly and Threats from the Drug Trafficking Industry

In general, Colombians were aware that the Medellín cartel would not hesitate to influence the constitutional process with the one objective in mind: the constitutional ban of extradition. Medellín cartel boss Pablo Escobar was awaiting the decision of the Constituent Assembly in order to receive the final guarantee that he would not be extradited to the United States after his surrender. One has to keep in mind, that when the constitutional debates on extradition started on May 14, 1991 the Medellín cartel had still not released *El Tiempo* journalist Francisco Santos and Maruja Pachón. Although it is difficult to establish how and whom the drug trafficking industry attempted to bribe and to identify the level of intimidation the Assembly's representatives were exposed to, there are indications that the drug traffickers did attempt to pressure the Constituyentes.

As Rafael Pardo described in March 1991, President Gaviria informed him about the existence of a video tape that showed Pablo Escobar's lawyers offering at the Bogotá hotel Tequendama \$ 2 million Colombian pesos to AD/M-19 representative Augusto Ramirez. They asked "explicitly the Constituyente to vote in favor of eliminating extradition and the approval of amnesty." (Pardo, 1996, p. 293) According to *Semana*, the Colombian police

were tipped off through the DEA who received the information from Ariel Otero, the second-in-command of the main paramilitary group that was at war with Pablo Escobar in Puerto Boyacá. (SEM, April 2, 1991) Moreover, there were rumors that Escobar's lawyers had paid 35 delegates to the constitutional convention about US\$ 4,000 each to vote against extradition. (NYT, Oct 3, 1991, p. 38)

What to most Colombians appeared to be an attempt by the Medellín cartel to bribe members of the Constituent Assembly in order to influence the decision-making process on the extradition issue, others believed that it was a setup by the Puerto Boyacá paramilitary group. Rafael Pardo, for example, argued that the videotape was devised by Ariel Otero and his *grupo de autodefensas* to discredit Pablo Escobar: (Pardo, 1996, p. 294)

[Augusto Ramirez]—who never intervened in the Assembly—came from Puerto Boyacá and was part of the multicolored alliance that Navarro established. [...] He did not represent the quota of the paramilitaries, but of the political sector who was supporting them. In that period, the paramilitary groups were demobilizing in that area and ferociously confronting the organization of Escobar [...] The whole thing did not appear to be logical, a suspicion that the leader of the autodefensas later confirmed to me. [...] He admitted that they had planned this setup as part of his fight against Escobar.

Another indication of the attempt of the drug traffickers to pressure the members of the Assembly was reflected in the statement of Liberal Party representative Horacio Serpa Uribe stated during the debates on May 14, 1991 that the drug traffickers were seeking to force the government to abolish extradition by using hostages:²⁰

I have maintained on several occasions that this debate should not take place while *The Extraditables* keep holding Maruja Pachón and Francisco Santos hostages. It is eminently obvious and of public knowledge that these kidnappings serve the interests of *The Extraditables* to achieve that the government [...] abolish extradition. It is just like that and all Colombians know that.

²⁰I will refer to the different debates on extradition of the Constituent Assembly as (CA, Date, Page). See CA, May 14, 1991, p. 15.

Furthermore, he argued that various concepts that the drug traffickers had presented previously in their communiqués were reproduced by some of the representatives in the debate on extradition. (CA, May 14, 1991, p. 15) Most important, Serpa insisted before the Assembly that there were no guarantees to vote on that topic, that is, that one was protected against any attempt of intimidation or threats by the drug traffickers: (CA, May 14, 1991, p. 15)

I share the opinion of many representatives that there are not many guarantees in the Constituent Assembly to vote on this issue. The simple fact that we had to modify the regulation in order to vote secretly on this issue, speaks for itself and demonstrates that there are strange things in the air. It is evident that there are not many guarantees.

In a similar way, AD/M-19 representative María Mercedes Carranza argued that the discussion of the extradition issue before the Assembly did not represent a debate in the true sense since free opinions on the issue were not possible: “The only thing that is possible here is to apologise no-extradition because there exists no guarantees to express their opinions freely about the issue. (CA, May 14, 1991, p. 19) In addition, Misael Pastrana, former Liberal president and representative of the Conservative Party, maintained that it was not easy “ to discuss this topic due [...] to implications of pressures, that undoubtedly—in invisible form or at least because people believed—were present.” (CA, May 14, 1991, p. 20)

However, with or without the pressures of the illegal drug trafficking industry, the composition of the Assembly itself made apparent that the national forces—that is, the ones who opposed extradition—were outnumbering the international coalition, that was still convinced that extradition was a powerful instrument in the war against drugs.

5.3.4 The Majority of Representatives of the Constituent Assembly Support Prohibition of Extradition

One of the factors that finally helped to constitutionally prohibit extradition was the composition of the Constituent Assembly and positions of the representatives on the subject. The members of the AD/M-19 group—that consisted of a coalition of ex-guerrillas, social democracy-oriented or independent politicians—were clearly in favor of the prohibition of extradition, as the debates on the extradition in the Constituent Assembly demonstrated. Some months earlier, the M-19 had expressed its support for negotiation with the drug traffickers and for a political treatment that would provide them with amnesty. (SEM, Oct 16, 1990, p. 17)

As the testimony of Fabio Villas, a representative of the AS/M-19, demonstrated, the argument of most members was that the extradition of Colombians to the United States was perceived as an assault on the country's sovereignty: (CA, June 13, 1991, p. 2-3)

In my opinion, the problem of extradition is a problem that we have to solve in honor of the defense of our sovereignty [...] We should constitutionalize non-extradition of Colombians, in order to avoid that the government keeps extraditing via administrative law.

Members of the minority groups—that is, MPL and the indigenous movement—also supported non-extradition as the testimonies of the their respective representatives, Jaime Fajardo and Francisco Rojas Birry, reflected. (CA, June 12, 1991, p. 13-15)

In a similar way, the representative of the Conservative Party, Hernando Londoño, justified his favoring of the prohibition of extradition with the argument that since one of

the goals of the *Constituyente* was to strengthen the judicial system, the use of extradition as a single instrument in the fight against drug trafficking had become obsolete. (CA, June 12, 1991, p. 6-8) Also, Juan Gómez, the Social Conservative Party representative, announced that he would vote in favor of constitutional prohibition. (CA, June 12, 1991, p. 8-9)

Even a significant number of representatives of the governing Liberal Party favored—although for different reasons—the constitutional prohibition of extradition. For example, Horacio Serpa argued on the grounds of patriotism that Colombian should be judged in Colombia: (CA, May 14, 1991, p. 18)

I think that it is valuable to impose the rule of non-extradition of Colombians, but not because of fear [...] that there would be more violence against the State, [...] not because we represent the good, the healthy, the convenient and institutional side [...]; it is because there is a basis of solidarity with our compatriots [...] Therefore instead of turning over Colombians to a partial justice system, we prefer to judge them ourselves [...].

Diego Uribe Vargas, another Liberal Party representative, argued that there was no international treaty anymore that would force Colombia to extradite Colombians: (CA, May 14, 1991, p. 7)

I believe that in light of the absence of an international commitment—we do not have any treaty that compel us extradite our compatriots—and the existence of a modernized justice system, we do have to recognize, Members of the Assembly, that we have the right to judge Colombians in their home-country [...].

Other Liberal Party representatives opposed similarly extradition. For example, Guillermo Guerrero considered extradition as a violation to one's right of fair trial and defense. (CA, June 13, 1991, p. 3-5) And, Jaime Arias argued that if drug traffickers would be extradited to the United States and incarcerated in American prison, it would be

impossible to resocialize them after they were send back to Colombia. (CA, May 14, 1991, p. 27)

Probably, the most outspoken representatives in against the abolition of extradition were the two Liberal Party representatives Iván Marulanda and Carlos Lemos Simmonds. Marulanda argued that in recent years Colombians and the Constituent Assembly had not thought about the fact that “there is a handful of criminals that are threatening to pay for their assassinations and terrorism by the expedient of extradition.” (CA, June 12, 1991, p. 16) He insisted that Colombia did had neither the institutional capability nor the possibility of dealing with drug trafficking. For him, the power of the drug traffickers was too great and perceivable at every level of Colombian life—political, economic, social, and religious. Marulanda reminded the Assembly that a great number of Colombian people who the drug traffickers could not corrupt were killed, threatened or intimidated. Accordingly, he argued, the Assembly had a historic responsibility to vote against the constitutional banning of extradition and to continue using it not only as an expression of international solidarity, but also to defend the country’s integrity: (CA, June 12, 1991, p. 16)

We are facing history, Honorable Representatives, and we have to respond to our forebears who gave their lives so that this country could be noble and decent. [...] We are also responsible to respond to our future generations because if we do what we are doing here, then we are definitely turning this country into a handful of criminals.

In a similar way, Carlos Lemos Simmonds refused the position of some members of the Constituent Assembly that Colombians be punished solely in their home country and before local authorities. (CA, June 13, 1991, p. 7) He justified his support for the extradition of Colombians to the United States on the following grounds: “When a

Colombian triumphs outside the country, he deserves an award in that foreign country; but when a Colombian commits crime in a foreign country, than he deserves to be punished there. (CA, June 13, 1991, p. 7)

5.3.5 President Gaviria's Motivation for Remaining Silent

During the discussions on the extradition issue, a number of representatives—such as AD/M-19 member Otti Patiño and Conservative Misael Pastrana— increasingly insisted on the opinions of government officials that had kept silent during the entire debate. Finally, shortly before the voting on extradition in the Assembly took place, the Minister of Government, Humberto de la Calle Lombana appeared before the *Constituyente*. (CA, May 14, 1991, p. 3, 42) In his address to the Constituent Assembly, the Minister of Government stated that the official position of the Gaviria administration was opposed to the constitutional ban of extradition since it proved to be an effective instrument for the new surrender policy: (CA, June 13, 1991, p. 22-23)

The government has performed its non-extradition policy within the context of its surrender policy, that is, the surrender of the criminals to the Colombian justice system. The government is convinced that this policy has been fruitful and successful [...]. [It] believes that the extradition issue should not be dealt with at a constitutional level. That is, the Constituent Assembly should not pronounce itself on this topic.

Furthermore, Humberto de la Calle declared that the government had considered “extradition as one, but not as the only instrument in the fight against drugs.” (CA, June 13, 1991, p. 22-23) Probably, the most ambiguous statement made by the Gaviria administration was the following: (CA, June 13, 1991, p. 23)

The government will respect and obey to any decision adopted by this Assembly on this issue, and understands and declares that in its opinion this is a sovereign and free vote by the Constituent Assembly of a democratic country that in turn deserves the respect of the international community.

This could be interpreted as a signal to the Assembly that President Gaviria would not make use of his extended presidential powers to interfere in the Assembly's decision to prohibit extradition. Simultaneously, it was an explicit message to the international community, particularly the United States, to respect the "sovereign and democratic" decision of the Constituent Assembly to ban extradition—the key issue in U.S.-Colombian relations and cooperation in the fight against drug trafficking.

On June 19, 1991, the Constituent Assembly voted on the following Article 35: "The extradition of Colombians of birth is prohibited; extradition of foreigners for political and opinion crimes is not granted; Colombians who have committed crimes outside the country—considered as such in the national legislation—will be tried and judged in Colombia." (CA, June 19, 1991, p. 9) The 74 representatives voted as follows: 51 in favor, 13 in contra, and 5 abstentions. (CA, June 19, 1991, p. 9)

In sum, several factors might explain why President Gaviria decided not to intervene actively in the constitutional process to stop the constitutional ban of extradition, but to remain silent. To be clear, the decision to take off the limits on the number of themes to be introduced into the Constituent Assembly—which enabled the inclusion of the extradition issue in the constitutional agenda—was made by the Supreme Court and not by the Gaviria administration. Similarly, neither the Supreme Court nor the State Council attempted to

repeal the decision of the Constituyente to declare its internal regulations constitutiona—which included a voting system that clearly facilitated the prohibition of extradition.

However even if the executive branch was not directly responsible for the lack of limits on constitutional patterns and the voting system in the Constituent Assembly, it was in the position of preventing the institutional outcomes. Just as President Gaviria had used his presidential powers to declare a state of siege in order to issue decree-law 1926—that established previously the limits of the constitutional themes—he could also have used the same powers to override the Supreme Court's decision. Or even more, just as President Barco had prevented in 1989 the introduction of the extradition issue in his constitutional reform project—he withdraw the entire constitutional reform package from Congress—, Gaviria could have found other ways of avoiding this development. However, as news magazine *Semana* argued, the government decided “to *duck down* when the Constituyente decided to disregard the Supreme Court's decision and made a call for its independence.” (SEM, May 14a, 1991, p. 219-20)

One explanation for President Gaviria's *laissez faire* attitude might be the fact that he had been faced since his presidential inauguration with a domestic situation in which the defense of the use of extradition as the primary instrument in the war on drugs was failing. Unprecedented levels of terrorism and violence, and since the end of 1990 a wave of kidnapping targeted against the political establishment had exhausted the country.

However, in light of the negative implications at both the domestic and international level, President Gaviria was not able to change the extradition policy from within the executive branch. As the heir to Galán's political ideas and anti-drug commitment—and whose son had entrusted Gaviria at the funeral with his father's political project—it was impossible even to insinuate such an initiative from the Presidency. In addition, the Gaviria administration was under enormous pressure to produce positive results with its new surrender policy. Exposed to the high pressures of the Medellín cartel, he had already modified and facilitated in several instances the original conditions for the surrender of the drug traffickers to the authorities. However, Pablo Escobar, the most important Colombian drug traffickers was still not willing to surrender, insisting on the full guarantee of not being extradited to the United States.

At the international level, the commitment of the Barco administration to fight drug trafficking and fully cooperate with the United States had raised Colombia to the level of a firm and trustworthy partner in the war on drugs. Accordingly, it was critical for President Gaviria neither to risk this political capital nor to allow tensions in U.S.-Colombian relations. The Gaviria administration had already been successful in getting the "approval" of the United States for its two-side surrender policy in which extradition was still considered a powerful instrument in the persecution of the drug traffickers. Thus, the only way out of this dilemma was to pass the responsibility for a decision on the extradition issue to a completely independent institution from the Presidency. The Constituent Assembly presented the perfect solution, and, therefore, he preferred not to aggressively

intervene and use his presidential power to stop this development, but to keep silent and allow extradition to be banned.

5.4 Third Phase: The Surrender of Pablo Escobar after the Constitutional Ban of Extradition

On June 19, 1991, five hours after the Constituent Assembly voted to ban extradition of Colombian criminals, Medellín boss Pablo Escobar finally surrendered to Colombian authorities.²¹ During recent months, Pablo Escobar had negotiated his jail conditions intensively with the Colombian government: he wanted a prison in a rural area, away from traffic routes, and close to Medellín. After the mayor of Escobar's hometown Envigado (near Medellín) offered a construction project—that ironically was labeled, *Center for Rehabilitation of Drug Addicts*—as a adequate prison location, the government decided to use the Envigado building for the construction of a high security prison.²² (SEM, July 25, 1991, p. 35)

²¹It is interesting to note, that Rafael García Herreros who played with Albert Villamizar a major role in the surrender of Pablo Escobar, broadcasted some of his messages to Pablo Escobar via a prime-time television program called "The Minute of God" (Minuto de Dios). See SEM, March 21, 1991; SEM, June 25b, 1991, p. 22-27.

²²The news magazine *Semana* describes further that due to his fear that he could be killed by his enemies—other than the Colombian police, military or special forces—Pablo Escobar insisted on the selection of the prison personnel who he preferred to be Medellín native-born guardians: "The government recognized that a careful selection process was necessary to impede that Escobar's enemies would convert them [the guardians] into power full instrument." For this purpose, a small committee was established that included the Mayor of Envigado, the regional Attorney General, and the director of the prison as representatives of the government. Being from Medellín, the first two members were accepted by Pablo Escobar, and also by the government for being high-ranking government officials. See (SEM, July 25, 1991, p. 35)

The important question was not only how the major political actors in Colombia reacted to the constitutional ban of extradition and the immediate surrender of Pablo Escobar, but the U.S. policy makers responded to this policy outcome.

5.4.1 Majority of Colombians Perceive No-Extradition and Surrender of Escobar as End of Drug Terrorism

In Colombia, the public and most of the major political actors perceived the constitutional ban of extradition and the simultaneous surrender of Pablo Escobar as the end of narco-terrorism. One month earlier, the majority of Colombians had expressed their support for changing the extradition policy in a survey conducted in May 1991. About 82 percent of the interviewed persons responded to the question “Do you agree that the new Constitution prohibits extradition?” with “Yes.”²³ Furthermore, in a June survey 75 percent of 768 interviewed Colombians were convinced that the Colombian justice system was capable of leading an impartial trial of Pablo Escobar. (ET, June 30, 1991) This clearly showed that most Colombians considered the Escobar’s surrender as a victory of the Gaviria administration and its new drug policy.

Most Colombians expressed their satisfaction over the subsequent surrender of Pablo Escobar. Famous writer Gabriel García Márquez, for example, argued that Pablo

Escobar represented a success for Gaviria's surrender policy: "A fellow who was persecuted by the police forces for ten years, was captured by Gaviria with one decree. This is a triumph of intelligence." (ET, June 20, 1991, p. 38) Furthermore, representatives of economic interest groups, such as the president of the Banco Cafetero, forecast excellent economic perspectives since the environment for foreign investment had improved substantially. (ET, June 21, 1991)

However, opponents of the prohibition of extradition, such as Liberal Party member Carlos Lemos Simmonds, argued that it depended now on the Colombian justice system to demonstrate its capability to judge the drug trafficker: "Pablo Escobar fulfilled his duty. Hopefully, the justice system does its part." (ET, June 20, 1991, p. 38) In a sharper critique, Enrique Parejo González, a former Justice Minister who survived a cartel attack in 1987, stated: "How can we speak of compliance with the laws by those who obtained them through extortion and crime? [...] Can we honestly speak of the surrender of the traffickers to the state? Would it not be more exact to speak of the submission of the state to the will of the delinquents?" (NYT, October 13, 1991, p. 38)

²³See ET, May 20, 1991, p. 8A. The survey was conducted with 700 Colombians from different political sectors between May 18 and 20, 1991. It is interesting to note, that there was across the party-line a great opposition to extradition of Colombians to the United States: 90 percent of the followers of the M-19 rejected extradition, 89 percent of the Social Conservative Party, 83 percent of the Conservative party, and 81 percent of the Liberal party.

Meanwhile, in anticipation of the possible negative reaction of the United States, the Gaviria administration through its Minister of Foreign Relations made the following declaration: (ET, June 21, 1991, p. 7A)

The public opinion polls demonstrated that Colombians did no longer wanted the extradition of nationals. It was imminent that the Constituent Assembly would approve the no-extradition. The U.S. authorities knew it. Yet, they always had said that they preferred to continue with the extradition of the drug traffickers. [...] I hope that they will react positively because what has happened indicates that Colombia has recovered its justice system, which was one of the goals of President Gaviria.

In the next section, I examine the reaction and response of the Bush administration and the congress to the constitutional ban of the most important enforcement instrument in the fight against the Colombian drug traffickers.

5.4.2 The United States Responds with Disappointment, But Commits to Respect Colombia's Decision

When the extradition issue was introduced in the constitutional agenda of the Constituent Assembly, the U.S. government already foresaw the possibility that the Assembly would abolish this drug enforcement instrument. At that time, the spokesperson of the American Embassy in Bogota warned Colombians that it would be a great mistake if this were to happen: (EE, April 16, 1991, p. 7A)

A decision of the Constituent Assembly to prohibit extradition or to acquit the drug traffickers would be a serious mistake and would be a backlash in the fight against drug trafficking.

Once the Assembly voted against extradition and Pablo Escobar surrendered to Colombian authorities, the Bush administration expressed its disappointment and skepticism regarding the future of Colombian anti-narcotic efforts. White House spokesperson, Sean

Walsh, stated that the U.S. government would have liked to see Pablo Escobar judged in the United States: “We want to see him before justice. Obviously, we would have liked to bring him before the U.S. justice. But if he can be tried and will receive an appropriate punishment in Colombia, so be it.” (EE, June 20, 1991, p. 13A)

On June 25, 1991, the statement of U.S. Ambassador McNamara reflected more clearly that the executive branch was not comfortable with the decision on extradition. Although the U.S. Ambassador stated that for the moment the U.S.-Colombian relations were excellent, he stressed that the future of U.S.-Colombian relations hinged on the questions of how many years Pablo Escobar would get, for which crimes he would be punished—that is, whether he would be penalized only for terrorism or also for drug trafficking—and on whether the drug trafficker would keep part or all of his properties: (ET, June 25, 1991)

I am confident that the Colombian government, and hopefully the Colombian people, are going to demand a severe punishment. If there is no justice, then we will have a problem between the Colombian and the American people, the Colombian government and the U.S. government.

Furthermore, he argued that in the United States there was great skepticism about the capability of the Colombian justice system to try and punish the drug traffickers adequately—a justice system that had proved for so many years to be ineffective against the drug traffickers. (ET, June 25, 1991) McNamara emphasized that with the new surrender policy and prohibition of extradition, Colombians had put into the hands of the justice system an immense obligation “to effectively administer justice against [...] the drug traffickers.” (ET, June 25, 1991)

Nonetheless, McNamara declared that besides the fact that the U.S. government was uneasy about the constitutional ban on extradition, it would also respect the decision and keep supporting Colombia in its anti-drug efforts: (ET, June 25, 1991)

It is a sovereign decision of the Colombian government or the Constituent Assembly and we will respect this decision, although we do not agree with it. [...] We will support Colombia, but Colombian justice has to prove—because in the last ten years it did not prove it—that it is capable of confronting the drug traffickers and of bringing justice here to Colombia.

On August 4, 1991, the tone of the U.S. government had already changed toward a more tolerant attitude toward Colombia. For example, the U.S. Ambassador declared that the U.S. government was committed to respect the decision on extradition: “Two and half years ago I was the first one who said that extradition is not a solution to the drug trafficking in Colombia. It is a useful instrument, but the Colombian justice system is the solution. Yes, it is true; we wanted to continue with the extradition. But we can also go on without it.” (ET, August 4, 1991)

Meanwhile, U.S. State Department officials attempted to justify and to persuade the congress not to overreact to the new developments in Colombia. For example, Philip McLean, the Deputy Assistant of the Bureau of Inter-American Affairs, argued in his testimony before the House Committee on Foreign Affairs in July 1991 that the United States should understand that extradition was “an extraordinarily unpopular measure” and that Colombians were in the initial stages “for doing something in the Italian experience of terrorism and the Mafia.” (U.S. Congress, 1991d, p. 41)

Furthermore, Melvyn Levitsky, the Assistant Secretary for International Matters, argued in the same hearing that the United States should not trivialize and lose sight of the fact that about a dozen of the major Medellín traffickers were in jail:” They are in jail because the Colombians put so much pressure on the Medellín cartel; because they destroyed a good deal of its infrastructure, blew up its labs, hunted down its leaders and lieutenants, killed some of the leaders in the process, and put terrific pressure on that very vicious criminal cartel.” (U.S. Congress, 1991d, p. 3-4)

In addition, he emphasized that President Gaviria “pledged that his Government will do everything possible to convict Escobar of his crimes and issue the harshest possible punishment available [...] and that trafficking from jail by Escobar or the others will not be tolerated.” (U.S. Congress, 1991d, p. 3-4) Also, Levitsky implicitly warned members of Congress that since Colombia was the country that had “implemented the most effective counternarcotic efforts over the last two years” the United States would be better off to be patient: (U.S. Congress, 1991d, p. 8-9)

We must be prepared to move ahead collectively and help Colombia strengthen its judicial system so that it can deal with Pablo Escobar. We want to see justice done. We want to see the Colombian legal system work, to demonstrate to the world and to Colombia that years of violence and intimidation must now yield to law and due process. That will take time and patience.

However, the Assistant Secretary for International Narcotics Matters also made clear that the U.S. State Department was keeping an eye on upcoming developments in the Escobar case: (U.S. Congress, 1991d, p. 52)

I would recommend that we keep our eye on it whether justice is done. That is the bottom line. That is the marker that President Gaviria has laid down in terms of justice being served, punishment fitting the crime. He talks about the harshest sentence available under the law [...] and that is very important to us.

The reaction of DEA officials—who previously had been highly critical of an eventual constitutional ban of extradition—varied significantly. Charles Gutensohn of the Cocaine Investigation section of the DEA pointed out that one should look at the positive results that Colombia had achieved. He maintained that if somebody had said two years ago that the complete hierarchy of the Medellín cartel would either be dead or in jail and that the Colombian National Police would be seizing over a hundred tons of cocaine in two years, “we all would have thought we were dreaming, but that is exactly what has happened in the last two years.” (U.S. Congress, 1991d, p. 46-47)

However, in a more cautious attitude, DEA director Robert Martinez stated that without extradition the United States’ role was reduced to hope and wait for positive results: (NYT, June 21, 1991, p. 8A)

I believe President Gaviria wants to have a criminal justice system that can provide the trial conditions that can lead to a conviction. [...] We’re hoping the judge is competent. [...] Hoping the judge is free to make a decision, hoping that all the evidence will be taken and that it leads to a maximum sentence.

In a more critical tone, Peter Bensinger, a former chief of the Drug Enforcement Agency, commented on the surrender of Pablo Escobar as follows: “This is a travesty of justice. [...] We might be better off by his still being a fugitive than his living in a comfortable jail.” (NYT, June 21, 1991, p. 8A)

In contrast to the official position of the executive branch regarding the prohibition of extradition that consisted of a combination of disappointment, skepticism, and tolerance, the

American news media and a great number of congressmen expressed very clearly their consternation about the developments in Colombia. The headlines of the Miami Herald, Washington Post, and New York Times were speaking for themselves: *Colombian Turned Over Its Anti-Drug Policy* (MH, June 3, 1991), *Colombia Says That It Will Confront Trafficking From The Prison* (WP May 30, 1991); *Drug Baron Gives Up In Colombia As End To Extradition Is Approved* (NYT, June 20, 1991); *Arrest Called Unlikely To Cut Narcotics Shipments To U.S.* (NYT, June 21, 1991); and, *Surrender In Colombia* (NYT June 22, 1991). The major criticism was targeted against the Colombian government, which was perceived of having made too many concessions to the drug traffickers, and of wanting peace at any cost.

In addition, many U.S. newspapers described the high security prison in Envigado where Pablo Escobar was incarcerated as a luxurious prison that was especially prepared for him in his home town: (NYT, June 20, 1991, p. 1A)

Mr. Escobar is to live in a cluster of red-tiled bungalows with private baths and a panoramic view of the Andes. There are television and game rooms and a soccer field as well, all ringed by guard towers and an electrified, 18-foot-high fence. The security of the jail was designed more to guard against intruders bent on revenge than to prevent escapes. In negotiating the surrender, Colombian officials said, Mr. Escobar's lawyers drew up a contract prohibiting policemen and soldiers from entering the 2.5-acre compound.

As the *New York Times* described, many experts declared that they found it insulting that the Gaviria administration had bargained with "such a violent criminal and that the trafficker was reportedly being treated more like a state guest than a prisoner." (NYT, June 20, 1991, p. 1A) In addition, they were distressed that there had been no indications that

Colombia intended to seize Escobar's farms and ranches, bank accounts and other business interests. (NYT, June 20, 1991, p. 1A)

According to the New York newspaper, European diplomats also criticized Gaviria's appeasement policy: "What initially was a carrot and stick policy, has ended up as all carrot and no stick. [...] The Colombians talk as much as possible about the seizures because at the end of the day, when Pablo Escobar is given only three years, it will be the only fig leaf they will have to hide behind." (NYT, October 13, 1991, p. 38) In addition, most critics interpreted the dismissal of drug hard-liner Gen. Miguel Maza Marquéz, the head of the Department of Administrative Security, by the Gaviria administration as another sign of the drug policy shift toward appeasement.

Besides the harsh criticism of the largest U.S. newspapers of Gaviria's new drug policy and the constitutional ban of extradition, a number of Congressmen expressed their disappointment and skepticism. Senator John F. Kerry, the Massachusetts Democrat who headed the Senate subcommittee on narcotics and terrorism, stated the following: (NYT, June 21, 1991, p. 8A)

At first blush it seems to me this guy got a hell of a deal, and it kind of turns the notion of law enforcement on its ear—that crime does pay. [...] Now maybe they've got some plan to prosecute him. [...] But my suspicion is that he's got enough violent cronies out there that he's going to get the deal he wants. I suspect the worst.

Similarly, during the July 1991 hearings of the House Committee on Foreign Affairs Chairman Edward Feighan expressed his concern about Gaviria's new drug policy and

skepticism that Pablo Escobar would be tried properly by the Colombian justice system:

(U.S. Congress, 1991d, p. 1)

I certainly am concerned about the ban on extradition to the United States that was adopted by the Constituent Assembly in Colombia, given the past failure of Colombian judicial system to prosecute and punish drug traffickers adequately. I am concerned that Pablo Escobar and the leadership of the Medellín cartel is not going to feel the full weight of the law for the crimes that they have committed or that their surrender will mean the dismantling of their drug operations.

He also stated that meanwhile the Colombian government had put so much one-sided pressure on the Medellín cartel, the Cali cartel had become the number one cocaine supplier to the American market. The following statement reflected his frustration about the poor results of President Bush's Andean Strategy: (U.S. Congress, 1991d, p. 1-2)

Perhaps most troubling of all, I am deeply concerned with reports that we have received from our people in the field, which indicate that after three years now and literally hundreds of millions of dollars spent on the Andean Initiative, we may be in a position to have to conclude that we have far too little to show for our anti-narcotic efforts.

With regard to the security conditions of the Envigado prison, the Committee expressed its concern that "the surroundings that Escobar and his colleagues may be living in" would enable the leadership of the Medellín cartel "to continue control of the operations of the cartel from their confinement." (U.S. Congress, 1991d, p. 45)

Furthermore, the final report of the Senate Judiciary Committee and International Narcotics Control Caucus in September 1991 in which the U.S. President's drug control strategy was evaluated, indicated the U.S. Congress' mistrust about the prohibition of extradition. It demanded that Colombia demonstrate to the entire international community that it was able *to pass the test* with its new drug policy: (U.S. Congress, 1991f, p. 104)

We are disappointed that traffickers such as Escobar will not be sent to the United States to face drug-trafficking charges under a policy—initiated by President Gaviria, and subsequently affirmed by a

constitutional convention—that prohibits extradition. However, the importance of incarcerating Escobar and his top lieutenants should not be underestimated, and we regard it as a step forward. Of course, it would be a retreat—and major setback for the drug war—if Escobar is not given a long sentence, or if he continues to operate from the cartel from his prison cell. The handling of his case will be the true test of Colombia's non-extradition policy.

One of the few congressmen who still actively and explicitly supported President Gaviria's new drug control strategy was New York Democrat Charles Rangel. On June 28, 1991, the chairman of the Committee of Narcotics Control and Abuse wrote in a *Wall Street Journal* article that Colombia was not making a “deal with the devil”—as implied by the same newspaper—and that the United States should give Colombia a chance: “By prohibiting extradition, Colombia is not renouncing its commitment to put an end to the drug plague, but the contrary.” (WSJ, June 28 1991, p. 13A; WSJ, February 1, p. 11A)²⁴

Furthermore, in his opening statement in the October 1991 hearings before the Subcommittee on Legislation and National Security he indicated that Colombia had done more than any other country and therefore deserved an opportunity: (U.S. Congress, 1991g, p. 141-143)

I continue to give my full support to the efforts of President Gaviria and his Government to rid Colombia of the influence of the cocaine cartels. [...] The people of Colombia have shown the most courage and have made the most valiant attempt of any nation in the war against drugs. [...] The President of Colombia doesn't need anybody to say kind things about him. His courage is a symbol, I think for the entire world leadership to see how he has stood up to the drug traffickers in Colombia, and how with United States assistance [...] he's attempting to set up a court system that would not force him to push for extradition but to have a criminal justice system that South Americans and Colombians would know that they can take care of their own.

²⁴Earlier in February the newspaper had accused Colombia to “bargain with the devil.” See *Wall Street Journal*, *The Americas: Colombians Forced To Bargain With the Devil*, February 1, 1991, p. 11A.

In response to the skeptical and critical attitude of the American news media and several Congressmen toward Colombia, the Gaviria administration launched in June 1991 a huge media campaign in the *New York Times*: on the publicity page were shown the photographs of the six major Colombian drug traffickers—Carlos Enrique Lehder Rivas, Jorge Luis Ochoa Vásquez, Jose Gonzalo Rodríguez Gacha, Fabio Ochoa Vásquez, David Ochoa Vásquez and Pablo Escobar Gaviria—with the caption: “For Years, They Were Drug Lords. Now They are Dead or In Jail.” (ET, June 22, 1991, p. 10B) He stated that it was much more positive for Colombian society to have Pablo Escobar behind bars than to have a violent solution: “This country is tired of violent solutions. There is no excuse to continue fighting in Colombia.” (NYT, October 13, 1991, p. 38)

5.5 Final Phase: Pablo Escobar Escapes From Prison

In light of the highly skeptical attitude of U.S. news media and policy makers, the trial and punishment of the notorious drug trafficker Pablo Escobar effectively became the test case and symbol of President’s Gaviria surrender and non-extradition policy. Although a number of Colombian and American policy makers still had their doubts about the working of the new surrender policy, nobody could have imagined that Pablo Escobar would escape from his prison, the so-called *La Catedral*, in his hometown Envigado.

On July 13, 1992, the Gaviria government received information that Pablo Escobar had not only continued allegedly his drug business from prison, but was directly and personally involved in crimes—even against his own associates of the Medellín cartel. According to former members of the Medellín cartel, from his cell Escobar ordered the killing of the Galeano and Moncada brothers for supposed fraud; both brothers were in charge of the drug business meanwhile he was behind bars.²⁷

As a result, the Gaviria government decided to tighten security on Pablo Escobar in the Envigado prison. The Security Council—including President Gaviria, Defense Minister Rafael Pardo, Justice Minister Andrés González, Minister of Government Humberto de la Calle, the Commander of the Military Forces Gen. Hernando Murillo, and the Attorney General Gustavo de Greiff—determined to take the following actions: first, to replace the prison guards with the soldiers of the IV Brigade that until then had formed a security ring around the prison; and, secondly, to send Vice-Justice Minister Eduardo Mendoza and the Director of the National Prison System, Hernando Navas, to the Envigado prison in order to ensure the transfer of Pablo Escobar to an isolated military facility. (Pardo, 1996, p. 433ff)

However, this project failed entirely due to a number of unfortunate events. First, the commander of the IV Brigade at the Envigado prison refused to execute the orders of his commander Gen. Murillo and Defense Minister Rafael Pardo.

²⁷The informants also describe how Escobar ordered the assassinations of twenty of his security cadre. See SEM, February 2, 1993, p. 31.

5.5.1 Pablo Escobar Escapes after Gaviria Administration Unsuccessful Attempt of Prison Transfer

After Pablo Escobar had spent several months in the *La Catedral* prison, the notorious head of the Medellín cartel managed to escape, with nine other prisoners, in the early hours of July 21, 1992 after he held Vice-Justice Minister Eduardo Mendoza and the chief of the National Prison System, Lieutenant Colonel Hernando Navas, hostage for some hours. (Pardo, 1996, p. 425-468; SEM, July 28a, 1992, p. 25-31) The hostages were freed by soldiers who stormed the prison in the early morning on July 21. The main question was how this could have happened?

According to Rafael Pardo, the events surrounding Escobar's escape had their origin in a report of the General Attorney's investigative commission on the jail conditions that the Gaviria administration received in January 1992.²⁵ (Pardo, 1996, p. 428) The commission had registered a number of irregularities in the management of the prison, and the organization of the prison's wardens. (SEM, June 9c, 1992, p. 39)²⁶ As a result, a colonel of the military forces was designated as the chief of the Envigado prison. However, as Pardo states, "this measure did not work [since] in the prison a scaffold of luxuries and unauthorized constructions—only known after the escape of the prisoners—were developed." (Pardo, 1996, p. 429)

²⁵This report was called *Report on the Visit of the General Attorney (Procuraduría) of the Envigado Prison*.

²⁶ According to newsmagazine *Semana*, the Envigado prison included the following security standards: 25 prison wardens and 40 special security guardians, and a security ring around the prison that consisted of 180 soldiers of the IV Brigade. See SEM, June 9, 1992, p. 39.

Secondly, the two government emissaries, Eduardo Mendoza and Hernando Navas, entered the prison without armed escorts and without the authorization of the Security Council, where they immediately were held hostage by Pablo Escobar. In the early morning hours, after Pablo Escobar refused repeatedly to release the hostages, President Gaviria ordered military action to rescue the hostages during which Escobar escaped.

Obviously, this escape of Pablo Escobar left a number of questions and doubts on the government's actions and motivation of Escobar to run off open. First, it was not clear why the government sent—in light of all the information available on the mismanagement of the prison and the integrity of the prison wardens—the chief of the National Prison system and a second-level governmental official into the “lion’s den” instead of the Justice Minister or even the Defense Minister.²⁸ In a similar way, it remains unclear why the IV Brigade under Commander Pardo Ariza—who was personally present in the Envigado prison throughout the last months and who would have known about the reported irregularities—was entrusted to occupy the Envigado prison and to replace the prison wardens.

²⁸ Presumably, this decision was made because Justice Minister Andrés Gonzalo had been in office for only two weeks, and the military forces insisted on the presence of an representative of the Justice Ministry.

In the same context, the question of why Pablo Escobar chose to escape—in light of full guarantees of not being extradited to the United States—remained unanswered.²⁹ One of the possible explanations was related to a ruling by the U.S. Supreme Court on the Alvarez Machín case that legitimized the capture of criminals that had been indicted in the United States by U.S. security forces outside U.S. territory. In June 1992, the president of the U.S. Supreme Court, William Rehnquist, declared that the United States was not obliged to comply with international treaties if the capture of criminals was justified in foreign countries, that is, if they were facing indictment in the United States.³⁰ (SEM, June 23, 1992, p. 34-35)

Accordingly, when the Gaviria administration attempted to transfer Escobar to another prison location, he might have assumed that the United States would seize the opportunity to capture him and transport him to the United States to stand trial. As the *New York Times* noted, during the prison incident Pablo Escobar sent a letter by facsimile to radio stations in Medellín demanding assurances from President Gaviria that they were “not going to be taken out of the country.” (NYT, July 23, 1992, p. 1A) Furthermore, in a news conference following his national address, President Gaviria was asked by a Colombian

²⁹ In an interview of the newsmagazine *Nuevo Siglo* two months later, Pablo Escobar indicated that he had taken *preventive measures*—by bribing soldiers of the IV. Brigade in order to escape—in case of a military attack against the Envigado prison. However, he stated also that he never was really afraid that this would happen. See SEM, September 15, 1992, p. 34; SEM, September 15b, 1992, p. 34; and Rafael Pardo, 1996. p. 446-447

journalist if United States anti-drug agents had participated in the attempt to transfer Escobar as part of an American plan to kidnap the drug trafficker, he answered: “I don't think this happened [...] but I can't give a full guarantee.” (NYT, July 23, 1992, p. 1A)

5.5.2 Colombians Are Embarrassed and President Gaviria Comes under Attack

The statement by *Semana* writer María Isabel Rueda perhaps best expressed what most Colombians thought after Pablo Escobar escaped from the Envigado prison: (SEM, July 28d, 1992, p. 36)

We Colombians feel ridiculed because finally the government decided to transfer Escobar to another prison. [...] It had proof that he was continuing with his practices, something that surely was already *vox populi* [...] Meanwhile Escobar does not surrender, the country feels betrayed by its President and his authorities and humiliated before the entire world.

Furthermore, in the televised program “The President Responds” President Gaviria attempted to shed light on Escobar's escape and the government's responsibility. The program was a good barometer for identifying the reactions of the major political actors to the escape of Pablo Escobar and government's responsibility.³¹ Some of the major political actors interpreted Gaviria's appearance before the Colombian people as a courageous

³⁰In June 1992, after U.S. agents *captured* Alvarez Machaín in Mexico—due to charges of torture and killing of a DEA agent—and brought him before the U.S. justice system where he was declared guilty, Machaín appealed against the court decision on the grounds that his kidnapping presented a violation against the U.S.-Mexican extradition treaty. In response, the Solicitor General brought the case to the Supreme Court which *legitimized* the capture of criminals who are indicted in the United States by U.S. agents in other foreign countries. Examples of this U.S. practice are the arrest of drug trafficker José Ramón Matta Ballesteros in Honduras, and the invasion of Panama where Gral. Noriega was captured. See SEM, June 23, 1992, p. 34-35.

³¹See for more details ET, September 1, 1992, p. 6A; SEM, September 9, 1992, p. 22-25. In that televised program President Gaviria responded to the questions of six well-known Colombian—for example, Enrique Santos, Yamid Amat, and Darío Arizmendi—and two foreign journalists.

gesture, and welcomed his readiness to assume part of the political responsibility. For example, the president of the Colombian Senate, José Blackburn, stated that President Gaviria showed great courage by exposing himself to the best journalists of the country: "It is a difficult test for him. In my view, it is very important that the President has assumed political responsibility for the events in La Catedral." (ET, September 1, 1992, p. 6A)

In a similar way, César Pérez García, the president of the House of Representatives, praised Gaviria for not hiding anything and for his disposition to rectify the government's actions. (ET, September 1, 1992, p. 6A) Also, the former president of the Supreme Court, Pablo Caceres, recognized the valuable action of President Gaviria to come forward and not only to inform the Colombian people about the details of Pablo Escobar's escape from prison, but also to admit his share of the political responsibility. (ET, September 1, 1992, p. 6A)

Others, however, were not convinced at all by Gaviria's justification for the government's actions in the Escobar case. Among these critics were the former Minister of Foreign Relations, Alfredo Vásquez Carrizosa, Gen. Alvaro Valencia Tovar, and Fenalco president Sabas Pretelt De La Vega who maintained: "Here there was a Head of State, cornered by public opinion, defending himself intelligently, but not convincingly." (ET, September 1, 1992, p. 6A) Other economic interest group leaders—such as Jaime Cordoba Zuluaga, the president of SAC, and German Bula Escobar, the president of Acopi—remained silent on the Escobar incident. They did, however, criticize Gaviria's uncritical behavior toward the mistakes committed by his young cabinet members, the so-

called *kinder* cabinet, referring to Defense Minister Rafael Pardo and Vice-Justice Minister Eduardo Menoza. (ET, September 1, 1992, p. 6A)

One of the main critics of the government was the conservative Senator, Rodrigo Marín Bernal, who insisted that Escobar's escape was exclusively the responsibility of the Gaviria administration: (ET, September 1, 1992, p. 6A)

This was a shameful episode for which principally the government is responsible. [...] If he and his ministers assumed the political responsibility why did the Head of State himself impede the interrogation of the Congress?

Similarly, Carlos Lemos Simmonds—former Minister of Government during the Barco administration—argued that President Gaviria was not willing to assume the political costs of Escobar's escape, but rather passed them on to others. (ET, September 1, 1992, p. 6A)

The most important test for the Gaviria administration and indication of who was still supporting his drug policy, was the three-month long special hearing in the Colombian House and Senate on the responsibility of the government in the escape of Pablo Escobar.³² During these hearing, members of both the Conservative Party—such as Fabio Valencia Cossio and Andrés Pastrana—, and of the governing Liberal Part—such as, Fernando Botero, Luis Guillermo Sorzano—seriously questioned Gaviria's surrender policy. Some even demanded the resignation of Defense Minister Rafael Pardo. (Pardo, 1996, p. 440 ff.)

³²See SEM, August 4a, 1992, p. 34-35; SEM, August 18d, 1992, p. 36; SEM, September 1b, 1992, p. 34-35; SEM, September 15a, 1992, p. 30-33.

In the meantime, President Gaviria had replaced four high-ranking officials of the Colombian military and police forces—including the commander of the IV Brigade, Gen. Gustavo Pardo, and the chief of the National Prison System, Hernándo Navas—who were held responsible for the circumstances of the escape of the Medellín drug boss. (SEM, August 4a, 1992, p. 22-29) In response, the upper echelon of the Colombian military forces demanded along with several congressmen the resignation of Defense Minister Rafael Pardo as a sign that the government—and not only the military forces—was also assuming its responsibility in the Escobar case. Gaviria, however, was not willing to sacrifice his Defense Minister Rafael Pardo. Instead, he asked Deputy Justice Minister Eduardo Mendoza who had entered the Envigado prison without authorization and was held shortly after hostage by Pablo Escobar for his resignation. In addition, President Gaviria attempted to prevent any further pressure to dismiss Pardo by convening the Senate's twenty-four Liberal representatives in the presidential palace. Also, he met with the commanders of the military forces and convinced them not to insist on the resignation of his Defense Minister: (SEM, August 4a, 1992, p. 23-24)

In about 20 minutes Gaviria said to the uniformed group that he would not allow that Rafael Pardo [...] would be *decapitated*. [...] The President proceeded to make a painful decision, that was, to replace Vice-Minister of Justice Eduardo Mendoza.

Thus, the young Vice-Justice Minister was finally sacrificed in order to keep Defense Minister Pardo.³³ In the end, President Gaviria was able not only to overcome the deepest crisis of his government and of his drug policy, but also to recover leadership over his own Liberal Party that had seriously questioned his integrity and capacity.

The next challenge for President Gaviria was to recover his credibility outside Colombia. To this end, he engaged in intense diplomacy with the United States, sending letters to the U.S. House Select Narcotics Committee in September 1992, and visiting the United States in September 1992 for meeting with President Bush, members of Congress, and the directors of the most important U.S. newspapers. In his letter to the members of the House Select Narcotics Committee he assured his commitment to capture Pablo Escobar and pleaded with the United States to continue its support for Colombia: (U.S. Congress 1992e, p. 30-31)

These events represent a serious setback in our struggle against the narco-traffickers. [...] While these events have no doubt frustrated our efforts to build respect for Colombia's judicial system, I want you to know that we will not waiver in our strong commitment to continue the fight against the cartels and to bring these narco-terrorists to justice. We continue to appreciate the support and cooperation of the United States and indeed, such cooperation will be crucial to success.

In the next section, I explore the response of the United States to the escape of Pablo Escobar and their policy decisions toward Colombia.

³³Similarly, former Justice Minister Fernando Carrillo—who two years earlier was one of the greatest promoters of the “Seventh Vote” and constitutional reform project—was also declared responsible for the circumstances of Escobar’s surrender since he was in charge of signing the prison construction contracts. See SEM, September 1b, 1992, p. 34-35; and SEM, October 13a, 1992, p. 33. When asked in an interview if he felt that the government had abandoned him, Eduardo Mendoza answered: “In some ways, yes. I am deeply grateful to President Cesar Gaviria, but I am under the impression that my case turned out to be a delicate issue for the Government.” See SEM, September 15a, 1992, p. 33.

5.5.3 United States Considers Escobar's Escape a Serious Setback and Criticizes Bush's Andean Strategy

On July 29, 1992, U.S. congressmen discussed in an extraordinary joint session—titled *The Future of the Andean War on Drugs after the Escape of Pablo Escobar*—of the Subcommittee on Western Hemisphere Affairs and the Task Force of International Narcotics Control of the House Foreign Affairs Committee the developments in Colombia. The first official reaction of the U.S. executive branch to Escobar's escape was reflected in the testimony of John Walters, the Deputy Director for Supply Reduction of the Office of National Drug Control. Walters considered the Escobar escape a serious setback, but announced that it would not affect the support of the U.S. government due to the successful eradication and interdiction efforts of Colombia: (U.S. Congress 1992e, p. 42)

The Government of Colombia remains one of our staunchest partners in the hemispheric struggle against cocaine. The recent escape of drug kingpin Pablo Escobar from his Colombian prison is a setback, but overall Colombia has established an excellent counternarcotic record.

However, a number of congressmen were not willing to accept so easily the escape of Pablo Escobar and criticized Bush's Andean strategy. For example, New Jersey Congressman Robert Torricelli stated that when he returned with Congressmen Lagomarsino and Rangel from a trip to Colombia in October 1991, they considered Colombia "one of the bright spots in the war on drugs." (U.S. Congress 1992e, p. 32-33) For Torricelli, Colombia represented the "only real ally with the best leadership" of the United States in which he had "the most confidence." (U.S. Congress 1992e, p. 32-33) For

Most importantly, the escape of Pablo Escobar triggered a reevaluation of President's Bush Andean Strategy about which some congressmen had serious doubts. Congressman Smith stated that many congressmen had indicated significant discontent with the Andean Strategy as it had been formulated and run by the Bush administration: "It just isn't working, and much of it was doomed to failure when it was enunciated. [...] Since Cartagena almost everything has fallen off the table." (U.S. Congress 1992e, p. 14) He argued that the Andean countries that had signed the Declaration of Cartagena in 1990 had virtually all turned their backs on full international cooperation: (U.S. Congress 1992e, p. 14)

Peru, has, in fact, totally shut down drug-seizing and drug-fighting operations. [...] In Bolivia drug-fighting operations have been reduced to a mere shadow of what they were at one time [...] The success story we always felt we were going to have and did have for some time was with our good friends in Colombia. [...] The problem is that they tied one hand behind their backs in doing so. In that ultimate decision—it probably was more political than anything else was—they doomed some of their efforts to evolving into what happened last week with Escobar.

Whereas other congressmen—such as Charles Rangel and Robert Torricelli—also expressed the need to overhaul the entire U.S. drug control policy and their concern that the executive branch was not doing enough, John Walters from the Office of National Drug Control Policy in turn criticized the U.S. Congress for having scaled back President Bush's budget request for 1993: "We cannot fight a war without ammunition."³⁴

³⁴ He argued that between 1989 and 1993 the total drug-related expenditures at the federal level had nearly doubled from US\$ 6.6 billion to US\$ 12.7 billion; the latter amount was requested for fiscal year 1993, however, the congressional budget committees decided to reduce it by about US\$1.1 billion. See U.S. Congress 1992e, p. 34, 37, 52.

him, Colombia's courageous leadership of recent days was commendable: "Yet in despite of all those things, the events of recent days have shaken our confidence." (U.S. Congress 1992e, p. 20-21)

Even Colombia's close friend, Congressman Charles Rangel, criticized the Escobar incident: (U.S. Congress 1992e, p. 1, 25)

I don't think that anyone is going to deny that this is a very embarrassing situation of the President of Colombia and the entire government. As a matter of fact, the more I listened, the more I got embarrassed listening to them, when they explained what had occurred. [...] There is no doubt that the operation to transfer him from his prison at Envigado to a more secure military prison was a tragic operational failure. I would imagine that no one feels the humiliation and embarrassment of this failure more than President Gaviria does.

Charles Rangel further argued, that the tactical decision to immediately transfer Escobar to another military facility was in retrospect unwise and unfortunate: (U.S. Congress 1992e, p. 26)

The operation was too hastily planned; there were apparently no real contingency plans for any eventualities, such as the taking of hostages. I believe that the government may have underestimated the corruption among the Envigado prison staff and perhaps some of the army troops that participated in the operation. The Vice-Minister of Justice was probably too naive in going into the prison unescorted.

In addition, Congressman Lagomarsino wondered why it took the Colombian government so long to act in view of all the media and other reports about Escobar's activities in the months before his escape. Nonetheless, he was hopeful that the Escobar escape would be a "short-lived irritant in our relations with Colombia." (U.S. Congress 1992e, p. 10, 51)

Despite the critique and skepticism about the effectiveness of President's Gaviria new drug policy, a number of congressmen—such as Charles Rangel, Robert Lagomarsino or Benjamin Gilman—were willing to continue support for the Colombian government. For example, Charles Rangel resumed his position during the joint hearings on the future Andean Strategy after Escobar's escape as follows: (U.S. Congress 1992e, p. 25-27)

I am here today because I continue to support President Gaviria's efforts to stop drug production and the traffic in his country [...] I am very concerned Mr. Chairman, much of the press coverage of the Escobar escape portrays the Colombian Government's position as weak and not committed. The news analyses ignore the many positive steps that the Colombian Government has taken and continues to take [...] I would hope that the Members of this Subcommittee and of the entire House will continue to support counter-narcotics cooperation with Colombia.

Similarly, Congressman Robert Lagomarsino made a call to the U.S. Congress “not to lose sight of the forest for the trees” and not to allow “to be moved by the headlines of the moment and overreact.” (U.S. Congress 1992e, p. 10) Some members of the U.S. congress personally expressed their support to President Gaviria when he visited the United States in September 1992.³⁵

However, despite the fact, that a number of congressmen expressed their willingness to continue to support Colombia with the U.S. executive branch, others such as Congressman Robert Torricelli insisted that the Escobar problem had to be resolved quickly. He said that the House Subcommittee of Western Hemisphere Affairs was not willing to return to the situation that prevailed before, “with Escobar presiding over his own prison,” but, instead, wanted to take out of commission the “drug kingpins who are

³⁵ See for more details ET, September 24a, 1992, p. 1A-7A; ET, September 24b, 1992, p. 4A; ET, September 25, 1992, p. 6A.

responsible for the narcotics flowing into our country, our cities, our school.” (U.S. Congress 1992e, p. 2) Torricelli also warned the Colombian government that the United States was prepared to increase its pressure on Colombia to revise its extradition policy, and if this would not work, to take unilateral action: (U.S. Congress 1992e, p. 2)

If Colombia is unable to accomplish that, with our assistance, under their own leadership, then we will have to revisit the issue of extradition. And if we cannot do that, then the United States must reserve the right of unilateral action to itself, whether cover or overt, to win this fight.

The policy of the U.S. State Department to deal with the Escobar incident was, on the one hand, to continue to back up Gaviria’s policy by providing Colombia with US\$ 36 millions additional drug-related assistance, and by offering US\$ 2 million for the capture of Pablo Escobar. On the other hand, as described in the next section, the Bush administration decided to get with military and DEA assistance more actively involved in the capture of Pablo Escobar in Colombia.

5.5.4 The Primary Goal of Gaviria Administration: Looking Desperately For Pablo

President Gaviria was aware that the only way to restore the confidence of the United States was to militarize the fight against drug traffickers and to yield to the U.S. objective to get actively involved in the capture of Pablo Escobar. First, the Gaviria administration augmented the participation of the military forces involved in the search. As Rafael Pardo stated, the military urgently wanted to recover the bad image and moral crisis that had ensued from the escape of Pablo Escobar: “The military forces wanted a dominant role in

the process in finding the fugitives. Secondly, the Gaviria administration created a special force unit, called *Bloque de Busqueda*, that was combined with police and military forces and pursued two main objectives: to capture Pablo Escobar, and to dismantle the entire Medellín organization. And, thirdly, the Colombian president allowed the active involvement of DEA agents, the use of modern U.S. surveillance electronic technology, and overflights of U.S. airplanes.³⁶ These *P3* and *King Air* airplanes were equipped with sophisticated radar systems in order to detect the whereabouts of Escobar.

Gaviria's willingness to suffer sharp domestic criticism by "allowing that the United States violate Colombia's sovereignty," demonstrated his commitment to capture Pablo Escobar and to recover his credibility before the entire international community.³⁷ For example, when the State Council declared that the overflights of the U.S. airplanes represented a violation of Article 237 of the Colombian Constitution, President Gaviria made clear that nothing could stop him from searching for and capturing Pablo Escobar. In a letter to State Council's president Alvaro Lecompte Luna, he stated that since the U.S. aircrafts were not war airplanes there was no violation of the constitution. Furthermore, he assured the State Council president that he would use any help he could get to capture Escobar: (SEM, August 14a, 1992, p.27)

Mr. President of the State Council, I will use all the means and all the international cooperation that the community of nations is willing to provide, to capture Escobar. I hope to count with the cooperation of the other forces and branches of the public sector.

³⁶ See for more details SEM, August 14a, 1992, p. 22-29; SEM, October 26, 1993, p. 46-48.

³⁷ See for example, the criticism of the Conservative leader in the Colombian Senate, Fabio Valencia Cossio, and the president of the State Council, Alvaro Lecompte Luna. See SEM, August 4, 1992, p. 27; and, Pardo, 1996, , p. 441-442.

In a sharper tone he warned the State Council that he would hope “to find neither any acquiescence nor complicity with the organized crime in this country.” (SEM, August 14a, 1992, p.27)

In addition to the military actions, the Gaviria administration modified its surrender policy by promising greater benefits to those who would denounce fugitive drug traffickers such as especially Pablo Escobar.³⁸ At the beginning of 1993, this policy change proved to be successful when twenty fugitives of the Medellín cartel surrendered and leaving Pablo Escobar increasingly isolated and alone. (SEM, February 2, 1993, p. 28-32; SEM, December 1, 1992, p. 38-42) Pressure on Pablo Escobar mounted not only from the military actions of the search unit *Bloque de Busqueda*, but also through the actions of an illegal organization and bizarre conglomerate of enemies of Pablo Escobar. The so-called *The Pepes (Perseguidos por Pablo Escobar)* started to harass and persecute Escobar’s family using the same violent methods of the Medellín cartel.³⁹

³⁸See SEM, February 23b, 1993, p. 34-40; SEM, March 9, 1993, p. 36.

³⁹The organization bombed properties and a collection of old-timer of the Escobar family. According to *Semana*, there were several theories about *The Pepes*. Some said they were members of the Moncada and Galeano families or paramilitaries under the leadership of Fidel Castaño. Others have argued that the Cali cartel was behind this organization. See SEM, February 23c, 1993, p. 22-25.

Finally, on December 5, 1993, after 18 months of intense, and at the end, desperate hunting for the Medellín boss, the *Bloque de Búsqueda* found Pablo Escobar in a middle-class neighborhood (Los Olivos) in Medellín where he was killed when he tried to escape.⁴⁰

5.6 Summary

When César Gaviria became President of Colombia U.S. policy makers were convinced that with him they had found a trustworthy guarantor of the continuity of the war on drugs. During the Barco administration, Gaviria had occupied important ministerial positions and was viewed during the presidential elections as the only candidate who still was committed to enforce extradition in the fight against the drug traffickers. But once in the presidential office, Gaviria announced a new surrender policy with the objectives of using extradition only as a discretionary instrument and of strengthening the Colombian justice system. Due to his ability and bargaining tactics at the international level, Gaviria was able to

sell this new drug control policy to the United States. Particularly, he was able to capitalize on the legacy of the Barco administration: high commitment to full cooperation with the United States, and evidence of the government's willingness to bear the consequences and costs associated with it. In an ingenious move, President Gaviria drew a conceptual line

⁴⁰When Escobar attempted to contact his family in Bogota—whose attempt to be received by the United States and Germany had failed which forced them to live under the strict security measures of the government in the Hotel Tequendama in Bogota—, his telephone call was intercepted and traced by the government's search unit. See SEM, November 9c, 1993, p. 38-42.

between *narcoterrorismo* and *narcotráfico*, by arguing that Colombia was committed to fight the latter, and demanded from the United States trade, but not aid.

The announcement of a new surrender policy that guaranteed drug traffickers of not being extradited to the United States in case they would surrender, was supported by the majority of the political actors and Colombian public since it meant the end to drug terrorism. Furthermore, this new surrender policy allowed President Gaviria to mitigate both domestic and international pressures and to pursue a policy of *compromise* that was accepted by the contending groups that comprised his domestic constituency and the United States. The position of President Gaviria resumed the positions of most Colombians: “This country is tired of violent solutions. There is no excuse to continue fighting in Colombia.” (NYT, October 13, 1991, p. 38)

However, when the Medellín cartel embarked on a kidnapping strategy that was targeted against Colombia’s political establishment, the Gaviria administration was under pressure to improve the terms of surrender for drug traffickers. On the other hand, with the establishment of the Constituent Assembly the possibility of banning extradition augmented. As I showed, the role of President Gaviria was important in the entire constitutional reform process. In contrast to the President Barco, Gaviria did not use his presidential powers to repeal the decisions by the Supreme Court and the Constituyente to include the extradition issue on the constitutional agenda or to intervene in the rule on the voting pattern within the Assembly that facilitated the prohibition of extradition.

Although due to the limited scope of this dissertation it is difficult to analyze in detail the different legal options and political possibilities of the executive branch to avoid the ban of extradition, it remains unanswered why the Gaviria administration did not intervene more aggressively in the process. As already explained, the reasons why President Gaviria preferred to remain silent and passive during the constitutional reform process, might be explained by the fact that he himself was driven by political motivations to allow the extradition to be prohibited.

One explanation for President Gaviria's *laissez faire* attitude might be the fact that he had been faced with a domestic situation in which the defense of the use of extradition as the primary instrument in the war on drugs had become too costly for Colombia. Unprecedented levels of terrorism and violence, and since the end of 1990 a wave of kidnapping targeted against the political establishment had exhausted the country. In light of the negative implications at both the domestic and international level, President Gaviria was not able to change the extradition policy from within the executive branch. As the heir to Galán's political ideas and anti-drug commitment—and whose son had entrusted Gaviria at the funeral with his father's political project—it was impossible even to insinuate such an initiative from the Presidency. On the other hand, Gaviria did not want to risk his political capital, his image of a firm ally in the drug war and the good relations with the United States. Accordingly, the only way of not being held responsible for eliminating extradition and risking all that was to pass the responsibility for a decision on extradition to a

completely independent institution from the Presidency. The Constituent Assembly presented the perfect answer.

The reactions of the U.S. government and the U.S. Congress were clear indications that the strategy of pressure on the Colombian government during the Barco administration had become self-defeating. By watching how Gaviria step-by-step de-escalated the war on drugs, the U.S. policymakers had no other choices left than “playing along” with Colombia’s new drug control policy and to be cautiously supportive. Particularly, after the end of the Cold War the overall context of anti-communism was replaced with new issue areas—migration, environment, illegal arms trade—and relations with Latin America became more complex as well as the drug issue in Colombia took on a new importance.

Unwilling to risk losing Colombia as the showcase and model of the U.S. drug policy in the Latin American region, Washington was careful not to alienate their Andean ally by reserving criticism of Gaviria’s new drug strategy. Otherwise, the implications would have been even worse: that is, to lose its firmest ally in the Andean region and to declare the U.S. drug control policy toward Latin America as a failure.

In sum, the effectiveness of the U.S. drug control policy of pressure on Colombia was limited since the associated costs to the major political actors in the Andean country exceeded the benefits of cooperation, and once it was *pushed over the edge* the Colombian policymakers decided to increasingly pursue a strategy that resulted in less domestic costs.

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6. Conclusions

The dissertation has provided evidence that due to the high level of drug-related terrorism and violence that was influenced by the goal of the Barco administration to fully comply to the demands of the United States on the drug issue, the major political actors forced in 1990 the newly elected President Gaviria to chose a less costly international cooperative drug control strategy. As the study demonstrated, throughout the 1986-1990 period the United States had with President Virigilio Barco a trustworthy and firm ally in the fight against drugs. The highest expression of Barco's comittment to fully comply with the demands of the United States was reflected in the enforcement of the 1979 Extradition Treaty that was ratified by both countries. For example, when the Supreme Court declared the extradition treaty inoperable President Barco used his extensive presidential powers to enforce the treaty via administrative law.

Regarding the United States' foreign policy behavior toward Colombia, the study found that from 1986 to 1990 the United States put pressure on the Colombian government to extradite the drug traffickers for trial and punishment to the United States. For example, after drug trafficker Ochoa was released by a Colombian judge, the U.S. government responded with retaliations by restricting visas to Colombians, and by increasing control measures of flights from the Andean country. When drug-related violence increased in 1989 the United States pressured the Barco administration to involve military forces in the fight against drugs, and even considered to send American troops to the Andean country. The

latter was impeded eventually by the opposition of President Barco and the U.S. military forces themselves who insisted that their original mission was to fight communism or to engage in combats, but not in anti-narcotic efforts.

One of the most interesting findings of the analysis were reflected in the dynamics between the U.S. Congress and the Reagan administration. In several instances, the U.S. State Department officials were criticized and pushed for more actions by a number of U.S. congressmen. Some of the congressmen, such as Charles Rangel, felt that the drug issue needed to be raised to the same level as anti-Communism. However, in general, the majority of congressmen and State Department officials considered President Barco as a firm ally in the war on drugs and praised his anti-drug stance as an good example of full cooperation.

As the dissertation has shown the Colombian drug industry responded to President Barco's hard-line drug control strategy with a dramatic increase in threats and violence against the supporters or enforcers of his drug control policy, particularly the extradition policy. As the data has demonstrated, the number of homicides nearly doubled from about 15,740 in 1985 to 28,280 in 1991. The most affected sector was Colombia's judicial branch. For example, over 220 judicial were killed, and more than 100 judges had resigned during the 1980s. In addition to the threats and killings by Colombian drug traffickers against the enforcers and supporters of tough drug law enforcement and extradition, other factors also led to the unprecedented levels of violence in the Andean country: active guerrilla and paramilitary activities.

The peak of drug-related violence was reached when on August 18, 1989 Luis Carlos Galán was killed who was the leading Colombian presidential candidate of the New Liberal Party for the 1990 elections and the most outspoken anti-drug politician. The murder of a politician of Galán's national stature broke with the previous pattern of drug-inspired assassinations of members of the judicial and law enforcement branches. The killing of this presidential candidate made evident the severity the drug traffickers threat to the country's democratic institutions.

As a result of these unprecedented levels of drug terrorism and violence domestic support for President Barco's strategy of compliance gradually eroded. The positions of the most important political groups—economic groups, members of the Liberal and Conservative Party, and, most importantly, the presidential candidates for the 1990 elections—shifted toward a national coalition that demanded a less costly domestic strategy. In general, this was reflected in the demand for negotiations with the drug traffickers, and the call for economic compensations from the United States. Surveys of Colombian newsmagazine *Semana* demonstrated that Colombians were tired of President Barco's hard-line drug control strategy at the end of the 1980s: in December 1989, 58 percent of the interviewed Colombians favored negotiations with the drug traffickers; and, in May 1991, about 82 percent of the interviewed persons responded positively to the constitutional prohibition of extradition. As the empirical results have demonstrated, the major political actors in Colombia played a crucial role in forcing the newly elected Gaviria administration to seek a less costly drug control strategy.

The outcome of this shifting domestic support was that President Gaviria found himself in a situation in which he faced domestic and international pressures. On the one hand, he was forced to comply with the domestic demands to decrease drug-related violence and terrorism, and, on the other hand, he was pressured by the United States to fully cooperate on the drug issue which required the continuity of a confrontational drug control strategy, particularly extradition. As a result, the Gaviria administration sought to reconcile both pressures by pursuing a drug control strategy that would simultaneously accommodate the demands of his domestic constituencies and the United States.

The comparative case study was embedded in a broader historical context in order to provide, on the one hand, a comprehensive story on the history of drug prohibition in the United States order to understand better the underpinnings of the United States drug control policy. Due to the limited scope of the dissertation, a critical discussion of related issues, such as the role of tobacco and alcohol, was confined. On the other hand, the study aimed to provide some insights on why precisely Colombia became the showcase of the U.S. international drug control in the 1980s.

The historical analysis concluded that American drug history in general was characterized predominantly by a fear of ethnic or marginalized groups that presented a threat to the social and economic *status quo* of mainstream America. The belief that some drugs were so innately harmful that American citizens should and could be prevented from using them became the basic tenet of American domestic drug control policy for the past eighty decades. At the international level, one of the principal premise of United States drug

policy over the last eighty years has rested on the belief that the drug menace must be fought outside its borders. The United States projection of blame on foreign nations for domestic evils coincided with the ascription of drug use to ethnic minorities in the previous decades. Shifting from a multilateral toward a bilateral drug control strategy, the United States primary focus became the reduction of drug supply. Accordingly, the basic assumption of the supply-oriented drug policy was and still remains that by reducing supply and availability of drugs also their consumption would decrease.

Although aware of other possible explanations, the historical-descriptive analysis focused principally on the increase of cocaine and crack consumption among American teenagers since the beginning of the 1980s that influenced the emergence of a new drug scare (cocaine). This resulted in the fact that the Reagan administration redefined the drug problem as a national security problem in 1986. Hereby, international drug trafficking organizations with its primary location in Colombia became the primary focus of the country's international drug control policy. In that context, the new drug scare led in the United States to an increase of legislative and institutional changes that resulted most importantly in the expansion of the Congress' role in international drug policy.

6.1 Contributing to Comparative Analysis in International Relations

Besides the goal of explaining why in 1990 a paradigm shift in Colombia's response to the U.S. pressure on the drug issue occurred, the empirical study of U.S.-Colombian

relations between 1986-1990 has sought to inform three broader theoretical considerations. First, the question on how drug producing and drug trafficking countries with less military, economic, and political power—in our case Colombia—respond to U.S. coercive diplomacy. Secondly, the extent to which the premise of the supply-oriented U.S. drug policy—that rests on the assumption that the greater the extent of international pressures on these drug-producing and drug-trafficking countries, the higher the degree of cooperation—is flawed. And, third, the utility of Putnam’s two-level game approach for sorting out the complex interactions of domestic and international factors.

1. Policymakers Mitigate Domestic and International Pressures Through Compromise

One of the major goals of the dissertation was to test the hypothesis that when losses of international cooperation exceed the gains in drug producing and drug trafficking countries, policymakers in those countries will shift from a policy of full cooperation to politics of compromise. This strategy of compromise aims to fall in the range of acceptability of both the contending groups within and outside the country. The empirical results proved that for the Colombian case this assumption held true.

From the beginning of his administration President Gaviria made it clear that he would not continue the confrontational drug control strategy of his predecessor: “This country is tired of violent solutions. There is no excuse to continue fighting in Colombia.” (NYT, October 13, 1991, p. 38) But rather than simply complying with either domestic or international pressures, Gaviria turned to a strategy of compromise that consisted of the

implementation of a new surrender and, later, non-extradition policy that fell in the range of acceptability to both Colombian and U.S. policy makers.

According to this new policy, the Colombian government applied the *carrot* to the drug traffickers by offering them the possibility to stand trial and receive reduced sentences in Colombia if they would surrender and confess their crimes. In case the drug traffickers refused this offer and were captured by Colombian authorities, they would face the *stick*, that is, extradition to the United States. In that context, the surrender of Medellín famous drug boss Pablo Escobar not only became the test case of new drug policy, but also demonstrated the power of the drug trafficking organizations to force the Colombian government for better surrender and prison conditions.

The rationale behind this surrender policy was to strengthen the Colombian justice system—that was considered both by Colombian and American policy makers as the weakest link in the country's drug law enforcement picture—and to use extradition as a discretionary instrument in the fight against drugs. That way President Gaviria was able to comply to the demands of his domestic constituencies and to reduce the level of drug terrorism.

The analysis provided evidence that the assumption of Putnam's two-level game approach that institutional arrangements translate interests of domestic actors into a role in the process of international cooperation holds true. In fact, the most radical change in Colombia's drug policy occurred when the newly established Constituent Assembly removed

the most powerful instrument in Colombia's anti-narcotics efforts and the most sensitive issue from the U.S.-Colombian diplomatic agenda: the extradition of Colombian drug traffickers to the United States. This institutional change led to the increase of channels of access for those actors, such as the M-19/AD party, who had opposed all along the extradition policy and to others, as for example members of the Liberal and Conservative Parties, who had shifted from an internationalist position towards a more nationalist coalition. The analysis provided evidence that—besides the threats posed by the drug traffickers—the composition as well as the different positions of the Assembly representatives influenced the prohibition of extradition.

From that institutional analysis, some intriguing results grew out that were not fully anticipated in the original Putnam article. That is, the role of the chief of government in promoting specific institutional changes and influencing the prospects of full cooperation. This study has suggested that President Gaviria himself had his own political interests in replacing a hard-line drug policy with a strategy of appeasement. However, in light of the possible negative implications at both the domestic and international level, President Gaviria was not able to change the extradition policy from within the executive branch. As the heir to Galán's political ideas and anti-drug commitment it was impossible to launch such an initiative from the Presidency. In addition, the Gaviria administration was under enormous domestic and international pressure to produce positive results with its new surrender policy. Exposed to the high pressures of the Medellín cartel (kidnapping campaign and killings of hostages) he had already modified and facilitated in several instances the original conditions for the surrender of the drug traffickers to the Colombian authorities. However, Medellín

boss Pablo Escobar—who had become the symbol of success or failure of Gaviria’s new surrender policy and main focus for ending drug-related terrorism and violence—was insisting on full guarantees of not being extradited to the United States.

Accordingly, the only way out of this dilemma was to pass the responsibility for a decision on the extradition issue to a completely independent institution from the Presidency. The Constituent Assembly presented the perfect solution. Once the Supreme Court decided to open the way for the Constiuent Assembly to include the extradition in its constitutional agenda, President Gaviria preferred to remain silent and passive instead of using his presidential powers—as President Barco had done two years earlier—to stop the developments that led to the prohibition of extradition. As news magazine *Semana* resumed when the Supreme Court’s decided to take off the limits of the constitutional projects to be introduced into the Assembly: “It opened the door to a thousand possibilities, including an aspect that surely did not escape the astute intelligence of Gaviria. [He] had in his hands a hot potato: extradition.” (SEM, May 14a, 1991, p. 21)

As a result, President Gaviria was able, on the one hand, to reshape Colombia’s international cooperative strategy in a way that allowed him to comply to the demands of his domestic constituencies of reducing drug-related terrorism and violence. On the other hand, since the decision of prohibiting extradition as the most important issue in the anti-drug diplomatic agenda of Washington and Bogotá did not come from the Colombian executive branch, President Gaviria could not be held accountable for it by his international counterparts.

As the empirical analysis has also demonstrated, at the international level, the Gaviria administration was in a *good bargaining* position and enjoyed a high level of leverage vis-à-vis the United States to successfully sell his new drug policy to U.S. policy makers. As a sign of his unwillingness to continue to assume an unequal share of responsibility in the war on drugs, he drew in an ingenious move a conceptual line between *narcoterrorismo* and *narcotráfico*. President Gaviria argued that Colombia was committed to fight drug terrorism, but that drug trafficking was an international problem and needed, therefore, a concerted international solution. In addition, he demanded from the United States less rhetoric of solidarity and military aid, but an expansion of trade and investment opportunities.

As the result of the empirical analysis suggested, the ability of President Gaviria to get the United States to approve on Colombia's new drug policy was due to the following three important factors. First, the Gaviria administration changed gradually, not radically, his drug policy and made sure that the executive branch was not to be held responsible for the most important drug policy change, that is, the ban of extradition. Secondly, President Gaviria was able to capitalize on the political heritage of the previous Barco administration that had demonstrated to the entire international community that no other country in the Latin American region was more committed than Colombia to a policy of full cooperation with the United States—even at high internal costs in terms of drug terrorism and violence. The commitment of the Barco administration had raised Colombia to the level of a firm and trustworthy partner in the war on drugs. And, third, the Colombian government continued to

cooperate with the United States at unprecedented high levels in its interdiction and eradication efforts.

President Gaviria's policy of compromise and the shift in its response to the U.S. pressure on the drug issue proved that the logic of the U.S. international drug policy was flawed. Instead of fully complying to the demands of the United States, that is to continue with the extradition policy, the Gaviria administration chose to implement and pursue a drug control strategy that reconciled the demands of both domestic and international demands.

2. Politics of Pressure Is Counterproductive When Losses and Gains Are Unequally Distributed

Furthermore, the dissertation sought to inform a second theoretical consideration that rests on the assumption that the greater the extent of international pressures on drug-producing and drug-trafficking countries, the higher the degree of cooperation. As the response of the United States toward President Gaviria's new drug control policy showed, the U.S. strategy of coercive diplomacy toward Colombia resulted to be self-defeating since the U.S. policy makers' had no other options than to stand by and watch how President Gaviria gradually de-escalated the war on drugs which ended in non-extradition. The hands of U.S. State Department officials were "tightened" since they were left with two options. One possibility was to remain supportive of Colombia's new drug policy and to continue to use the Andean country as the showcase of the U.S. drug policy in Latin America. The other option was to lose its firmest ally in the Andean region and to declare the U.S. drug control policy toward Latin America as a failure. Unwilling to risk losing Colombia as the showcase

and model of the U.S. drug policy in the Latin American region, Washington was careful not to alienate their Andean ally by reserving criticism of Gaviria's new drug strategy.

At the beginning, President Gaviria was perceived by the Bush administration, the majority of congressmen, and the American news media as a strong foe against the drug trafficking industry. In fact, the surrender of several top level drug traffickers, such as the Ochoa brothers, to the Colombian justice system as well as the high levels of interdiction and eradication efforts, was for the United States proof that Colombia was still a firm ally in the war on drugs.

Similarly, his judicial reform was viewed, as U.S. Ambassador in Colombia McNamara formulated, as the continuity of Barco's hard-line drug control strategy: "The policy is the same as President Barco's, but Gaviria put the policy into decrees making it the law." (U.S. Congress 1991a, p. 13) Instead of pressuring Gaviria to send every single drug trafficker for trial and conviction to the United States, President Bush chose to support Gaviria's initiative of strengthening the Colombian justice system. As a sign of his commitment to back the Colombian leader, he met in February 1990 with him personally in the midst of the Persian Gulf war. Furthermore, the Andean Trade Preference Act and several agreements on economic assistance for rebuilding the Colombian justice system were signs that the United States sought to accommodate the demands of the Colombian government to commit more to an equal share of responsibility and to provide greater economic incentives for fighting the war on drugs. In addition, U.S. government officials and congressmen demonstrated their sensitiveness to the high price the Colombian people had paid for the full cooperation with the United States in the fight against drug trafficking.

Probably the most important indicator for the failed U.S. policy of pressure was the reaction of American policymakers to the prohibition of extradition. Whereas a number of American newspapers and several congressmen perceived the ban of prohibition of having made too many concessions to the drug traffickers, and of wanting peace at any cost, the Bush administration remained cautiously supportive.

The main explanation for the U.S. government's more or less supportive response to the gradual change of Colombia's policy of full cooperation was that after the American policy makers had *pushed* Colombia past the threshold of excessive domestic costs, there was no return. The reactions of U.S. State Department officials and several congressmen indicated that the strategy of pressure on the Colombian government during the Barco administration had become counterproductive. The U.S. policy makers had no other choices left than "playing along" with Colombia's new drug control strategy if they did not want to give up on Colombia. Particularly, after the end of the Cold War when anti-communism was replaced with new issue—migration, environment, illegal arms trade—relations with Latin America became more complex and the drug issue in Colombia took on a new importance.

3. The Value of an Integrative Approach for Analyzing Interstate Relations

The dissertation has argued in its theoretical debate that explanations of international relations have traditionally been categorized according to their “level of analysis” that generally tells the researcher where to look for the causes of state behavior. In the 1950s Kenneth Waltz introduced three levels of analysis: international-level (systemic or *third image*) explanations that look to a state’s position in the international system; domestic-level explanations (*second image*) that concentrate on society, culture, and political institutions of individual states; and, individual-level explanations (first image) focus on the personal or psychological characteristics of individual statesmen.

Robert Putnam two-level game approach has been concerned with all three levels in an attempt to overcome *either-or* explanations. He particularly has emphasized the role of the chief of government (chief negotiator) in trying to do two things at once: to manipulate domestic and international politics simultaneously. The image of the executive as “Janus-faced”—forced to balance international and domestic concerns in a process of “double-edged” diplomacy—stands in sharp contrast to the images that privileges either the demands of domestic political constituents or the systemic logic of the national interest in international relation.

The theoretical framework put forward in the dissertation has followed broadly Robert Putnam’s two-level game approach that served as a conceptual springboard. The combination of an event-centered method and content-analysis that was advanced in the

study allowed for a more formal analytical framework and for a alternative way of talking about how domestic and international explanations could be integrated.

The case study of U.S. Colombian relations on the drug issue showed that the approach suggested by Putnam is useful to the analysis of different issue areas (such as economic, security, drugs, human right) and can be applied to a full range of country interaction—West-West, East-West, and North-South. As the empirical study has suggested, the strong value of such an integrative approach lies in the fact that it helps to sort the factors that really make the difference between success and failure in efforts to achieve a certain type of international cooperation.

6.2 Implications for U.S. and Colombian Policy Makers

When reflecting on the lessons that U.S. and Colombian policymakers can learn from the analysis of U.S.-Colombian relations on the drug issue between 1986-1994 the following can be summarized. In the short-run, before making foreign policy choices toward countries with less military, economic and political capabilities American policymakers should take into account the prospects of domestic support in these targets countries for international cooperation. This kind of assessment allows them to anticipate the “losers” and “winners” from specific international cooperation, and to launch a strategy of *compensation* that should provide higher incentives to those groups who are affected most by the compliance

of an international agreement. In fact, demanding sacrifices from the target country for the enforcement of a specific international agreement does not “come cheap.”

For example, if the United States would have adequately interpreted already mid-1980 the signals of the Colombian justice system of opposing the extradition policy, the United States probably would not have encountered such strong hostility by the judicial branch to the extradition policy. This might have been a good strategy of preventing the Supreme Court at that time from declaring the Extradition Treaty unconstitutional and the introduction of the extradition issue in the Constituent Assembly in the first place. When the Bush administration provided via his Andean Strategy in 1990 more assistance and logistical support for strengthening the Colombian justice system it was already too late to reverse the effects of the U.S. politics of pressure.

In the long-run, U.S. policymakers have to come to grips with the overall question on the effectiveness of maintaining drug prohibition through high domestic drug law enforcement and a repressive supply-oriented drug control strategy. The legalization debate that every now and then comes up has not translated yet into alternative policy models at the national level to deal with drug consumption in the United States. In contrast, in a number of American cities, such as Baltimore and Los Angeles, local authorities have sought meanwhile to replace the discourse of a “drug-free society” with a more pragmatic approach (e.g., needle-interchange programs) in order to deal with the high levels of drug consumption in their neighborhoods. Furthermore, if the data on drug exports from Colombia to the United States have shown anything, it is the fact that a repressive drug

control strategy on drug producing and drug trafficking countries did not automatically lead to the decrease of the drugs' availability on the American market.

The implications for Colombian policymakers seem to be more difficult to assess since the country is not only exposed to the threats of the illegal drug trafficker industry, but simultaneously faces powerful guerrilla and paramilitary groups. The dissertation has suggested that Gaviria's strategy of compromise not only has pointed into the right direction, but seems to be the only feasible policy option in light of the continuing U.S. pressures on the drug issue. However, the political crisis that currently the Samper administration is facing in Colombia suggests that a strategy of compromise can only be successfully achieved if the chief of government is perceived by his international counterparts as credible. In case of 1994 newly elected President Ernesto Samper, the lack of credibility and integrity of his administration in fighting the drug trafficking industry has not only made the country extremely vulnerable toward U.S. pressure, but has led internally to the deterioration of the public order. President Samper were facing charges of having received drug money in his presidential campaign, but was eventually exonerated by a special investigative commission of the Colombian Congress. Today Colombia is perceived by many Latin American experts as a "problem country" within the region and even called the "Bosnia of Latin America." With the dramatic increase of guerrilla and paramilitary activities and the expansion of a dirty war against left-oriented activists, Colombia has registered in the last two years one of the worse human rights records in the world.

In the short run, future Colombian policymakers will have to face again two alternative policy choices: to confront or to accommodate the drug traffickers (or guerrilla and paramilitary groups). A confrontational strategy would mean that the Colombian Congress supports the ratification of the reform of Article 35 in such way that extradition will be used (again) retroactively against the Colombian drug traffickers. In addition, the Colombian government might decide to militarize the fight against the illegal drug trafficking industry. However, as Barco's hard-line policy showed the involvement of national police and military forces had only limited effect on the elimination of the drug trafficking organizations. Therefore, in case of a military solution, Colombian policymakers might decide to involve special international anti-drug control units—similar to the UN mission in Bosnia—that would create safe havens and specific *drug war zones* in the Andean country. However, due to the sensitive question on sovereignty and autonomy it seems likely that such a policy choice would be doomed by Colombian government officials.

The second short-run policy option is to advance a dialogue with the major illegal players—the leaders of the drug trafficker, guerrilla, and paramilitary groups—and to accommodate their demands through a pragmatic policy that includes the assessment of the costs and benefits for the Colombian people. Despite the fact that this move might be interpreted as a sign that Colombian policymakers have given in to the power of such groups, it appears to be the most realistic and less violent approach to cope with Colombia's political situation.

In the long run, the Colombian government should pursue more aggressively in the United States a strategy that increases the support among the most important actors involved in the decision-making process of the U.S. international drug control policy. It should be more transparent about its difficulties to comply in the future in a realistic way to an international drug control agreement that seeks to eliminate probably the most lucrative illegal business in the world. One way to raise awareness amongst American policymakers and public on the complexity and intertangement of problems in Colombia is to invest heavily in publicized campaigns and informational material in the United States. In that sense, the kind of analysis provided in the dissertation might be one way to contribute to a better understanding of the limits of drug producing and drug trafficking countries to comply fully with the demands of the United States in the fight against drugs.

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Appendix A

Data Collection in Colombia

El Espectador: EE collects its daily newspapers each month in a volume, that means 12 volumes per year. Since 1974 they have created a search system (not computerized, but with cuecards) where they organized the information according to topic, personality, and locations. In 1991, the documentary service of the newspaper started to computerize all articles in order to facilitate the search for specific themes. Unfortunately, all computerized information was lost due to an unrecoverable system failure. As a result, I was left with the cuecard system that had organized information only until March 1991. From nearly 5921 articles that were published between 1986 and 1991 on the general topic of drug trafficking, I selected 388 according to the selection criteria that I had established:

Legalization = LG

Presidential Elections = PE

Agreements = AGR

USColombian Cooperation = CO

Extradition = EXT

Eradication = ERA

Militarization = MIL

Constitutional Assembly = CA

Drug Legislation = LS

Other = OTH

El Tiempo: ET has started in 1990 to computerize all its information and to make available an online-search in the largest public library and university library. In this online search I looked for the period 1992-1994 the following keywords: **United States-Colombia AND drug trafficking, Extradition, Eradication, Militarization**. I selected 476 articles according to my categories.

Semana: I search the archives of this Colombian news magazine for cover stories and articles on **Extradition** and **Drug Trafficking** in general. In total, I found 265 articles of which 101 were cover stories.

EL Espectador 1986-1992

EE	<i>"Hay Dineros Calientes En Las Campañas": Ministro De Justicia</i>	January 18, 1986	14	PE
EE	<i>Penas Hasta De 12 Años De Prisión Para Narcotraficantes</i>	January 24, 1986	18	LS
EE	<i>Gotas</i>	January 26, 1986	23	PE
EE	<i>Brasil Cumplirá Acuerdos Contra El Narcotráfico</i>	February 1, 1986	27	AGR
EE	<i>Se Abre Paso Convenio Andino De Lucha Contra El Narcotráfico</i>	February 8, 1986	30	AGR
EE	<i>Convenio Contra Tráfico De Armas Y Droga Firman Colombia Y Panamá</i>	March 4, 1986	41	AGR
EE	<i>Bajó La Producción De Marihuana</i>	March 12, 1986	49,50	ERA
EE	<i>¿Por Qué Doblan Las Campanas? Guerra En La Mafia</i>	March 29, 1986	71,72	MIL
EE	<i>Maiz Por Coca En El Cauca</i>	April 19, 1986	95	ERA
EE	<i>Precisar Paradero De "Capos", Pide Mindefensa</i>	April 22, 1986	99,100	EXT
EE	<i>Min. Justicia Rechaza Posibilidad De Pacto Con Los Narcotraficantes</i>	May 8, 1986	120	EXT
EE	<i>Balance De La Lucha Contra El Narcotráfico</i>	June 1, 1986	141-145	EXT
EE	<i>La Coca</i>	June 21, 1986	168	LG
EE	<i>El Glifosato Está Acabando Con Los Recursos Naturales</i>	July 7, 1986	7	ERA
EE	<i>Destruyen Cultivos De Coca En Nariño Y Putumayo</i>	July 20, 1986	21	ERA
EE	<i>"El Narcotráfico Tiene Sus Raíces En Paises Ricos": Embajador En E.U</i>	July 21, 1986	24,25	CO
EE	<i>Piden Equipos De Monitoreo Para Comprobar Efecto De Herbicidas</i>	July 24, 1986	30	ERA
EE	<i>Procuraduría Investigará Las Fumigaciones En La Sierra Nevada</i>	July 25, 1986	31	ERA
EE	<i>"El Glifosato No Es Peligroso" Dice El Gobierno De E. U</i>	July 31, 1986	46	ERA
EE	<i>Mi Hora Cero-Otra Víctima De Los Narcos</i>	August 1, 1986	50	EXT
EE	<i>"Colombia No Necesita Ayuda Militar Para Combatir El Narcotráfico": E.U</i>	August 2, 1986	59	CO
EE	<i>Inderena Confirma Devastación Por Glifosato En El Parque Tayrona</i>	August 5, 1986	71,72	ERA
EE	<i>Schultz Dialogará Con Barco Y Betancur Sobre Narcotráfico</i>	August 6, 1986	76	CO
EE	<i>"Estoy En La Lucha Antidrogas" Dijo El Presidente Barco A Schultz</i>	August 9, 1986	79	CO
EE	<i>Plan Colombo-Peruano Contra Droga</i>	August 13, 1986	99	AGR
EE	<i>Desconcierto En E.U Por Libertad De Ochoa</i>	August 19, 1986	109,110	EXT
EE	<i>La Libertad De Ochoa Vásquez. Extienden Investigación A Otros 2 Funcionarios</i>	August 21, 1986	117	EXT
EE	<i>Defensa De La Justicia Colombiana Hace Barco</i>	August 23, 1986	126	EXT
EE	<i>Cayó Ayer Un "Capo" En Bogotá, Sigue Acción Contra Narcos</i>	August 24a, 1986	127-129	MIL

EE	<i>Lo Real Y Lo Verosímil</i>	August 24b, 1986	131	MIL
EE	<i>2.462 Capturados Y 390 Laboratorios Destruídos En Operación Antinarcoáticos</i>	August 31a, 1986	149	MIL
EE	<i>La Ley De La Mafia</i>	August 31b, 1986	150-153	EXT
EE	<i>La Jugada De "El Ajedrecista" De La Droga</i>	September 14, 1986	178-180	EXT
EE	<i>Reagan Y Barco Acuerdan Intensificar Lucha Contra El Narcotráfico</i>	October 1, 1986	231,232	CO
EE	<i>Conceptos Adversos Precedieron Fumigación Con Glifosato</i>	October 6, 1986	244,245	ERA
EE	<i>La Iglesia Dialogaría Con Narcos</i>	October 24, 1986	263-265	EXT
EE	<i>Amnistía Para Los Narcos Con La Reforma Tributaria, Dice Newsweek</i>	October 31, 1986	272	LG
EE	<i>Piden Suspender Fumigación Con Glisofato En La Sierra Nevada</i>	November 10, 1986	282	ERA
EE	<i>Sicarios Matan A Exjefe Antidrogas De La Policía</i>	November 18, 1986	291-293	EXT
EE	<i>"Narcotraficantes No Son Perseguidos En Colombia"</i>	November 20, 1986	309,310	EXT
EE	<i>Min. Justicia Critica Declaraciones De Fiscal De E.U En Caso De Drogas</i>	November 21, 1986	314	EXT
EE	<i>"Hay Que Cambiar Actitud Frente Al Narcotráfico"</i>	December 3, 1986	362	EXT
EE	<i>Gobierno Rechaza Legalización De La Droga</i>	December 4, 1986	371	LG
EE	<i>Una Declaración Insólita</i>	December 5, 1986	373	LG
EE	<i>"No Eludiré Mis Responsabilidades Ante El País": Barco</i>	December 17, 1986	388	MIL
EE	<i>Don Guillermo Cano Su Lucha Frente Al Narcotráfico</i>	December 18, 1986	391-395	MIL
EE	<i>5 Enérgicos Decretos Contra Narcotráfico</i>	December 20, 1986	396-398	LS
EE	<i>"Subversión Favorece El Narcotráfico"</i>	December 21, 1986	401-403	MIL
EE	<i>El Conservatismo Acoge Propuesta De Diálogo Para Combatir Las Mafias</i>	December 23a, 1986	411	MIL
EE	<i>"El País No Caerá En Manos De Los Violentos": Barco</i>	December 23b, 1986	413-415	MIL
EE	<i>Elevan Penas Por Narcotráfico</i>	January 3, 1987	4-9	LS
EE	<i>"Hay Que Atacar Al Narcotráfico Por La Cabeza": Min Defensa</i>	January 5, 1987	20	MIL
EE	<i>Ordenan Indagatoria De Pablo Escobar Y Rodríguez Gacha</i>	January 10, 1987	53	EXT
EE	<i>5 Tiros A Parejo En Budapest</i>	January 14, 1987	66	EXT
EE	<i>Acción, Acción Pronto, Fuerte, Severa Contra El Narcotráfico</i>	January 18, 1987	99,100	MIL
EE	<i>Controversia Entre Gómez Hurtado Y Embajador De E.U Por Narcotráfico</i>	January 24, 1987	139,140	MIL
EE	<i>Acogida Al Plan Barco Lucha Internacional Anti-Narcos</i>	February 1, 1987	3	MIL
EE	<i>Golpear Y Debilitar Poder Económico De Narcos, Pide Parejo</i>	February 3a, 1987	7-9	MIL
EE	<i>Cardenal López Apoya Investigar Capitales Dudosos</i>	February 3b, 1987	11	MIL
EE	<i>Purga Política Para Detener Narcotráfico</i>	February 14a, 1987	80-82	MIL
EE	<i>Pastrana Rechaza Propuesta De Amnistía A Los Narcos</i>	February 14b, 1987	113	EXT
EE	<i>Apoyo Político Contra Narcos</i>	February 22, 1987	135-137	MIL
EE	<i>"Si E.U No Impide El Consumo De Droga, Imposible Frenar Producción"</i>	March 1, 1987	3	EXT
EE	<i>Inician Juicio Contra Rodríguez Orejuela En Cali</i>	March 3, 1987	7	EXT
EE	<i>Programa Para Sembrar Cacao En Zonas De Coca</i>	March 5, 1987	15	EXT
EE	<i>El Juicio A Rodríguez Orejuela-Testigos De La DEA Se Retractan</i>	March 6, 1987	16,17	EXT

EE	<i>Rodríguez Orejuela Debe Pasar A Disposición De Min-Justicia</i>	March 7, 1987	22	EXT
EE	<i>Se Agudiza Controversia En La Corte</i>	March 9, 1987	36-38	EXT
EE	<i>Congresistas De E.U Proponen "Cumbre" Sobre Narcotráfico</i>	March 17, 1987	81	EXT
EE	<i>El Juicio A Rodríguez Orejuela, La Defensa Tiene La Palabra</i>	March 26, 1987	128,129	EXT
EE	<i>Ordenan Captura De Porras Con Fines De Extradición</i>	March 27, 1987	135,136	EXT
EE	<i>Los Narcotraficantes Abandonaron La Selva, Dice El Nuevo Comandante Antinarcóticos</i>	April 6, 1987	166,167	ERA
EE	<i>Llega El Director De La DEA</i>	April 7, 1987	173	MIL
EE	<i>La DEA Anuncia Nuevas Acciones Contra Narcos</i>	April 8, 1987	174-176	MIL
EE	<i>Enviado Ayer A E.U Otro Extraditable</i>	April 26, 1987	256,257	EXT
EE	<i>Concedida Extradición A E.U De Narco Capturado En San Andrés</i>	May 5, 1987	273	EXT
EE	<i>Impugnarán Cierre De Audiencia Contra Rodríguez Orejuela</i>	May 29, 1987	335	EXT
EE	<i>No Distraer Recursos En Guerra Al Narcotráfico Pide Santofimio</i>	May 31, 1987	336	EXT
EE	<i>La DLN Desautoriza Planteamientos De Santofimio Sobre Tratado De Extradición</i>	June 3, 1987	4,5	EXT
EE	<i>El Golpe Al Narcotráfico En Paima. Difícil Destrucción De La Coca</i>	June 10, 1987	19,21,22	ERA
EE	<i>Triunfó La Jugada Del Ajedrecista</i>	June 13a, 1987	40,41	EXT
EE	<i>Negada Extradición A Rodríguez Orejuela</i>	June 13b, 1987	42-44	EXT
EE	<i>Drogas Y Cultivos Por US\$ 722 Millones Destruy 'La Policía</i>	June 27, 1987	120	MIL
EE	<i>Bases Para Una Nueva Colombia, Anuncia Barco</i>	July 21, 1987	180	EXT
EE	<i>Levantam Autos De Detención A Capos Del Narcotráfico</i>	July 23, 1987	189,190	EXT
EE	<i>"Cartel De Rodríguez Orejuela, El Más Grande Del Mundo": E.U. Juez De Cali Decreta Libertad Provisional Previo Pago De Caución</i>	July 25, 1987	199-201	EXT
EE	<i>La Absolución De Rodríguez Orejuela. La Procuraduría Pedirá Anulación De Proceso</i>	July 28, 1987	209,210	EXT
EE	<i>La Juez Niega Libertad A Lincoln Tamboer</i>	August 6, 1987	10	EXT
EE	<i>Confiscaría Bienes De Narcos A Favor De Colombia</i>	August 29, 1987	57,58	CO
EE	<i>Nuevas Pruebas De La DEA Contra Los Rodríguez Orejuela</i>	August 30, 1987	59,60	EXT
EE	<i>El Regreso De La Marihuana</i>	September 1, 1987	63,64	ERA
EE	<i>Como Pedro Por Su Casa</i>	September 23, 1987	92	EXT
EE	<i>Fiscal Pide Nulidad Del Proceso Contra Gilberto Rodríguez Orejuela</i>	September 26, 1987	94	EXT
EE	<i>E.U Iniciará Juicio Contra Lehder El Lunes</i>	September 30, 1987	97	EXT
EE	<i>Camacol Rechaza Subversión, Autodefensa Y Narcotráfico</i>	October 3, 1987	101	EXT
EE	<i>Hubo Complicidad Entre Narcos Y M-19 En Toma Del Palacio De Justicia</i>	October 9, 1987	108,109	EXT
EE	<i>El Asesinato De Don Guillermo Cano, Con Solo Dos Presos Decretan El Cierre De Investigación</i>	November 8, 1987	14	EXT
EE	<i>Barco Rechaza Diálogo Con El Narcotráfico</i>	November 10a, 1987	17-19	EXT

EE	<i>"Es Insólita La Propuesta De Guerra Frente Al Narcotráfico" Pastrana</i>	November 10b, 1987	21	MIL
EE	<i>"El Mexicano", Autor Intelectual Del Crimen De Pardo Leal</i>	November 13, 1987	24-26	EXT
EE	<i>Ochoa Vásquez Intentó Sobornar A Los Policías</i>	November 23a, 1987	64	EXT
EE	<i>Ochoa Si Puede Ser Extraditado</i>	November 23b, 1987	80	EXT
EE	<i>Mensaje De Los Extraditables</i>	November 24a, 1987	92	EXT
EE	<i>La Hora De La Autoridad</i>	November 24b, 1987	93,94	MIL
EE	<i>La Condena A Ochoa, 15 Meses Y 22 Días</i>	November 25, 1987	118	EXT
EE	<i>Auto De Detención Con Fines De Extradición Contra Ochoa</i>	November 26, 1987	131,132	EXT
EE	<i>Cuerpo Especial Antidrogas En Policía Judicial</i>	December 8, 1987	108	MIL
EE	<i>"El Gobierno Sigue Firme En Contra Del Narcotráfico", Dice Minjusticia</i>	December 12a, 1987	203	EXT
EE	<i>"El Gobierno No Permite Ni Tolera La Violencia"</i>	December 12b, 1987	204-206	EXT
EE	<i>"Ochoa Vásquez Quedaría Libre En 3 Meses"</i>	December 18, 1987	221	EXT
EE	<i>Orden De Captura Para Rodríguez Gacha Y 3 Más Por Asesinato De Pardo Leal</i>	December 29, 1987		EXT
EE	<i>¡Qué Vergüenza Señor Presidente!</i>	December 31, 1987	241-243	EXT
EE	<i>Asombro En El Gobierno Por La Liberación De Ochoa</i>	January 2a, 1988	5,6	EXT
EE	<i>E.U Ofrece Recompensa Por Captura</i>	January 2b, 1988	11	EXT
EE	<i>Estupor E Indignación En E.U</i>	January 2c, 1988	17,18	EXT
EE	<i>"Si De Vergüenza Se Trata Debería Haber Renuncias"</i>	January 4, 1988	42,43,45	EXT
EE	<i>Ordenan A DEA E Interpol Capturar A Jorge Luis Ochoa "Esté Donde Esté"</i>	January 5a, 1988	51	EXT
EE	<i>Alcalde De Bogotá Se Pronuncia A Favor De La Extradición</i>	January 5b, 1988	63,64	EXT
EE	<i>Salve Dios La Patria...!</i>	January 5c, 1988	65-67	EXT
EE	<i>"Colombia Paga Caro El Suministro De Cocaína Que Consumen En E.U"</i>	January 8, 1988	70,71	EXT
EE	<i>"Narconráfico Avasalla Poderes Públicos Y Privados" Galán</i>	January 10, 1988	97,98	EXT
EE	<i>Gobierno Aplicaría Tratado De 1888</i>	January 12, 1988	116	EXT
EE	<i>Nada Surtirá Efecto Mientras E.U Siga Siendo El "Gran Motor" Del Narcotráfico</i>	January 13, 1988	132	CO
EE	<i>Dos Organizaciones Se Atribuyen El Atentado</i>	January 14a, 1988	139	EXT
EE	<i>"La Corte Está Intimidada" Durán</i>	January 14b, 1988	144	EXT
EE	<i>Controversia Por Narcotráfico</i>	January 15a, 1988	170,171	EXT
EE	<i>Respaldo A Colombia En La OEA Frente A Retaliaciones De E.U</i>	January 15b, 1988	172,173	EXT
EE	<i>E.U Suspende Represalias A Colombia</i>	January 16a, 1988	181,182	EXT
EE	<i>Presidente Reagan Elogia Lucha De Colombia Contra Narcotráfico</i>	January 16b, 1988	183	EXT
EE	<i>"Colombia Puede Extraditar Con Cualquier Tratado": E.U</i>	January 17, 1988	189	EXT
EE	<i>M-19 Acusa Al Narcotráfico Por El Secuestro De Andrés Pastrana</i>	January 22, 1988	206,207	EXT
EE	<i>Extorsión De La Mafia Al País</i>	January 23a, 1988	212-214	EXT
EE	<i>"Los Narcotraficantes Son Indefendibles": Arias Pérez</i>	January 23b, 1988	215,216	MIL
EE	<i>"Guerrilla Y Narcotráfico Quieren Sumir Al País En Caos Y</i>	January 25, 1988	232	MIL

EE	<i>Confusión": Ossa</i> <i>La Mafia Mató A Procurador</i>	January 26, 1988	238-240	EXT
EE	<i>Barco Activa Defensa De La Democracia</i>	January 27, 1988	248-250	MIL
EE	<i>Acuerdo De Barco Y Pastrana Sobre Frente Patriótico</i>	January 30, 1988	275-277	MIL
EE	<i>"Estamos En Guerra": Lleras</i>	January 31, 1988	281-283	EXT
EE	<i>Ordenado Cierre Del Proceso Contra Ochoa</i>	February 2, 1988	291	EXT
EE	<i>La Telenovela Del General</i>	February 7, 1988	323-325	MIL
EE	<i>"Colombia No Puede Sola Contra El Narcotráfico"</i>	February 10, 1988	349	MIL
EE	<i>Iglesia Mediaría En Diálogos Con Narcos Y Guerrilleros</i>	February 13, 1988	362,363	MIL
EE	<i>Coca Y Diplomacia</i>	February 14, 1988	371	MIL
EE	<i>Cardenal López Trujillo Descartó Diálogo De La Iglesia Con Narcos</i>	February 17, 1988	378	MIL
EE	<i>Es Mejor Que Los Rendimientos Del Cartel De Medellín Lleguen Al Estado</i>	February 20, 1988	398,399	MIL
EE	<i>Reagan No Ha Iniciado Batalla Contra Drogas Afirma New York Times</i>	February 21, 1988	403,404	MIL
EE	<i>"No Negociaremos Directamente Con Narcotraficantes" Barco</i>	February 27, 1988	428	MIL
EE	<i>Colombia Pasó El Examen</i>	March 2, 1988	448-450	MIL
EE	<i>¿La Viga En El Ojo Propio?</i>	March 3, 1988	459	CO
EE	<i>Constitucional, Reforma El Habeas Corpus</i>	March 4a, 1988	464,465	LS
EE	<i>Pablo Escobar Desafió A Las Fuerzas Armadas</i>	March 4b, 1988	466-468	MIL
EE	<i>En Las Mismas Narices</i>	March 5, 1988	485	CO
EE	<i>La Conexión NarcosContras-Administración Reagan. Una Historia Oscura En La Casa Blanca</i>	March 6, 1988	488-491	CO
EE	<i>"La Narcoguerrilla Con Acciones E Intimidaciones, Golpe Publicitario"</i>	March 8, 1988	497-499	MIL
EE	<i>"Extradición Del Cartel De Medellín Podría No Servir De Nada"</i>	March 11, 1988	511,512	EXT
EE	<i>El Consejo De Estado Suspendió Auto De Detención Con Fines De Extradición Contra Pablo Escobar</i>	March 24, 1988	535-537	EXT
EE	<i>Las Amenazas De Los Extraditables A La Corte</i>	March 25, 1988	552,553	EXT
EE	<i>Por Una Pista Cayó El Procurador</i>	March 29, 1988	572-574	EXT
EE	<i>Silencio De Directivas Conservadoras</i>	March 30, 1988	583	MIL
EE	<i>Seguirá El Operativo Military Contra Mafia</i>	April 2a, 1988	4-6	MIL
EE	<i>Acalorado Debate De Patrana Y Koch Sobre El Tráfico De Drogas</i>	April 2b, 1988	12,13	CO
EE	<i>Alcalde De N.Y Ofrece Ayuda Para Bombardear "Cartel De Medellín"</i>	April 6a, 1988	37	CO
EE	<i>Capturado Matta Ballesteros En Honduras Y Extraditado A E.U</i>	April 6b, 1988	39	EXT
EE	<i>E.U Espera Que Colombia Utilice "Sistema Honduras"</i>	April 9, 1988	57	EXT

EE	<i>"Lucha Contra Narcotráfico No Claudicará"</i>	April 10, 1988	65	MIL
EE	<i>El Embajador Gillespie Elogia Labor De F.A Contra Narcos</i>	April 14, 1988	97	MIL
EE	<i>Candidatos De E.U Rompen Silencio Sobre "Narcocrisis"</i>	April 18, 1988	118-120	CO
EE	<i>El General ® Matallana Aclara Versión De Prensa Sobre Corrupción En La Policía</i>	April 30, 1988	170	MIL
EE	<i>Carta De Respaldo Al General Ruiz Barrera En Medellín</i>	May 4, 1988	19	MIL
EE	<i>Golpes Certeros</i>	May 5, 1988	27	MIL
EE	<i>"Queremos Cultivar Comida En Vez De Coca"</i>	May 9, 1988	55,56	ERA
EE	<i>El Mejicano A Juicio Por Asesinato De Pardo Leal</i>	May 11, 1988	67	EXT
EE	<i>Guerra Al Narcotráfico Ordena El Congreso De E.U Al Departamento De Defensa</i>	May 15, 1988	89	MIL
EE	<i>Piden A E.U Que Destruya Toda La Cocaína Incautada</i>	May 17, 1988	101,102	EXT
EE	<i>"La Política Obstaculiza Lucha Contra Drogas"</i>	May 19, 1988	115,116	MIL
EE	<i>Procuraduría Investigará A Military Por Las Llamadas De "El Mejicano"</i>	May 20a, 1988	122	MIL
EE	<i>Lehder Culpable</i>	May 20b, 1988	123,124	EXT
EE	<i>No Podrán Aplicar A Lehder Una Pena Mayor De 30 Años De Cárcel</i>	May 21, 1988	139	EXT
EE	<i>Crece Debate En E.U Sobre Legalización De Narcóticos</i>	May 26, 1988	163,164	LG
EE	<i>"Colombia Ha Pagado Alto Costo En Lucha Contra Las Drogas"</i>	May 31, 1988	183,184	EXT
EE	<i>Dolor De Cabeza De Los Floricultores</i>	June 6, 1988	21,22	CO
EE	<i>E.U Afirma Imperio Al Orden Legal En Colombia</i>	June 8, 1988	27	CO
EE	<i>En La Guerra Contra La Droga, El Usuario Es El Objetivo</i>	June 10, 1988	33,34	MIL
EE	<i>Avianca Deja De Transportar 70.000 Kilos Diarios De Carga</i>	June 12, 1988	46,47	CO
EE	<i>"El Narcotráfico, Un Problema De Moral", Dice Cardenal Revollo</i>	June 28, 1988	111,112	MIL
EE	<i>Contra La Coca. Victorias En Aire Y Tierra</i>	June 30, 1988	116-119	MIL
EE	<i>"Narcos Se Han Puesto Al Margen De Toda Moral Y Todo Diálogo"</i>	July 8, 1988	26-28	MIL
EE	<i>"Es Injusto Compara A Los Colombianos Con El Cartel"</i>	July 9, 1988	32,33	CO
EE	<i>Tribunal De Cali No Acepta Nulidad De Fallo Que Absolvió A Gilberto Rodríguez</i>	July 12, 1988	41,42	EXT
EE	<i>Iglesia Pide Más Valor De La Justicia Contra Narcotráfico</i>	July 15, 1988	53,54	MIL
EE	<i>Barco, Corresponsal Extranjero</i>	July 16, 1988	55-57	MIL
EE	<i>Se Tardará Meses Para Destruir Cultivo De Marihuana</i>	July 19, 1988	66	ERA
EE	<i>Cadena Perpetua Para Lehder</i>	July 21, 1988	69,70	EXT
EE	<i>La Corte Suaviza Penas Para Narcos</i>	July 27, 1988	93	LS
EE	<i>Ayuda Norteamericana Para Campesinos Que Han Erradicado Cultivos De Coca</i>	August 3, 1988	11,12	ERA
EE	<i>Crece Vendetta Entre Carteles</i>	August 19, 1988	55,56	MIL
EE	<i>"Cartel De Medellín" Queda Liberado De Extradición</i>	August 25a, 1988	87	EXT
EE	<i>Falla Juez Amenazado De Muerte Por Extraditables</i>	August 25b, 1988	88-90	EXT
EE	<i>Temas De Nuestro Tiempo</i>	September 2a, 1988	3	LS

EE	<i>"El Narcotráfico Es Un Superpoder"</i>	September 2b, 1988	4	MIL
EE	<i>"Legalizar La Droga Es Claudicar"</i>	September 4, 1988	13,14	MIL
EE	<i>18 Sindicados Por Matanzas De Urabá</i>	September 6, 1988	15,16	MIL
EE	<i>Países Consumidores De Drogas Actúan Con Inaudita Hipocresía</i>	September 28, 1988	84-86	MIL
EE	<i>PNR Y Sustitución De Narcocultivos</i>	September 30, 1988	91-93	ERA
EE	<i>"El Tratado De Extradición Está En El Cuarto De San Alejo", Serpa</i>	October 24a, 1988	85	EXT
EE	<i>Periodistas De E.U Piden Ayuda Para Colombia En Lucha Contra Narcotráfico</i>	October 24b, 1988	86	CO
EE	<i>Aceptan Solicitud Para Revocar Absolución A Rodríguez Orejuela</i>	October 26, 1988	90	EXT
EE	<i>"El Cartel De Medellín Me Quiere Asesinar" Dice Alcalde De N.Y</i>	October 27, 1988	98	CO
EE	<i>Perseveremos En La Lucha Contra El Narcotráfico</i>	November 24, 1988	39	CO
EE	<i>Crearían Organismo Interamericano Para Luchar Contra Narcos</i>	November 28, 1988	40	MIL
EE	<i>El FBI Se Infiltró En Los Carteles De Medellín Y Cali</i>	December 7, 1988	58,59	MIL
EE	<i>Protesta Magistrado Por Liberación De Sindicados De Asesinar Al Procurador</i>	December 13, 1988	81,82	MIL
EE	<i>Millón Y Medio De Matas De Amapola Y 193 Mil De Coca Destruyó El DAS Este Año</i>	December 28, 1988	116,117	ERA
EE	<i>Doce Toneladas De Cocaína Y 70 Pistas Clandestinas Destruyó La Policía En 1988.</i>	January 3, 1989	1	ERA
EE	<i>Guerra Contra La Droga: ¿La Debe Dar El Ejército?</i>	January 10, 1989	22	MIL
EE	<i>Nombrado Zar De Las Drogas En EEUU</i>	January 13, 1989	29,30	EXT
EE	<i>Nueva Legislación Antidrogas De EU-América Latina Espera El Impacto</i>	January 20, 1989	45,46	CO
EE	<i>70 Guardaespaldas Protegen Jueza Colombiana En Detroit</i>	February 13, 1989	115	MIL
EE	<i>US\$ 22.5 Millones Para Lucha Contra Narcotráfico</i>	February 26, 1989	176,177	MIL
EE	<i>EU Reconoce Lucha De Colombia Contra La Droga</i>	March 2, 1989	13,14	CO
EE	<i>El Asesinato De Pardo Leal, Con Veredicto Condenatorio Para Dos Procesados Terminó La Audiencia</i>	March 3, 1989	24,25	EXT
EE	<i>El Consumo A Primer Plano</i>	March 10, 1989	42	CO
EE	<i>9 Helicópteros Y US\$2 Millones Más Para Combatir Narcos</i>	March 23, 1989	73	MIL
EE	<i>Banco De Occidente Nombra Apoderados En EU</i>	March 31, 1989	100-102	MIL
EE	<i>Pizarro Leongómez Defiende Su Propuesta De Diálogo Con Narcotráfico</i>	April 6, 1989	121	MIL
EE	<i>El Presidente Barco Dijo: ¡ No A La Droga!</i>	April 16a, 1989	184	MIL
EE	<i>Bush Apoya El No A La Droga</i>	April 16b, 1989	190,191	CO

EE	<i>Bush Censura Venta De Materia Prima A Narcos</i>	April 28, 1989	216	MIL
EE	<i>"El Narcotráfico Está Arrinconado"</i>	May 7, 1989	21,22	MIL
EE	<i>Caucho Y Maiz Contra La Coca En El Caquetá</i>	May 18, 1989	57-59	ERA
EE	<i>Maza Acusa Al Narcoterrorismo Y A Grupos AutoDefensa</i>	May 31, 1989	103	MIL
EE	<i>Descubren Enormes Plantaciones De Coca Y Marihuana</i>	June 22a, 1989	180	ERA
EE	<i>"El Narcotráfico Ha Destruído La Justicia" Plazas Alcid</i>	June 22b, 1989	184	CO
EE	<i>Estrategia De Durán Contra Narcotráfico Y Terrorismo</i>	July 14, 1989	63	MIL
EE	<i>Guerra De Delaciones En Mafia De Las Esmeraldas</i>	July 27a, 1989	89,90	EXT
EE	<i>"Los Narcotraficantes No Podrán Comprar Todas Las Conciencias"</i>	July 27b, 1989	94,95	MIL
EE	<i>"No Podemos Solos Contra El Narcotráfico</i>	July 30, 1989		MIL
EE	<i>Residencias Fiscales Para Jueces De Orden Público</i>	August 2, 1989	5,6	EXT
EE	<i>"Sin Duda Alguna El Cartel De Medellín Está Detrás De Esto"</i>	August 6, 1989	21	MIL
EE	<i>Galán Condena Infiltración De Narcos En Política</i>	August 11a, 1989	36	MIL
EE	<i>"Morena" Contra El Tratado De Extradición"</i>	August 11b, 1989	41	EXT
EE	<i>La Cocaína Contra La Justicia</i>	August 18, 1989	77,78	EXT
EE	<i>Extradición Y Expropiación De Bienes A Narcos</i>	August 19a, 1989	79-81	EXT
EE	<i>El Alcalde De Medellín Invoca Diálogo Con Los Narcotraficantes</i>	August 19b, 1989	84-86	MIL
EE	<i>"Todo Obedece Al Narco-Militarismo"</i>	August 20a, 1989	101	MIL
EE	<i>E.U. Está Listo Para Recibir A Los "Narcos"</i>	August 20b, 1989	103	EXT
EE	<i>"La Mafia Ha Ganado Batallas Pero El País Debe Ganar La Guerra"</i>	August 20c, 1989	108	MIL
EE	<i>"En Medio Del Dolor, Abogo Por El Diálogo": Peláez</i>	August 20d, 1989	109	EXT
EE	<i>"Atmósfera De Terrorismo En Vez De Simple Narcotráfico"</i>	August 21, 1989	111	CO
EE	<i>Ayuda Económica A Colombia Por Ofensiva Contra Narcos</i>	August 24a, 1989	151	MIL
EE	<i>¿Intervención Militar Ó Apoyo Económico?</i>	August 24b, 1989	160-162	CO
EE	<i>Gaviria Rechaza Diálogo Con Los Capos Del Narcotráfico</i>	August 25a, 1989	169	MIL
EE	<i>Amenazan Matar A 10 Jueces Por Cada Extraditado</i>	August 25b, 1989	196	EXT
EE	<i>E.U. Aprueba Ayuda Por US\$ 65 Millones</i>	August 26, 1989	215,216	CO
EE	<i>Presidente De La Cámara Dice Que Sí A Diálogo</i>	August 31, 1989	280	MIL
EE	<i>... ¡Seguimos Adelante!</i>	September 3, 1989	37	MIL
EE	<i>Comunicado Del Presidente Barco Sobre Plan Bush</i>	September 7, 1989	108	MIL
EE	<i>Congreso De E.U. Respalda Lucha Antidroga De Colombia</i>	September 19, 1989	256	CO
EE	<i>E.U. Anula Visas A 25 Políticos Colombianos</i>	September 21, 1989	281,282	MIL
EE	<i>Los Narcotraficantes Piden Diálogo A Través Del Presidente De La Cámara</i>	September 23, 1989	305	EXT
EE	<i>"La Guerra De Los Explosivos" De Medellín A Bogotá</i>	September 24, 1989	319320	EXT
EE	<i>Colombia En La Mira Del Mundo</i>	September 29, 1989	381382	CO

EE	<i>La Economía En El "Filo De La Navaja"</i>	September 30, 1989	387	MIL
EE	<i>Guerra Comercial Y Guerra Política</i>	October 1, 1989	19	MIL
EE	<i>Detectan Alianza De Los Carteles Tras La Ofensiva En Colombia</i>	October 3, 1989	38	MIL
EE	<i>"Una Decisión Que Fortalece Las Herramientas Del Gobierno"</i>	October 4a, 1989	54-56	MIL
EE	<i>La Corte Impulsa Guerra Anti-Narcos</i>	October 4b, 1989	66-68	LS
EE	<i>Secretario De Justicia De E.U. Elogia El Fallo De La Corte</i>	October 6, 1989	80	CO
EE	<i>'Hubo Contacto con los Narcos, pero no Negociación</i>	October 8, 1989	1A, 10A	
EE	<i>El Espectador Exige Protección Del Gobierno</i>	October 12, 1989	141	MIL
EE	<i>"Nosotros También Seguiremos Adelante"</i>	October 17, 1989	225	MIL
EE	<i>"No Es Oportuno El Diálogo Con Los Narcos"</i>	October 20, 1989	258-260	EXT
EE	<i>Los Extraditables Insisten En Diálogo</i>	October 24, 1989	294	EXT
EE	<i>"El Gobierno No Transará"</i>	October 25, 1989	307-308	EXT
EE	<i>Turbay Se Identifica Con Posición Del Gobierno Frente Al Narcotráfico</i>	October 31, 1989	364	EXT
EE	<i>¿Qué Es Lo Que Pasa En Colombia?</i>	November 3, 1989	17-22	MIL
EE	<i>"La Extradición Es Prueba De La Incapacidad Del Estado": Gaviria</i>	November 4, 1989	23	EXT
EE	<i>Schultz Pide Legalizar La Droga Y La Casa Blanca Lo Ridiculiza</i>	November 7, 1989	40	LG
EE	<i>'La Extradición Es Prueba de la Incapacidad del Estado,' Gaviria</i>	November 11, 1989	50	EXT
EE	<i>Éxitos Y Dudas En Tres Meses De Guerra</i>	November 20, 1989	109,110	MIL
EE	<i>Mientras Continúe Demanda Habrá Problema De Drogas</i>	November 26, 1989	147,148	CO
EE	<i>Otra Narco-Masacre</i>	December 7, 1989	39-42	EXT
EE	<i>"El Narcotráfico, Un Poder Oculto Y Evidente": Pastrana</i>	December 14, 1989	53	MIL
EE	<i>"Los Encontramos, Se Resistieron Y Murieron En El Enfrentamiento"</i>	December 16, 1989	60	MIL
EE	<i>Bush Elogia Acción Contra "El Mejicano"</i>	December 17, 1989	75	EXT
EE	<i>Samper Insiste En La Legalización De La Droga</i>	December 27, 1989	131	LG
EE	<i>Imparable La Flotilla De E.U.</i>	January 8a, 1990	7A	MIL
EE	<i>Colombia Rechaza Pretensiones De E.U.</i>	January 8b, 1990	7A	MIL
EE	<i>"Colombia No Necesita Que La Vigile Nadie"</i>	January 8c, 1990	7A	MIL
EE	<i>"Las Maniobras: Una Amenaza A La Soberanía"</i>	January 8d, 1990	7A	MIL
EE	<i>Viraje En Alta Mar</i>	January 10, 1990	1A	MIL
EE	<i>Revollo, López, Turbay Y Pastrana Proponen Transacción Con Extraditables</i>	January 16a, 1990	12A	EXT
EE	<i>"La Respuesta No Debe Darla El Gobierno": Lemos</i>	January 16b, 1990	13A	EXT
EE	<i>"El Documento Fue Consultado Con Extraditables": Bedoya</i>	January 17a, 1990	14A	EXT
EE	<i>Ni Revollo, Ni Turbay, Ni Pastrana Conocían El Documento Propuesta</i>	January 17b, 1990	14A	EXT
EE	<i>No Habrá Concesiones Con Los Extraditables</i>	January 19, 1990	12A	EXT
EE	<i>"Nos Oponemos Al Diálogo": Cardenal López</i>	January 21a, 1990	12A	EXT

EE	<i>Presidente Barco Firme, pero Flexible</i>	January 21b, 1990		EXT
EE	<i>Procuraduría Investiga Autorización De Sobrevuelos A Aviones De DEA</i>	February 4, 1990	7A	MIL
EE	<i>Colombianos Y Norteamericanos, Divididos A Causa De La Droga</i>	February 10, 1990	7A	CO
EE	<i>Se Compromete A Ayudar A Países Andinos</i>	February 14, 1990	12A	CO
EE	<i>Una Cumbre Para Curar Heridas</i>	February 15a, 1990	9A	CO
EE	<i>Los Extraditables Entregan Laboratorios</i>	February 15b, 1990	14A	EXT
EE	<i>"La Propuesta de los Narcos Es Una Farsa"</i>	February 15c, 1990		EXT
EE	<i>"Mano Tendida" De E.U. A Colombia</i>	February 16a, 1990	1D	CO
EE	<i>Barco No Dialogará Con Narcos</i>	February 16b, 1990	2D	EXT
EE	<i>En Que Estamos</i>	February 23, 1990		EXT
EE	<i>Purga Mortal Dentro Del Cartel De Medellín</i>	February 24, 1990	1A	MIL
EE	<i>"Que Los Narcos Cumplan Las Promesas"</i>	March 4, 1990	15A	EXT
EE	<i>"La Mafia Mató A Jaramillo Ossa"</i>	March 3, 1990	1A	EXT
EE	<i>Se Abre Paso A Tesis de la Flexibilidad con los Narcos</i>	March 7, 1990	13A	EXT
EE	<i>¿Alcalde De Medellín Defiende Al Cartel?</i>	March 24, 1990	13A	EXT
EE	<i>Cuando El Río Suená...</i>	March 28, 1990	11A	EXT
EE	<i>El 23 De Enero, Fue Así</i>	March 30a, 1990	10A	EXT
EE	<i>Extraditables Rectifican A Sus Negociadores</i>	March 30b, 1990	10A	EXT
EE	<i>Lemos lleva más Roncha</i>	March 30c, 1990	10 ^a	EXT
EE	<i>"Engañaron al País o me Engañaron a mi," Lemos</i>	March 30d, 1990	10A	EXT
EE	<i>Gaviria Emplaza A Barco, Para Claridad Total</i>	March 31a, 1990	12A	EXT
EE	<i>Barco Habló... Y A Montoya?</i>	March 31b, 1990	13A	MIL
EE	<i>El Cardenal Revollo, Uno De "Los Notables"; Afirma Que El Gobierno No Le Cumplió A Los Narcos</i>	April 3a, 1990	11A	EXT
EE	<i>Informe al Exterior sobre la Declaración de El Espectador</i>	April 3b, 1990		ET
EE	<i>Tribunal Especial Juzgará A Los Que Se Entreguen</i>	April 6a, 1990	13A	EXT
EE	<i>"El Estado Puede Fijar Las Condiciones De Rendición De Narcotraficantes": Gaviria</i>	April 6b, 1990	13A	EXT
EE	<i>El Gobierno se Mantiene Firme en la Lucha contra el Narcotráfico</i>	April 6c, 1990	13A	
EE	<i>Se Abre Paso La Tesis De La "Flexibilidad" Con Narcos</i>	April 7, 1990	11A	EXT
EE	<i>"Colombia Debe Gestionar Legalización De La Cocaína"</i>	April 8, 1990	10A	EXT
EE	<i>Los Extraditables Amenazan Con No Dejar "Ni Un Policía Vivo" En Medellín</i>	April 14a, 1990	7A	EXT
EE	<i>Bush Condena Carrobomba De Itagüí</i>	April 14b, 1990	7A	EXT
EE	<i>Gaviria Se Opone Al Indulto Para Los Narcotraficantes</i>	April 17, 1990	5A	EXT
EE	<i>"Flexibilidad Penal" Para Los Narcos Plantea En E.U. El Alcalde De Bogotá</i>	April 24, 1990	13A	EXT
EE	<i>A Pizarro Lo Mató El Cartel De Medellín, Dice Director De La Dijín</i>	April 28a, 1990	13A	EXT
EE	<i>E.U. Entregará A Colombia Propiedades Incautadas A Los Narcotraficantes</i>	April 28b, 1990	14A	CO
EE	<i>Tercer Carro Bomba En Cali</i>	May 7, 1990	11A	EXT
EE	<i>"La Policía Seguirá Inquebrantable En Su Lucha Contra El</i>	May 12, 1990	11A	MIL

<i>Narcotráfico</i>				
EE	<i>Mucho Tilín Y Nada De Paletas</i>	June 3, 1990	6A	CO
EE	<i>¿Guerra? Si, Pero Con Ayuda Económica</i>	June 9, 1990	10A	CO
EE	<i>Las Mentiras De La Guerra De La Droga</i>	July 14, 1990	2A	MIL
EE	<i>Gaviria Sugiere Cambio De Táctica En Lucha Antidroga</i>	July 22, 1990	10A	MIL
EE	<i>Divultan Boletín De Presunto Nuevo Grupo De Extraditables</i>	July 24, 1990	13A	EXT
EE	<i>Los Extraditables Decretan Tregua Unilateral</i>	July 28, 1990	12A	EXT
EE	<i>Reducción De Penas Y No Extradición Para Confesos</i>	September 6, 1990	10A	EXT
EE	<i>E.U. Elogia Las Medidas</i>	September 7, 1990	6A	EXT
EE	<i>Las FARC Se Han Convertido En El Tercer Cartel De La Droga: MinDefensa</i>	September 15, 1990	13A	MIL
EE	<i>Comunicado De Los Extraditables</i>	September 21, 1990	10A	EXT
EE	<i>"El Gobierno No Dará Tratamiento Político A Los Narcotraficantes</i>	September 22, 1990	11A	LS
EE	<i>Notables Ofrecen Mediación</i>	October 6, 1990	13A	EXT
EE	<i>Primera Respuesta De George Bush A Colombia</i>	October 7, 1990	11A	LS
EE	<i>"Colombia Desvió La Ayuda Antinarcóticos De E.U."</i>	October 14, 1990	14A	CO
EE	<i>2.369 Narcotraficantes Capturados En El País En Lo Que Va Corrido De 1990</i>	November 1, 1990	13A	MIL
EE	<i>"Ofrezco Las Páginas De El Colombiano A Los Extraditables</i>	November 11, 1990	15A	EXT
EE	<i>La Semana Entrante Definirán Situación Jurídica De Ochoa Vásquez Y De "Cristo"</i>	December 21, 1990	14A	EXT
EE	<i>"Hay Que Desnarcotizar La Realidad Social Colombiana"</i>	December 23, 1990	11A	LG
EE	<i>Ayuda Judicial: Nuevo Campo De Asistencia De E.U.</i>	January 9, 1991	12A	CO
EE	<i>García Márquez Respalda Política Antinarcóticos Del Presidente Gaviria</i>	January 12, 1991	11A	MIL
EE	<i>Colombia Ya Había Pedido Pruebas Al Exterior</i>	January 17, 1991	8A	EXT
EE	<i>Abandono De La Extradición Es Capitulación Ante El Narcotráfico</i>	January 25, 1991	11A	EXT
EE	<i>"Los Decretos Del Gobierno No Son Efectivos": Mosquera Chaux</i>	February 2, 1991	6A	EXT
EE	<i>Por Lucha Antidrogas, E.U. Compensa A Colombia Con US\$41 Millones</i>	February 16, 1991	10A	CO
EE	<i>Gaviria Firmó Con E.U. 4 Acuerdos Contra La Droga</i>	February 26, 1991	8A	CO
EE	<i>Se Multiplican Amenazas A Jueces</i>	March 11, 1991	5A	EXT
EE	<i>Con US\$80.8 Millones E.U. Ayudará A Colombia</i>	April 2, 1991	9A	CO
EE	<i>E.U. Dice Que Sería Un Error Prohibir Extradición De Narcos Colombianos</i>	April 16, 1991	7A	EXT
EE	<i>Más Facilidades Para Entrega De Narcos A La Justicia</i>	May 23, 1991	13A	EXT
EE	<i>"Propuesta Del Padre García Herreros Es Ilusa", Dice Presidente Del Episcopado</i>	May 30a, 1991	12A	MIL
EE	<i>Pablo Escobar Negocia Entrega</i>	May 30b, 1991	12A	EXT
EE	<i>Carta De García Herreros A Escobar Gaviria</i>	May 30c, 1991	12A	EXT

EE	<i>Cartas De Pablo Escobar Y Guerra Serna Sobre "Operación Entrega"</i>	May 31, 1991	12A	EXT
EE	<i>El Gobierno No Negocia La Entrega De Los Narcos</i>	June 6, 1991	12A	EXT
EE	<i>Operación Entrega Vista Por Newsweek</i>	June 5, 1991	10A	EXT
EE	<i>Operación Entrega Vista Por El Miami Herald</i>	June 7, 1991	14A	EXT
EE	<i>Sólo Se Negocia La Seguridad, Acepta El Presidente Gaviria</i>	June 20a, 1991	13A	EXT
EE	<i>Escobar Dice Que Pagará Los Años "Que Sean Necesarios"</i>	June 20b, 1991	14A	EXT
EE	<i>Bush Preferiría Ver A Escobar En E.U.</i>	June 20c, 1991	13A	CO
EE	<i>Un Triunfo de la Justicia</i>	June 23, 1991		
EE	<i>Rangel Pide Chance Para Justicia Colombiana</i>	June 29, 1991	3B	CO
EE	<i>La Entrega A La Justicia No Borra Los Delitos De Los Narcotraficantes</i>	July 6, 1991	6B	EXT
EE	<i>Autodefensas No Creen En Desmovilización Del Cartel</i>	July 31, 1991	10A	EXT
EE	<i>A La Justicia Penal Caso Del "Narcovideo"</i>	August 23, 1991	12A	CA
EE	<i>Parejo Pide Investigar Responsabilidad Penal De Gaviria</i>	October 25, 1991	14A	CA
EE	<i>Escobar Condiciona A EE.UU. Para Entrega De Pruebas</i>	December 19, 1991	9A	EXT
EE	<i>Alerta, Llegó La Década De La Amapola: Policía</i>	December 31, 1991	11A	MIL
EE	<i>Estados Unidos Inició Ayuda Anti-Amapola</i>	February 4, 1992	12A	ERA
EE	<i>Embestida Legal Contra El Uso Del Glifosato</i>	February 18a, 1992	13A	ERA
EE	<i>Indígenas Piden Protección Contra Religiosos Y Glifosato</i>	February 18b, 1992	16A	ERA
EE	<i>Rechazada Primera Tutela Contra Glifosato</i>	February 22, 1992	15A	ERA
EE	<i>Legalizar Cultivos, Otra Posibilidad</i>	February 25, 1992	15A	ERA
EE	<i>E.U. Entregó US\$900.000 De Rodríguez Gacha A Colombia</i>	February 26, 1992	10A	CO
EE	<i>"Colombia, El Más Sólido Socio En Lucha Contra La Droga"</i>	March 5, 1992	14A	CO

El Tiempo 1992-1994

ET	<i>Canciller Defendió Política de Extradición</i>	October 1, 1990	3A	CO
ET	<i>Quien se entregue no será extraditado: Gobierno</i>	October 9, 1990	1A, 8A	LS
ET	<i>Justicia Justa y no Solo Cacao</i>	October 21, 1990	3A	CO
ET	<i>DEA: Extradición se Debe Mantener</i>	April 25, 1991	1A-6C	EXT
ET	<i>Que Espera el País de la Constituyente</i>	May 21, 1991	8A	EXT
ET	<i>Gabo: Es un Triunfo de la Inteligencia</i>	June 20, 1991		EXT
ET	<i>Positivo Efecto en la Economía</i>	June 21a, 1991		EXT
ET	<i>Colombia no Protege el Narcotráfico</i>	June 21b, 1991	7A	EXT
ET	<i>Se Promocionan los Resultados de la Política de Entrega de Narcos</i>	June 22, 1991	10B	EXT
ET	<i>La Justicia Colombiana Tiene Que Probar que Es Capaz: McNamara</i>	June 25, 1991		EXT
ET	<i>Entrega de Escobar: Éxito del Gobierno</i>	June 30, 1991		EXT
ET	<i>McNamaraXXX</i>	August 4, 1991		EXT
ET	<i>El Mundo del 91, Una Gran Sorpresa</i>	January 5a, 1992	10A	OTH
ET	<i>Droga: 27 Colombianos Presos al Día</i>	January 5b, 1992	1A-3A	MIL
ET	<i>EE.UU. Pierde Guerra Antinarcóticos</i>	January 6, 1992	12A	CO
ET	<i>Se Reactivan 'Los Extraditables'?</i>	January 7a, 1992	14A	EXT
ET	<i>Intensa Ofensiva Diplomática en 1992</i>	January 7b, 1992	7A	CO
ET	<i>Acusado de Manejar Red de Narcos</i>	January 14, 1992	1A-7A	EXT
ET	<i>DAS Sigue Pista a Narcoescándalo</i>	January 15, 1992	1A-12A	MIL
ET	<i>Cumbre Antidroga en Miami el 26 de Febrero</i>	January 17, 1992	1A-11A	CO
ET	<i>Drogas, el Mundo en la Mira</i>	January 19, 1992	16A	EXT
ET	<i>Otra Vez, Cartel de Cali Apuesta a la Absolución</i>	January 31, 1992	1A-4B	LG
ET	<i>No Soy un Hombre Libre: Parejo</i>	February 2, 1992	14A	OTH
ET	<i>EE.UU.: Tibio Apoyo a Nuevo Pacto Cafetero</i>	February 19, 1992	12B	CO
ET	<i>Bush: no Habrá Giros en Blanco</i>	February 26a, 1992	1A-3A	CO
ET	<i>Convención de Viena, al Congreso</i>	February 26b, 1992	3A	LS
ET	<i>Emergencia: Única Opción</i>	March 1, 1992	6C	AGR
ET	<i>Aprobada la Compra de otros 15 Helicópteros</i>	March 24, 1992	1A-11A	MIL
ET	<i>Guerra Jurídica a Narcos del Valle</i>	March 31, 1992	1A-8A	EXT
ET	<i>Problema de la Droga se Halla Aquí: Bill Clinton</i>	April 2, 1992	8A	CO
ET	<i>Lucha Contra Narcos: Cita en Viena</i>	April 6, 1992	16A	LS
ET	<i>Declaran Culpable a Noriega</i>	April 10a, 1992	1A-10A	OTH
ET	<i>El Prontuario de Noriega</i>	April 10b, 1992	10A	OTH
ET	<i>Por que Bush y no Clinton</i>	April 12, 1992	4A	OTH
ET	<i>Apoyo de Us\$132 Millones para la Lucha Antidrogas</i>	April 23, 1992	14B	CO
ET	<i>Nuevo Perfil de Apertura</i>	April 24, 1992	11,	CO
			VALLE	
ET	<i>Ejército: no más Ayuda de EE.UU.</i>	April 27, 1992	1A-8A	CO
ET	<i>Cierran Cerco Aéreo a la Droga</i>	April 28a, 1992	8A	OTH
ET	<i>Ivan Urdinola fue Capturado en El Valle</i>	April 28b, 1992	1A-12A	EXT
ET	<i>Lara y Low: dos Muertos y una Sola Impunidad ...</i>	April 30, 1992	7A	EXT

ET	<i>Colombia y EE.UU.: Empresarios Proponen</i>	May 11, 1992	7B	CO
ET	<i>Capturan a tres Narcos Colombianos</i>	May 12, 1992	9A	EXT
ET	<i>Dineros del Cartel de Cali para EE.UU</i>	May 13, 1992	9B	EXT
ET	<i>Colombia en Miami</i>	May 15, 1992	5A	CO
ET	<i>Una Lucha Ineficaz y Costosa</i>	May 17a, 1992	8,9,10	MIL
ET	<i>Agricultura Andina: Necesidad sin Apoyo</i>	May 17b, 1992	1C	CO
ET	<i>Rosso Serrano: Urge Cartel Mundial Contra los Narcos</i>	May 20a, 1992	8A	AGR
ET	<i>Colombia Pide Cooperacion Continental</i>	May 20b, 1992	11A	CO
ET	<i>Ee.Uu. Reitera Condiciones para Nuevo Pacto Cafetero</i>	May 26, 1992	11B	CO
ET	<i>Colombia Ganara Lucha Contra Narcos': Busbys</i>	May 28, 1992	13B	ERA
ET	<i>EE:UU: Crecen Capturas de Colombianos con Heroína</i>	June 2, 1992	12A	EXT
ET	<i>Indignacion Mundial por Fallo de Corte de EE.UU.</i>	June 17a, 1992	1A-10A	CO
ET	<i>Nueva Lista de Diplomáticos Sobornados por los Narcos</i>	June 17b, 1992	14A	EXT
ET	<i>Solos Frente al Mundo</i>	June 18, 1992	4A	LG
ET	<i>Medellin Volvio a Respirar con la Entrega de Escobar</i>	June 19a, 1992	9B	EXT
ET	<i>Juicio de Escobar, Apenas en 'Pañales'</i>	June 19b, 1992	9A	EXT
ET	<i>Capturan a Ex Coroneles por Trafico de Drogas</i>	June 24, 1992	12C	MIL
ET	<i>Colombia y EE.UU. Analizan Lucha Antidrogas</i>	June 25, 1992	7A	CO
ET	<i>'Si eso es Cierto, Emitiremos una Nota de Protesta': Ochoa Antic</i>	June 30, 1992	10A	OTH
ET	<i>Ratificar o no Ratificar</i>	July 2, 1992	3A	AGR
ET	<i>Colombia se Beneficiara de las Ventajas Arancelarias en EE.UU.</i>	July 3, 1992	1A-7A	CO
ET	<i>Seis Nuevos Ministros</i>	July 5, 1992	1A-6A	OTH
ET	<i>Escobar y Ochoa Piden Negociacion de Penas</i>	July 17a, 1992	1A-9A	EXT
ET	<i>Acciones Antidroga en Seis Paises</i>	July 17b, 1992	4C	MIL
ET	<i>EE.UU. no Retira Apoyo a Colombia</i>	July 24, 1992	12A	CO
ET	<i>Diarios Expresan Temor por Fuga de Escobar</i>	July 25, 1992	6A	CO
ET	<i>La DEA Exalta Lucha Antidrogas de la Policia</i>	July 27a, 1992	1A-8A	MIL
ET	<i>Congresistas Americanos Proponen Caceria a Escobar</i>	July 27b, 1992	10D	LG
ET	<i>Gaviria: Estamos Dispuestos a Recapturar a Pablo Escobar</i>	July 31, 1992	10C	CO
ET	<i>Fuga de Escobar Perjudica a Bush</i>	August 3, 1992	8A	EXT
ET	<i>Capturar a Escobar, un Deber de Todos: Gaviria</i>	August 8, 1992	1A-8A	EXT
ET	<i>Enfrentar al Enemigo o Cederle el Terreno?</i>	August 9, 1992	2B	EXT
ET	<i>EE.UU. Ofrece 2 Millones de Dolares por Escobar</i>	August 15, 1992	4B	CO
ET	<i>Cae una Tonelada de Cocaína del Cartel de Cali</i>	August 15a, 1992	8B	MIL
ET	<i>Fiscal: Escobar no Pierde Beneficios</i>	August 15b, 1992	1A-4B	LS
ET	<i>Extraditables: se Inicia el Juicio</i>	August 16, 1992	3A	EXT
ET	<i>Graves Deficiencias en Seguridad Aerea</i>	August 20, 1992	1A-8A	
ET	<i>Policia ha Decomisado 8.588 Kilos de Coca Durante 1992</i>	August 28, 1992	8B	MIL
ET	<i>'Gaviria Respondio con Muchos Lugares Comunes'</i>	September 1, 1992	6A	EXT
ET	<i>Coloquio Televisado</i>	September 3, 1992	5A	OTH
ET	<i>Colombia, Epicentro de Lucha Antidrogas</i>	September 5, 1992	10A	MIL
ET	<i>Peru: la Coca no Deja de Correr</i>	September 6, 1992	11A	ERA
ET	<i>Colombia Recibe Us\$36 Millones</i>	September 15, 1992	8A	CO
ET	<i>EE.UU. Propicia Debate Sobre la Legalizacion</i>	September 16a, 1992	12B	LS
ET	<i>Propondra Ajustes a Politica Antidrogas</i>	September 16b,	7A	CO

		1992		
ET	<i>Exigira Compromisos para Acabar con Trafico de Drogas</i>	September 21, 1992	20A	CO
ET	<i>Corte Internacional a Narcos</i>	September 22a, 1992	1A	AGR
ET	<i>Muerte a la Droga antes del Año 2010</i>	September 22b, 1992	8A	AGR
ET	<i>Gaviria Presenta Pliego de Peticion Comercial</i>	September 23, 1992	6A	CO
ET	<i>EE.UU.: Congreso Apoya a Colombia</i>	September 24a, 1992	1A-7A	CO
ET	<i>Gira Presidencial</i>	September 24b, 1992	4A	OTH
ET	<i>Pliego de Peticiones Recibio Gaviria en Miami</i>	September 25a, 1992	6A	CO
ET	<i>EE.UU. Sigue Creyendo en Sometimiento a la Justicia, dice Gaviria</i>	September 25b, 1992	6A	CO
ET	<i>Caracas: Narcos fueron Tolerados</i>	September 25c, 1992	12A	EXT
ET	<i>Una Gira Desafortunada</i>	September 27, 1992	7A	CO
ET	<i>Redada Mundial al Narcotrafico</i>	September 29, 1992	1A-10B	EXT
ET	<i>Congeladas 525 Cuentas en Bancos</i>	September 30a, 1992	1A-12A	MIL
ET	<i>Mas de 100 Cuentas Congeladas en E.U.</i>	September 30b, 1992	12A	CO
ET	<i>Colombianos Mordieron el Anzuelo</i>	October 1, 1992	1A-3A	EXT
ET	<i>Bancos Contra el 'Lavado'</i>	October 2, 1992	8C	OTH
ET	<i>Hielo Verde: no hay Militares</i>	October 4, 1992	3A	MIL
ET	<i>'Ganamos Terreno en Lucha Contra Narcos'</i>	October 5a, 1992	16A	EXT
ET	<i>Narcos Lavan Us\$ 500.000 Millones</i>	October 5b, 1992	18A	EXT
ET	<i>Congelados otros \$ 4.000 Millones</i>	October 5c, 1992	1A-13A	OTH
ET	<i>Invertimos Incestuosamente: Santodomingo</i>	October 7a, 1992	6B	EXT
ET	<i>Ministerio de Comercio Pide Ingreso de Colombia al TLC</i>	October 7b, 1992	14A	AGR
ET	<i>El Dinero era para Atentados</i>	October 7c, 1992	1A-12B	OTH
ET	<i>Piden Parar Ola Criminal Contra Activistas de Derechos Humanos</i>	October 8, 1992	9C	CO
ET	<i>"Unas Entregas Calculadas?."</i>	October 9a, 1992	9A	EXT
ET	<i>Niños sin Futuro</i>	October 9b, 1992	4A	EXT
ET	<i>Colombia y EE.UU.: una Relacion Aparte</i>	October 11a, 1992	11A	CO
ET	<i>"Y Que hay de America Latina?"</i>	October 11b, 1992	10A	OTH
ET	<i>Integrarse, ese es el Norte</i>	October 12, 1992	8B-9B-10B-11B-12B	OTH
ET	<i>Amapola: ONU Rechazo una Solicitud de Gaviria</i>	October 13, 1992	11A	CO
ET	<i>Fiscalia Pide Armas a Mindefensa</i>	October 15, 1992	9A	OTH
ET	<i>Grupo de Dublin Entrenaria Investigadores Colombianos</i>	October 17, 1992	7A	CO
ET	<i>Heroína: otro Paso de la Mafia Colombiana</i>	October 18, 1992	1A-3A	EXT
ET	<i>Pide Ayuda a Japon en Lucha Antinarcos</i>	October 20, 1992	7A	CO
ET	<i>El 'Coletazo' del Cartel de Medellin</i>	November 1, 1992	3A	EXT
ET	<i>La Heroína: Enemigo Mortal</i>	November 3, 1992	4D	OTH
ET	<i>Siguiendo los Pasos del 'Lord' de dos Narcoticos</i>	November 6a, 1992	10A	EXT
ET	<i>Carta de Gaviria a Clinton</i>	November 6b, 1992	14A	CO
ET	<i>Cambios en Cupula de a Policia</i>	November 6c, 1992	9C	MIL
ET	<i>"Que Espera Latinoamerica de Clinton?"</i>	November 8a, 1992	11A	CO

ET	<i>No Claudicar</i>	November 8b, 1992	4A	AGR
ET	<i>Conexion Colombia</i>	November 9a, 1992	2A	CO
ET	<i>La Doble Vida Que Perdio a Bush</i>	November 9b, 1992	5A	OTH
ET	<i>Pastrana y UP Opinan sobre la Conmocion</i>	November 14, 1992	7A	LG
ET	<i>Tolima sera Centro Antinarcos</i>	November 25, 1992	4	MIL
			ACTUALI DAD	
ET	<i>'Guerrilla es una Banda de Narcos'</i>	November 26, 1992	11A	EXT
ET	<i>Flor de la Amapola</i>	December 3, 1992	5A	ERA
ET	<i>Juicio a Ocho Traficantes</i>	December 4, 1992	15A	MIL
ET	<i>Violencia: otro Azote a Cafeteros</i>	December 11, 1992	4B	EXT
ET	<i>La Carta Pastrana</i>	December 13a, 1992	4,5,6,7,8	OTH
ET	<i>Cronicas del Delirio Nacional</i>	December 13b, 1992	12C	OTH
ET	<i>Caen Cargamentos de Coca y Heroina</i>	December 13c, 1992	8D	MIL
ET	<i>No Fui Extraditado a EE.UU.'</i>	December 14, 1992	13A	EXT
ET	<i>Fabio Ochoa Supera la Pena de Urdinola</i>	December 16, 1992	1A-9A	EXT
ET	<i>E.U. Ayuda a Colombia con \$ 74.000 Millones</i>	December 17a, 1992	1C	CO
ET	<i>Deforestadas 37.500 Hectareas de Bosques</i>	December 17b, 1992	11A	ERA
ET	<i>Tres Retenidos por Trafico de Coca a EE.UU.</i>	December, 19, 1992	9B	MIL
ET	<i>55 Meses de Prision para Ivan Urdinola</i>	December 22, 1992	1A-12A	EXT
ET	<i>La CE no Cambiara las Medidas sobre Banano</i>	December 23, 1992	1A-10A	CO
ET	<i>'Tuvimos Saldo a Favor', Dice Canciller</i>	December 26, 1992	7A	CO
ET	<i>Los Hombres del Presidente</i>	December 27, 1992	10A	OTH
ET	<i>Narcos Afianzaron Nexos con Mafia Italiana en 1992</i>	December 29a, 1992	8B	EXT
ET	<i>Un Año "Sorprendente"</i>	December 29b, 1992	5A	OTH
ET	<i>Fiscal, el Valor de un Ejemplo</i>	December 31a, 1992	6A	OTH
ET	<i>Reverdecimiento Democratico</i>	December 31b, 1992	5A	CO
ET	<i>Unanue, Victima de Colombianos</i>	February 3, 1993	10A	EXT
ET	<i>Buscaban a Misioneros y Hallaron un Mar de Coca</i>	February 9, 1993	1A-10A	ERA
ET	<i>Clinton Oficializa su Estrategia Antidrogas</i>	February 11, 1993	10A	CO
ET	<i>Lucha Contra la Droga ha Tenido Exito Relativo</i>	February 12, 1993	10A	ERA
ET	<i>Respaldo a Colombia en la Lucha Contra el Narcotrafico</i>	February 13, 1993	8A	CO
ET	<i>Guerra Financiera contra Crimen Organizado</i>	February 15a, 1993	3A	
ET	<i>Colombianos Desplazan Narcolaboratorios a Peru</i>	February 15b, 1993	10D	ERA
ET	<i>EE.UU. Apoya Guerra a Narcos</i>	February, 19, 1993	1A-9A	CO
ET	<i>Coca o Banano...</i>	February 21a, 1993	5A	OTH
ET	<i>Cartel de la Costa: la Historia de una Purga</i>	February 21b, 1993	15A	EXT
ET	<i>Criticas a la Formacion Policial</i>	March 1a, 1993	6A	MIL
ET	<i>Crece la Cooperacion Colombo-Britanica</i>	March 1b, 1993	7A	CO
ET	<i>Congelados Us \$15 Millones de Escobar</i>	March 3, 1993	14A	MIL
ET	<i>Alzan Vuelo Unidades Moviles en Policia</i>	March 4, 1993	11C	MIL
ET	<i>Panama: Abren un Expediente contra Escobar</i>	March 7a, 1993	9D	EXT
ET	<i>El Nuevo Rostro del Cartel</i>	March 7b, 1993	1A-14A- 15A	EXT
ET	<i>La Nueva Ruta de la Droga</i>	March 7c, 1993	11A	EXT
ET	<i>Los Arboles ya no Mueren de Pie</i>	March 8, 1993	9E	OTH
ET	<i>Cartel de Cali Exporta 85% de la Coca</i>	March 10, 1993	9A	EXT
ET	<i>Buen Viento a Comercio con Usa</i>	March 11, 1993	10- 11	CO
ET	<i>'Colombia no es una Narcocracia'</i>	March 13a, 1993	8B	CO

ET	<i>Circulo Vicioso de la Violencia</i>	March 13b, 1993	5A	OTH
ET	<i>Nuevo Intento de Desprestigiar al Gobierno y a las Fuerzas Armadas</i>	March 17, 1993	1A-11B	OTH
ET	<i>Criticas a la Formacion Policial</i>	March 18, 1993	6A	MIL
ET	<i>La Deformacion de la Policia</i>	March 21, 1993	2B	MIL
ET	<i>El Opio del Siglo XXI</i>	March 22, 1993	5A	CO
ET	<i>Bill Clinton Respalda Pacto Cafetero Mundial</i>	March 24, 1993	1A-1B	CO
ET	<i>TLC no Debe Constituirse en 'Fortaleza Norteamericana'</i>	March 25a, 1993	4C	CO
ET	<i>Policia Pasaria al Mingobierno</i>	March 25b, 1993	1A-6A	LG
ET	<i>Cortan Ayuda a Suramerica</i>	March 26, 1993		CO
ET	<i>Narcotrafico y Flujo de Capital</i>	March 28a, 1993	3C	OTH
ET	<i>'Neoliberalismo? -Dejemoselo al Conservatismo!'</i>	March 28b, 1993	4,5,6	OTH
ET	<i>Bill Clinton</i>	March 28c, 1993	2A	CO
ET	<i>Holanda se Enfrenta con la CE</i>	March 28, 1993	11 A	LS
ET	<i>Maxima Seguridad a Delatores</i>	March 30, 1993	3A	MIL
ET	<i>EE.UU. Juzgara a Jefe de Seguridad de Escobar.</i>	April 1, 1993	7B	EXT
ET	<i>CE debe Mantener Bajos los Aranceles</i>	April 2, 1993	1A-8A	CO
ET	<i>'La Mariposa' en la Red</i>	April 11, 1993	1A,4B, 6B	EXT
ET	<i>'La DEA Quiso Vincular a Betancur con Narcolavado'</i>	April 20a, 1993	6A	EXT
ET	<i>Asesinado un Periodista</i>	April 20b, 1993	1A-9A	OTH
ET	<i>Narcos del Valle Dejarian Negocio</i>	May 7, 1993	1 ^a -10B	EXT
ET	<i>Sometimiento de Narcos: Gaviria Apoya al Fiscal</i>	May 8, 1993	1A-8A	CO
ET	<i>Caso Unanue: Sindicatan al Cartel de Cali</i>	May 11, 1993	1A-14A	EXT
ET	<i>Clinton, Partidario de Ayudar a Colombia</i>	May 15, 1993	8A	CO
ET	<i>Señales Equivocadas</i>	May 16, 1993	18A	EXT
ET	<i>La Droga se debe Legalizar'</i>	May 17, 1993	13A	EXT
ET	<i>Penetrar en la CEE es la Meta</i>	May 18, 1993	7A	CO
ET	<i>Amapola en 14 Departamentos</i>	May 22a, 1993		
ET	<i>Amapola en 14 Departamentos</i>	May 22b, 1993	7B	ERA
ET	<i>Escobar: "Mas Rico que Corleone?"</i>	May 24, 1993	9C	EXT
ET	<i>TLC Aumentaria Trafico de Droga</i>	May 25, 1993	10A	CO
ET	<i>Carteles Tras la 'Cortina de Hierro'</i>	May 29, 1993	8B	CO
ET	<i>Nuestras Cartas Frente a EE.UU.</i>	May 30, 1993	4B	CO
ET	<i>Viaje Oficial de Sanin a EE.UU.</i>	June 1, 1993	7A	CO
ET	<i>'Entendimiento y Fluidiez en Relaciones con EE.UU.'</i>	June 3, 1993	1 ^a -8A	CO
ET	<i>Colombia y Clinton: Se Abre un Dialogo Directo</i>	June 5, 1993	1 ^a -8A	CO
ET	<i>El de Estados Unidos y Colombia: "Un Tratado de Aparente Retori</i>	June 6a, 1993	15A	CO
ET	<i>Vecindario Caliente</i>	June 6b, 1993	4A	OTH
ET	<i>Londres Paga a EE.UU. por Exito en Operación Antidrogas</i>	June 7, 1993	10C	CO
ET	<i>Petro Denuncia Presencia de Tropas de Estados Unidos</i>	June 12, 1993	7A	MIL
ET	<i>Reverdece la 'Marimba' en la Costa Atlantica</i>	June 14, 1993	8C	ERA
ET	<i>Cae una Tonelada de Cocaina en Jet de Aa</i>	June 17, 1993	12C	EXT
ET	<i>Aprobada Convencion de Viena</i>	June 18, 1993	7A	LG
ET	<i>Droga, Gato y Liebre</i>	June 22, 1993	5A	LS
ET	<i>Defensa de Gaviria</i>	June 27, 1993	5 ^a -11A	OTH
ET	<i>Samper Invita a Invertir en Colombia</i>	June 29a, 1993	1 ^a -6A	CO

ET	<i>Droga: las dos Falacias</i>	June 29b, 1993	5A	LS
ET	<i>La Audiencia de Fabio Ochoa sera en Octubre</i>	July 3, 1993	9A	EXT
ET	<i>Terrorismo: el Enemigo Renace</i>	July 4, 1993	1A-10A	OTH
ET	<i>Los Escobar: "Nuevos 'Parias' Internacionales?"</i>	July 11, 1993	19A	EXT
ET	<i>Ayuda a Paises Latinos Caera 50%</i>	July 12, 1993	5B	CO
ET	<i>La Picota: Motin de los Ex- Extraditables</i>	July 27, 1993	1ª-8A	EXT
ET	<i>Ochoa Antich Vendra a Colombia</i>	July 29, 1993	11A	CO
ET	<i>Se Posesiono Embajador en Estados Unidos</i>	August 4, 1993	7A	OTH
ET	<i>Subsecretario de Estado de E.U., en Colombia</i>	August 10a, 1993	1ª-6A	CO
ET	<i>Arriba 'Zar' Antidrogas</i>	August 10b, 1993	15A	CO
ET	<i>Colombia, 5 Paginas en 'The New York Times'</i>	August 10c, 1993	8A	OTH
ET	<i>'Colombia, Lider Antidrogas'</i>	August 13, 1993	1A-8A	CO
ET	<i>Brown Pide Ofensiva Contra Cartel de Cali</i>	August, 19, 1993	10C	CO
ET	<i>Sancionan la Convencion de Viena</i>	August 25, 1993	1ª-8A	LG
ET	<i>Hacia la Carrera del Desarme</i>	August 27a, 1993	3A	MIL
ET	<i>Pablo A</i>	August 27b, 1993	9A	EXT
	<i>algun Dia las Tenia Que Pagar'</i>			
ET	<i>Golpe Simultaneo al Cartel de Medellin</i>	September 2, 1993	1ª-12A	MIL
ET	<i>Asi se Extienden los Carteles en Valle</i>	September 23, 1993	10A	EXT
ET	<i>'Caso Villa, es un Hecho Gravisimo para el Pais'</i>	October 1, 1993	3A	OTH
ET	<i>Respaldo Decidido de Bill Clinton a Gaviria</i>	October 2a, 1993	1A-6A	CO
ET	<i>Infiltracion de Alto Nivel</i>	October 2b, 1993	5A	MIL
ET	<i>Un Pais Muy "Caliente"</i>	October 3, 1993	5A	EXT
ET	<i>Pacto Andino Pide Prorrogar las Preferencias Arancelarias</i>	October 4, 1993	1A-8A	CO
ET	<i>Guerra, como esta Planteada, Fracaso'</i>	October 5, 1993	1B-5B	LS
ET	<i>'En la Lucha Antidrogas, hay Corrupcion en E.U.'</i>	October 8a, 1993	8B	OTH
ET	<i>Proteccionismo Europeo Fomenta el Narcotrafico</i>	October 8b, 1993	16B	CO
ET	<i>Extraditables Condenados</i>	October 10, 1993	1A-21A	EXT
ET	<i>El Regreso de los Capitales Fugados</i>	October 17, 1993	4A	OTH
ET	<i>La Confesion de Ivan Urdinola</i>	October, 19, 1993	10A	EXT
ET	<i>Y la Justicia "Como?"</i>	October 21, 1993	5A	CA
ET	<i>Viraje Antidrogas de E.U.</i>	October 22a, 1993	1A-6A	CO
ET	<i>Narcos Ofrecen Someterse</i>	October 22b, 1993	6A	EXT
ET	<i>Juez de EE.UU. Condeno A Marulanda Por Segunda Vez</i>	October 23a, 1993	6A	EXT
ET	<i>No Habra Indulto Para Los Narcotraficantes</i>	October 23b, 1993	1A-14A	LG
ET	<i>Un Pais Que Se Moderniza</i>	October 24, 1993	8,9	OTH
ET	<i>Mas Ayuda De Ee.Uu. A Paises Productores En Latinoamerica</i>	October 29, 1993	14B	CO
ET	<i>Gaviria Defiende Decision</i>	October 30, 1993	6A-7A	CO
ET	<i>Preocupacion Por Derechos Humanos</i>	October 31a, 1993	1ª-10A	OTH
ET	<i>Piden Mejorar La Imagen Del Pais</i>	October 31b, 1993	10A	OTH
ET	<i>Eufemismo Diplomatico</i>	October 31c, 1993	5A	OTH
ET	<i>Presos Dividen Al Fiscal Y A Minjusticia</i>	November 4, 1993	1A-9A	OTH
ET	<i>E.U. Venderia 6 Helicopteros A Colombia</i>	November 5, 1993	6D	MIL
ET	<i>Colombia, De Lo Mejor De Latinoamerica</i>	November 9, 1993	1A-1C	OTH
ET	<i>Matar Por Pendejadas</i>	November 14, 1993	5A	EXT
ET	<i>El Ejemplo De Colombia</i>	November 15, 1993	5A	CO
ET	<i>Violencia, Pan De Cada Dia</i>	November 18, 1993	12C	OTH

ET	<i>Legalizar Las Drogas No Es Una Solucion'</i>	November 20a, 1993	1A-6A	EXT
ET	<i>La Mala Imagen, Una Barrera Ante El Tlc</i>	November 20b, 1993	11A	OTH
ET	<i>Mercaderes De Explosivos</i>	November 21a, 1993	1A-16A	OTH
ET	<i>Tolerancia' De La Cia En Embarque Del Cartel</i>	November 21b, 1993	10D	DG
ET	<i>"El Reinado De Los Narcos?</i>	November 21c, 1993	1B-3B	EXT
ET	<i>A Los Corruptos Les Debe Caer La Gota Fria</i>	November 21d, 1993	1A-10A	OTH
ET	<i>Los Paraisos Del Narcolavado</i>	November 26, 1993	14A	OTH
ET	<i>Fiscal: Si A Legalizacion</i>	November 28, 1993	1A-24A	EXT
ET	<i>Escobar: 17 Años De Historia Del Criminal</i>	December 2a, 1993	4,5,6,7	EXT
ET	<i>Detenido Diplomático Colombiano En Miami</i>	December 2b, 1993	1A-14A	EXT
ET	<i>La Semblanza Escobar</i>	December 2c, 1993	2	EXT
ET	<i>'Un Problema Menos Para Colombia'</i>	December 3a, 1993	10A	EXT
ET	<i>Gran Alivio En Todo El Pais</i>	December 3b, 1993	1A-3A	EXT
ET	<i>La Lucha No Termina</i>	December 3c, 1993	1A-6A	EXT
ET	<i>Dea Reconoce El Exito De Colombia</i>	December 3d, 1993	15A	MIL
ET	<i>Estados Unidos Envía Felicitaciones</i>	December 3e, 1993	15A	CO
ET	<i>Con Escobar No Muere El Narcotráfico</i>	December 3f, 1993	14A	EXT
ET	<i>'Ahora Deben Seguir Con El Cartel De Cali'</i>	December 4a, 1993	1A-8A	CO
ET	<i>Tumba En Colombia</i>	December 4b, 1993	5A	EXT
ET	<i>Colombia Sigue Sola</i>	December 4c, 1993	17A	EXT
ET	<i>Pasar La Cuenta</i>	December 4d, 1993	4A	EXT
ET	<i>Hay Que Cuidarse Del Exceso De Optimismo: Procurador</i>	December 4e, 1993	15A	EXT
ET	<i>"Y Despues De Escobar Que?</i>	December 5a, 1993	26A	AGR
ET	<i>Samper Pide 'Grandeza'</i>	December 5b, 1993	1A-7A	OTH
ET	<i>Economia Y Narcotráfico</i>	December 6, 1993	4A	EXT
ET	<i>"La Segunda 7a. Papeleta?</i>	December 7, 1993	4A	LS
ET	<i>Una Narcodemocracia?</i>	December 8, 1993	5A	EXT
ET	<i>Ahora, Carceles En Bases Militares</i>	December 9, 1993	1 ^a -2B	EXT
ET	<i>Debate Sobre Legalizacion De Drogas En E.U.</i>	December 10, 1993	12A	OTH
ET	<i>Secuestran A Carlos Nader Simmonds Ayer En Bogotá</i>	December 11a, 1993	8A	EXT
ET	<i>Guerras Que No Necesitamos</i>	December 11b, 1993	4A	OTH
ET	<i>Enviaron 80 Toneladas De Coca A E.U</i>	December 12a, 1993	23A	EXT
ET	<i>Lejos De La Victoria...</i>	December 12b, 1993	21A	EXT
ET	<i>'Ee.Uu. Pudo Neutralizar Al Cartel'</i>	December 13, 1993	27A	EXT
ET	<i>Fiscal Y Narcos Del Valle Inician Negociacion</i>	December 17a, 1993	1A-17A	EXT
ET	<i>Ee.Uu. Pide Seguir Lucha Antinarco</i>	December 17b, 1993	8A	CO
ET	<i>'Habia Dudas Sobre Voluntad Frente A Escobar'</i>	December 17c, 1993	15A	EXT
ET	<i>Investigan Nexos Del Cartel De Cali En Chile</i>	December 20, 1993	16A	EXT
ET	<i>Recesion Coquera Amenaza Bosques</i>	December 23, 1993	20C	ERA
ET	<i>Peligrosas Escuelitas</i>	December 26, 1993	5A	MIL
ET	<i>Desmantelar Los Carteles</i>	December 28, 1993	5A	EXT
ET	<i>Con Equipo Pesado Llegaron Soldados</i>	December 30, 1993	8A	MIL
ET	<i>-Al Fin Cayo Escobar!</i>	December 31, 1993	24D	EXT
ET	<i>Asi Decide Washington Sobre Colombia</i>	January 2a, 1994	7A	CO
ET	<i>Expertos De Washington Miran A Colombia En Perspectiva</i>	January 2b, 1994	7A	CO
ET	<i>Fiscalia Combate La Impunidad Con Mecanismos De Negociacion</i>	January 3, 1994	1A-6C	LS

ET	<i>Cambio De Frente En Politica Antidrogas</i>	January 9a, 1994	8A	OTH
ET	<i>'Castigo, Tan Duro Como El Crimen'</i>	January 9b, 1994	9A	EXT
ET	<i>'Hable Con...', Frase De Moda En Juanchaco</i>	January 11, 1994	8A	MIL
ET	<i>Ee.Uu. Ratifica Giro En Estrategia Antidrogas</i>	January 13, 1994	8A	ERA
ET	<i>No Hay Diferencias Con Fiscal</i>	January 21, 1994	1A-8A	OTH
ET	<i>Capturado El Asesino De Jaime Pardo Leal</i>	January 22, 1994	10B	EXT
ET	<i>Intimidaciones De Una Disputa</i>	January 23, 1994	16A	AGR
ET	<i>La Cooperacion Militar Con E. U</i>	January 27, 1994	4A	MIL - LG
ET	<i>Guardianes Paralizan 3 Carceles En Bogotá</i>	January 28a, 1994	1A-9A	MIL
ET	<i>Se Hundio Pleito De Narcobuque</i>	January 28b, 1994	11B	OTH
ET	<i>Gaviria Responde A Criticas Por Presencia De 'Marines'</i>	February 8, 1994	8A	CO
ET	<i>Piden A Camara Investigar A Gaviria</i>	February 9, 1994	1A-9A	MIL
ET	<i>Comedia De Equivocaciones</i>	February 10a, 1994	5A	CO
ET	<i>'Estoy Defendiendo La Soberania'</i>	February 10b, 1994	8A	CO
ET	<i>Gaviria, El Mejor Para La Oea: E.U.</i>	February 19, 1994	16A	CO
ET	<i>Los Marines Se Van Este Lunes De Juanchaco</i>	February 23, 1994	11A	MIL
ET	<i>Gobierno-Fiscal, De Nuevo Enfrentados</i>	March 9a, 1994	1A-8A	OTH
ET	<i>Itinerario Del Conflicto Fiscalia Vs. Gobierno</i>	March 9b, 1994	10A	AGR
ET	<i>En Limbo, Pruebas De E.U.</i>	March 10, 1994	1A-15A	CO
ET	<i>Cuestionan El Sometimiento</i>	March 12, 1994		LG
ET	<i>Estados Unidos Mantendra Ayuda</i>	April 3a, 1994	13A	CO
ET	<i>Verdades A Medias</i>	April 3b, 1994	10-11	LS
ET	<i>Advierte Que Narcos Intentan Infiltrar Campaña</i>	April 5, 1994	1A-8A	EXT
ET	<i>'No He Dicho A E.U. Como Actuar': Fiscal</i>	April 6, 1994	1A-8A	CO
ET	<i>Narcotraficantes Manipulan Sistema Judicial Colombiano</i>	April 7, 1994	8A	CO
ET	<i>Duras Criticas Contra Kerry</i>	April 8a, 1994	15A	OTH
ET	<i>Severas Criticas de EE.UU. al Fiscal</i>	April 8b, 1994	16A	EXT
ET	<i>'Fiscal no Debe Actuar como Isla': Procurador</i>	April 9, 1994	8A	CO
ET	<i>Codigos Penales Deben Cambiar</i>	April 12, 1994	1A-9A	LG
ET	<i>El Fiscal Pide que lo Investigue el Congreso</i>	April 13a, 1994	1A-3A	CO
ET	<i>De Greiff: Articulo de Kerry, Larga Secuencia de Ataques</i>	April 13b, 1994	3A	CO
ET	<i>Ni Tanto ni Tinto</i>	April 13c, 1994	5A	OTH
ET	<i>Colombia esta Semana</i>	April 17, 1994	3B	OTH
ET	<i>'Kerry no Debe Andar con Bandidos': Fiscal</i>	April 23, 1994	16A	CO
ET	<i>De Greiff: Gaviria Busca Apaciguar a E.U.</i>	April 24, 1994	20A	CO
ET	<i>Severa Critica de Gaviria al Fiscal</i>	April 26a, 1994		EXT
ET	<i>EE.UU. Dejar los Ataques Injustificados</i>	April 26b, 1994	3A	CO
ET	<i>Protesta de EE.UU.</i>	April 28a, 1994	1A-8A	CO
ET	<i>Una Pelea sin Lado Bueno</i>	April 28b, 1994	4A	OTH
ET	<i>Protesta Diplomática</i>	April 30, 1994	5A	LS
ET	<i>Espaldarazo a de Greiff</i>	May 3, 1994	1A-8A	CO
ET	<i>No Me Inclino Ante los Poderosos: Fiscal</i>	May 4a, 1994	11A	EXT
ET	<i>Respaldo de Pastrana a De Greiff</i>	May 4b, 1994	11A	LS
ET	<i>'Colombia es la que Libra la Guerra Contra Drogas'</i>	May 6, 1994	10A	CO
ET	<i>Degradacion de la Personalidad</i>	May 7a, 1994	5A	EXT
ET	<i>Rechazo General a la Despenalizacion</i>	May 7b, 1994	1A-6A	LG

ET	<i>'Legalizacion de Dosis, una Bofetada a los Colombianos'</i>	May 10, 1994	8A	LS
ET	<i>'La Corte Dio un Paso Valiente'</i>	May 15, 1994	4B	LS
ET	<i>Fiscal Plantea Salidas al Consumo de Drogas</i>	May 25, 1994	1A-8A	ERA - LS
ET	<i>Uraba Sigue bajo Ley del Terror</i>	May 27, 1994	1A-1B-2B	MIL
ET	<i>Colombia Amenaza con el Retiro de los Radars de EE.UU</i>	May 30, 1994	1A-16D	CO
ET	<i>Se Espera Respuesta de USA</i>	May 31, 1994	1A-11A	CO
ET	<i>Se Cerro el Ciclo del 'Clan Ochoa'</i>	June 3, 1994	8A	EXT
ET	<i>E.U. Reconsidera Suspension de Radars</i>	June 5a, 1994	1A-3A	OTH
ET	<i>Colombia esta Semana</i>	June 5b, 1994	3B	CO
ET	<i>Niegan Tutela a Ex- Magistrado</i>	June 13, 1994	7C	LG
ET	<i>Clinton Pide Ayuda a Colombia</i>	June 23, 1994	1A-13A	CO
ET	<i>Samper Pide Rectificar</i>	June 24, 1994	1A-6A	LS
ET	<i>Zanahoria y Garrote Contra el Narcotrafico</i>	June 26a, 1994	7A	EXT
ET	<i>El Miami Herald Revisa su Posicion</i>	June 26b, 1994	10A	CO
ET	<i>Cali: Mas que "El Segundo"</i>	June 26c, 1994	13A	EXT
ET	<i>La Iglesia Pidio Apoyar a Samper</i>	June 27, 1994	1A-6A	CO
ET	<i>Watson Pide Aclarar Caso de Narcocasete</i>	June 28a, 1994	11A	EXT
ET	<i>Time Publica Lio de Narcocasete</i>	June 28b, 1994	6A	EXT
ET	<i>Llamado a Juicio Jorge Rodriguez Orejuela</i>	June 30, 1994	8A	EXT
ET	<i>Carta de Bill Clinton a Ernesto Samper</i>	July 1, 1994	1A-7A	CO
ET	<i>EE. UU Cuestiona Lucha Antinarcos</i>	July 8, 1994		OTH
ET	<i>Colombia esta Semana</i>	July 10a, 1994		EXT
ET	<i>-No Mas Lamentaciones!</i>	July 10b, 1994	4B	OTH
ET	<i>Colombia, a Desvirtuar Acusacion de EE.UU.</i>	July 11c, 1994	1A-6A	CO
ET	<i>Estamos solos contra Narcos</i>	July 12, 1994	1A-6A	OTH
ET	<i>Victimas de la Tolerancia</i>	July 14, 1994	5A	OTH
ET	<i>'Es Irresponsable, el Informe sobre Samper'</i>	July 15a, 1994	1A-6A	EXT
ET	<i>Suspenden Permiso a 8 Aerolineas</i>	July 15b, 1994	1A-8A	EXT
ET	<i>Mas que un Enredo de Cintas</i>	July 17, 1994	1B	CO
ET	<i>Mas Condiciones para la Ayuda de EE.UU</i>	July 18, 1994	1A-6A	LG
ET	<i>'EE.UU. nos da Trato Injusto' Andres Pastrana</i>	July 20, 1994	1A-7A	CO
ET	<i>Gaviria Pide Apelar en Caso Rodriguez O.</i>	July 23, 1994	1A-6A	EXT
ET	<i>Fiscal Por Año y Medio</i>	July 27, 1994	1A-8A	LS
ET	<i>Duro 'Round' Diplomatico Libro Colombia</i>	July 31, 1994	8A	CO
ET	<i>Gobierno Malogro Entrega del Cartel de Cali: De Greiff</i>	August 3, 1994	1A-8A	EXT
ET	<i>'Que E.U. No Instigue a Guerra si no Lucha contra Consumo': Miami</i>	August 5, 1994	8A	EXT
ET	<i>E.U. Oficializo Aportes por Us\$ 11.6 Millones</i>	August 6, 1994	10B	MIL
ET	<i>"Podrá Colombia Librarse de Narcos?"</i>	August 7a, 1994	9A	EXT
ET	<i>Samper, EE. UU. Y Venezuela</i>	August 7b, 1994	5A	CO
ET	<i>La Policia: El Mito De Sisifo</i>	August 7c, 1994	4B	ERA
ET	<i>Reclama Cooperacion Efectiva</i>	August 9, 1994	3A	CO
ET	<i>"Quien es Gilberto Rodriguez Orejuela?"</i>	August 12, 1994	6A	EXT
ET	<i>La Paradoja del Mensaje y el Mensajero</i>	August 14a, 1994		OTH
ET	<i>Colombia esta Semana</i>	August 14b, 1994	3B	MIL
ET	<i>"Clear and Present Danger"</i>	August 16, 1994	4A	LG
ET	<i>"Para que ha Servido el G-Rio?"</i>	September 9, 1994	3A	AGR

ET	<i>En la Mira Cartel de los Quimicos</i>	September 12, 1994	1A-14A	OTH
ET	<i>Volvera el Control a los Aviones de los Narcos</i>	September 13, 1994	13A	LG
ET	<i>Colombia Protesta por Castigo a Rosas</i>	September 16, 1994	1A-6B	CO
ET	<i>Peligro de Restricciones al Agro</i>	September 29, 1994	8B	CO
ET	<i>'La Victima Mayor del Narcotrafuco: Colombia'</i>	October 1a, 1994	3A	OTH
ET	<i>Fuerte Rechazo del Canciller Rodrigo Pardo</i>	October 1b, 1994	3A	OTH
ET	<i>Diatribas Anti-Colombianas</i>	October 1c, 1994	5A	CA
ET	<i>Lopez: 'Toft, un Infiltrado'</i>	October 1d, 1994	8A	EXT
ET	<i>Salida en Falso</i>	October 1e, 1994	4A	MIL
ET	<i>Colombia esta Semana</i>	October 2a, 1994	3B	MIL
ET	<i>Papel de la DEA en Colombia</i>	October 2b, 1994	25A	MIL
ET	<i>Narcodeslenguados... y Narcocine</i>	October 2c, 1994	5A-27A	OTH
ET	<i>El Rey de Nueva York</i>	October 2d, 1994	4B	EXT - CO
ET	<i>J. Toft, Ex- Cazador de Narcos</i>	October 2e, 1994	24A	MIL
ET	<i>DEA, con Rabo de Paja</i>	October 2f, 1994	1A-24A	OTH
ET	<i>Joseph Toft</i>	October 2g, 1994	2A	EXT
ET	<i>Ni Intelectuales ni DEA</i>	October 3, 1994	4D	OTH
ET	<i>Que Llamen a Rendir Indagatoria a Joe Toft</i>	October 5, 1994	15B	OTH
ET	<i>Revisaran Papel de DEA en Colombia</i>	October 6a, 1994	1A-8A	CO
ET	<i>El Informe de Mr. Toft</i>	October 6b, 1994	5A	OTH
ET	<i>Ojo a la Vista Gorda</i>	October 6c, 1994	4A	OTH
ET	<i>E.U. Evaluara Papel de DEA</i>	October 7a, 1994	1A-8A	CO
ET	<i>Apoyo de la DEA</i>	October 7b, 1994	6A	CO
ET	<i>Constantine Ofrece Disculpas</i>	October 8, 1994	1A-19A	CO
ET	<i>'Cambio de Gobierno, Cambio de Estilo'</i>	October 9a, 1994	1A-8A	OTH
ET	<i>Colombia esta Semana</i>	October 9b, 1994	3B	LG
ET	<i>'Quien Sigue?'</i>	October 9c, 1994	5B	EXT
ET	<i>Crecen Preparativos para Cumbre de Miami</i>	October 13, 1994	7A	AGR
ET	<i>San Andres: un Paraiso Artificial</i>	October 16, 1994	2B	EXT
ET	<i>San Andres, un Paraiso Artificial (Ii)</i>	October 17, 1994	1A-3A	EXT
ET	<i>Un Continente Narcotizado</i>	October 19a, 1994	5A	OTH
ET	<i>Operativos contra Cartel de Cali en 10 Paises</i>	October 19b, 1994	8A	MIL
ET	<i>De la Rosa al Banano</i>	October 20, 1994	4A	CO
ET	<i>Costa Rica, Centro de Lavado de Narcodolares del Cartel de Cali</i>	October 21, 1994	9A	EXT
ET	<i>'Colombia Intervenida?'</i>	October 23, 1994	5B	CO
ET	<i>Comenzo Segundo Juicio a 'La Quica' en Nueva York</i>	October 25, 1994	8A	EXT
ET	<i>Dejado en Libertad 'El Caracol'</i>	October 27, 1994	11B	EXT
ET	<i>A Juicio Miguel Rodriguez O.</i>	October 29, 1994	1A-8A	EXT
ET	<i>Gustavo De Greiff, sin Pelos en la Lengua</i>	October 30a, 1994	8,9,10	CO
ET	<i>Colombia esta Semana</i>	October 30b, 1994	3B	EXT
ET	<i>'Time' Manipulo Palabras del Presidente: Fiscal</i>	November 5, 1994	1A-8A	EXT
ET	<i>Espina de las Rosas Colombianas</i>	November 6, 1994	10C	CO
ET	<i>La DEA Contra la Apertura</i>	November 7a, 1994	20	EXT
ET	<i>Rodriguez Orejuela Explica Motivos de Entrevista a 'Time'</i>	November 7b, 1994	6A	EXT
ET	<i>Cumbre contra Lavado de Dolares</i>	November 8a, 1994	1A-3A	LG
ET	<i>Sanchez De Lozada Teme una 'Colombianizacion'</i>	November 8b, 1994	11A	EXT

ET	<i>Preparan Caceria contra Lavadolares</i>	November 9, 1994	7A	EXT
ET	<i>Colombia y los Republicanos</i>	November 11a, 1994	14A	EXT
ET	<i>'Relaciones Siguen Adelante'</i>	November 11b, 1994	7A	OTH
ET	<i>El Terremoto Republicano</i>	November 11c, 1994	4A	OTH
ET	<i>Llegaron los Perros Bravos</i>	November 13, 1994	5A	CO
ET	<i>El Narcopoder Invadio a Mexico</i>	November 15, 1994	11A	EXT
ET	<i>Sometimiento no Equivale a la Pena Minima: Fiscal</i>	November 17, 1994	1A-8A	LS
ET	<i>"No Estamos Satisfechos con Respuesta Internacional..."</i>	November 22, 1994	1A-9A	AGR
ET	<i>Acusan de Narcotrafico a los Grajales</i>	November 24a, 1994	1A-8A	EXT
ET	<i>Clinton Promete Solucion a Problemas Comercial</i>	November 24b, 1994	1A-15A	CO
ET	<i>Enriquecimiento Ilicito</i>	November 24c, 1994	5A	LS
ET	<i>Vergonzoso</i>	November 24d, 1994	4A	LG
ET	<i>Plan Mundial contra la Mafia</i>	November 24e, 1994	12A	AGR
ET	<i>Habria Menos Ayuda para Lucha Antidrogas</i>	November 25, 1994	16A	MIL
ET	<i>Vuelven los Radars</i>	December 5, 1994	4A	CO
ET	<i>Jorge L. Ochoa Atento contra el DAS: Fiscalia</i>	December 7a, 1994	1A-20A	EXT
ET	<i>En Operacion, Radars de EE.UU.</i>	December 7b, 1994	8A	CO
ET	<i>Gordas Expectativas en la Cumbre de las Americas</i>	December 7c, 1994	1A-15A	CO
ET	<i>Cumbre de las Americas</i>	December 8a, 1994	5A	CO
ET	<i>'Narcos no Quieren Someterse</i>	December 8b, 1994	1A-6A	EXT
ET	<i>Union, el Gran Desafio Americano</i>	December 9, 1994	1A-13A	CO
ET	<i>'La Quica' Atento contra el Avion'</i>	December 10a, 1994	8A	EXT
ET	<i>Mas Demanda de Banano en EE.UU.</i>	December 10b, 1994	8A	CO
ET	<i>Crece la Produccion de Marihuana en el Pais</i>	December 11, 1994	25A	ERA
ET	<i>No a Minifundiso del Crimen: Fiscal</i>	December 17a, 1994	1A-3A	AGR
ET	<i>Golpe Multinacional al Narcolavado</i>	December 17b, 1994	9A	MIL
ET	<i>A Proposito de la Dosispersonal de Alucinogenos</i>	December 18, 1994	5A-21A	LS - CO
ET	<i>Se Extiende la Narcoguerrilla</i>	December, 19, 1994	1A-27A	MIL
ET	<i>Fumigacion en Gran Escala</i>	December 22, 1994	1A-3A	ERA
ET	<i>Drogas, a Segundo Plano en el 94</i>	December 26, 1994	8A	CO
ET	<i>'Acciones y no Discursos en Cooperacion Antidroga', Pardo</i>	December 28, 1994	8A	AGR

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SEM	<i>"Quién Está Matando La Mafia"</i>	28		April 7a, 1986	EXT
SEM	(I) <i>"El Rodríguez Modelo 83"</i>	34		April 7b, 1986	EXT
SEM	(I) <i>"Escándalo En Nueva York"</i>	26		April 29, 1986	EXT
SEM	(I) <i>"Inocente Por Ahora"</i>			June 10, 1986	EXT
SEM	<i>La Despedida</i>	222	35	August 5, 1986	EXT
SEM	(I) <i>El Honor De Los Ochoa</i>	225	30	August 26, 1986	EXT
SEM	(I) <i>Coca, El Crimen Perfecto</i>	226	26	September 2, 1986	EXT
SEM	(I) <i>"Pena De Muerte"</i>	228	32	September 23a, 1986	EXT
SEM	(I) <i>"El Narco-Oficial"</i>	228	34	September 23b, 1986	MIL
SEM	<i>La Guerra Llega A Budapest</i>	246	22-29	January 20, 1987	EXT
SEM	<i>El Dossier De Medellín</i>	247	22-26	January 27, 1987	EXT
SEM	<i>Cero Y Va Uno</i>	249	22-27	February 10a, 1987	EXT
SEM	(I) <i>El Loquito Carlos</i>	249	28	February 10b, 1987	EXT
SEM	<i>Mucho Juicio</i>	250	24-25	February 17, 1987	EXT
SEM	(I) <i>¿Yerba Out, Coca In?</i>	252	22	March 3a, 1987	ERR
SEM	<i>Jacobo Arenas Habla De Lehder</i>	253	22	March 3b, 1987	EXT
SEM	(I) <i>El Porrazo</i>	253	26	March 3c, 1987	OTH
SEM	(I) <i>El Juicio</i>	255	32-33	March 24, 1987	EXT
SEM	<i>El Coca Gate</i>	258	28-34	April 14, 1987	EXT
SEM	(I) <i>Un Tribunal Muy Especial</i>	261	22-23	May 11, 1987	LG
SEM	(I) <i>Prueba De Fuego</i>	265	31	June 2, 1987	EXT
SEM	(I) <i>Operación Guaquimay</i>	267	38	June 16, 1987	ERA
SEM	(I) <i>Los Narco Minifundios</i>	268	34	June 23, 1987	ERA
SEM	(I) <i>Al Caido Caerle</i>	269	24	June 30, 1987	EXT
SEM	(I) <i>El Asesinato De Rodrigo Lara</i>	275	32-35	August 11, 1987	EXT
SEM	(I) <i>El Brazo Legal De Los Sicarios</i>	279	32	September 8, 1987	EXT
SEM	<i>Billonarios</i>	283	30	October 6, 1987	EXT
SEM	(I) <i>Operación Rayo</i>	288	46-47	November 16, 1987	EXT
SEM	(I) <i>Cero Y Van Dos</i>	290	38	November 24a, 1987	EXT
SEM	(I) <i>El Juicio A Lehder</i>	290		November 24b, 1987	EXT
SEM	<i>Ochoa, La Papa Caliente</i>	291	26-34	December 1, 1987	EXT
SEM	(I) <i>Narco-Mansiones</i>	292		December 8, 1987	EXT
SEM	(I) <i>Narcolandia</i>	294	31-33	December 22a, 1987	EXT
SEM	(I) <i>Cayó El Pionero</i>	294	33	December 22b, 1987	EXT
SEM	<i>Golazo De Los Narcos</i>	297	24-28	January 12a, 1988	EXT
SEM	(I) <i>La Fuga Minuto A Minuto</i>	297	22-25	January 12b, 1988	EXT

SEM	<i>¿Quien Fue? ; Que Hay Detrás De La Bomba En El Bunker De Pablo Escobar P 22-26</i>	298		January 19, 1988	EXT
SEM	<i>El Reto De La Mafia</i>	299	22-27	January 26 98	EXT
SEM	<i>Narco-Guerra</i>	300	22-26	February 2, 1988	EXT
SEM	<i>(I) La Mafia Negra</i>	303	38-39	February 23, 1988	MIL
SEM	<i>(I) El Gran Escape</i>	308	22-24	March 29, 1988	EXT
SEM	<i>(I) El Expreso De La Cocaina</i>	309	32-33	April 5, 1988	EXT
SEM	<i>(I) El Ultimo Viaje De Matta</i>	310		April 12, 1988	EXT
SEM	<i>(I) Desahágense De Él</i>	313	40	May 3, 1988	EXT
SEM	<i>(I) Cadena Perpétua</i>	316	28	May 24, 1988	EXT
SEM	<i>(I) La Fortuna Del Mexicano</i>	319	50	June 14, 1988	EXT
SEM	<i>Es Posible Legalizar La Droga?</i>	321	22-23	June 28, 1988	LS
SEM	<i>(I) El Lehder Boliviano</i>	326	40-41	August 2a, 1988	OTH
SEM	<i>(I) Droga Made In USA</i>	326	48-49	August 2b, 1988	OTH
SEM	<i>(I) Fueron Por Lana</i>	328	28-33	August 16, 1988	EXT
SEM	<i>Ojo Por Ojo</i>	329	26-34	August 23, 1988	EXT
SEM	<i>(I) La Hora De La Heroína</i>	330	32-34	August 30, 1988	ERA
SEM	<i>El Prontuario</i>	332	26-34	September 13, 1988	EXT
SEM	<i>Los Capos</i>	333	26-32	September 20, 1988	EXT
SEM	<i>(I) Crimen Y Castigo</i>	336		October 11, 1988	EXT
SEM	<i>(I) El Ultimo Vuelo</i>	341	34	November 15, 1988	EXT
SEM	<i>(I) El Narco-Agro</i>	343	34-38	November 29, 1988	EXT
SEM	<i>¿Son Las FARC El Tercer Cartel?</i>	354	22-27	February 14, 1989	EXT
SEM	<i>El Affaire Medina</i>	355	22-27	February 21, 1989	EXT
SEM	<i>(I) El Recetario Santafé</i>	356		February 28, 1989	LS
SEM	<i>Carajo, No Más</i>	357	22	March 13, 1990	EXT
SEM	<i>(I) Entrada Por Salida</i>	360	22-23	March 28, 1989	EXT
SEM	<i>(I) Así Empezó El Cartel</i>	364	44-47	April 25, 1989	EXT
SEM	<i>(I) Los Reyes De La Coca</i>	365	38-42	May 2, 1989	EXT
SEM	<i>(I) Lazos Familiares</i>	366	25-26	May 9, 1989	EXT
SEM	<i>(I) El Dossier Paramilitar</i>	367	85-89	May 16a, 1989	EXT
SEM	<i>(I) Un Robin-Hood Paisa</i>	367	46-48	May 16b, 1989	EXT
SEM	<i>(I) Muerte Anunciada</i>	367	50-54	May 16c, 1989	EXT
SEM	<i>El Complot</i>	370	24-29	June 6, 1989	MIL
SEM	<i>Los Papeles De Wanumen</i>	371	26-28	June 13, 1989	MIL
SEM	<i>De La Habana Viene Un Barco</i>	373	42-47	July 27, 1989	EXT
SEM	<i>El Magnicidio En Colombia</i>	375	22-26	July 11a, 1989	EXT
SEM	<i>(I) No Se Raja</i>	375	28	July 11b, 1989	EXT
SEM	<i>(I) Paredón</i>	375	36-39	July 11c, 1989	OTH
SEM	<i>(I) La Coca Loca</i>	376	26-27	July 18a, 1989	ERA
SEM	<i>(I) Habla El Comandannte</i>	376	32-35	July 18b, 1989	MIL

SEM	(I) <i>Las Matanzas Podridas</i>	376	24	July 18c, 1989	MIL
SEM	<i>La Guerra Del Mexicano</i>	378	22-26	August 7, 1989	EXT
SEM	<i>La Guerra Es Total</i>	381	22-28	August 22, 1989	EXT
SEM	<i>¿El Asesino?</i>	382	22-27	August 29, 1989	EXT
SEM	(I) <i>La Mano Dura</i>	382	28-31	August 29a, 1989	LG
SEM	(I) <i>Los Narco-Castillos</i>	382	36-44	August 29b, 1989	EXT
SEM	(I) <i>El Mexicano Inc</i>	383	30	September 5, 1989	MIL
SEM	(I) <i>Visa U S A</i>	384	28-31	September 12a, 1989	EXT
SEM	(I) <i>¿Se Hará Justicia?</i>	384	34-39	September 12b, 1989	EXT
SEM	<i>Hacia Donde Va Esta Guerra</i>	385	26-33	September 19a, 1989	EXT
SEM	<i>Impuesto De Guerra</i>	385	50	September 19b, 1989	XXX
SEM	<i>Cacería De Brujas</i>	386	28-30	September 26, 1989	EXT
SEM	<i>La Bomba Del Diálogo</i>	388	24-29	October 10, 1989	EXT
SEM	<i>Diálogo : ¿Qué Ha Pasado?</i>	389	22-25	October 17, 1989	EXT
SEM	(I) <i>Guerra Es Guerra</i>	390		October 24, 1989	EXT
SEM	<i>El Cerco</i>	395	24-31	November 28, 1989	EXT
SEM	<i>El Coletazo</i>	397	46-57	December 12, 1989	EXT
SEM	<i>Por Fin</i>	398	22-28	December 19a, 1989	MIL
SEM	(I) <i>El Mexicano Habla Sobre Su Guerra Su Plata Y Su Muerte</i>	398	29	December 19b, 1989	EXT
SEM	XXX	399		December 26, 1989	EXT
SEM	<i>Bombas de Opinion</i>	401	30	January 8, 1990	EXT
SEM	(I) <i>Contacto En España</i>	402	43	January 16, 1990	EXT
SEM	<i>¿Cumplirá Pablo Escobar?</i>	403	22-27	January 23, 1990	EXT
SEM	(I) <i>Los Secretos De La Guerra</i>	404	28-31	January 30, 1990	EXT
SEM	<i>El Desempleo Del Sicariato</i>	405	22	February 6, 1990	EXT
SEM	<i>¿A Qué Juega El Cartel?</i>	407	22-27	February 20, 1990	EXT
SEM	(I) <i>Los Narco-Marines</i>	410	52-53	March 13, 1990	MIL
SEM	(I) <i>Los Cuatrocientos Golpes</i>	411	32-36	March 20, 1990	EXT
SEM	<i>¿Quién Mató A Jaramillo?</i>	412	25-28	March 27, 1990	EXT
SEM	<i>¿Y Donde Está El Piloto?</i>	413	22-27	April 3, 1990	EXT
SEM	(I) <i>Semana De Pasión</i>	414	22-25	April 10, 1990	EXT
SEM	(I) <i>El Zarco En La Red</i>	415	34	April 17, 1990	MIL
SEM	<i>Rambo</i>	416	22-32	April 24a, 1990	EXT
SEM	(I) <i>El AEIOU De La Constituyente</i>	416	38	April 24b, 1990	CA
SEM	(I) <i>Atentado A La Historia</i>	417	30-31	May 1a, 1990	EXT
SEM	(I) <i>¿Quién Mató A Pizarro?</i>	417	32	May 1b, 1990	EXT
SEM	(I) <i>La Revolución De Mayo</i>	418	40	May 8a, 1990	CA
SEM	(I) <i>Cambio De Estrategia</i>	418	78-85	May 8b, 1990	EXT
SEM	<i>¿Porqué No Cojen A Escobar?</i>	419	22-25	May 15a, 1990	EXT
SEM	(I) <i>Apretando Tuercas</i>	419	26-30	May 15b, 1990	EXT
SEM	(I) <i>La Revolución De Los Sardinós</i>	419	37-39	May 15c, 1990	CA
SEM	(I) <i>El Mercenario</i>	420	35	May 22a, 1990	EXT

SEM	(I) <i>La Herencia De Los Héroes</i>	420	49	May 22b, 1990	EXT
SEM	(I) <i>El Vengador Anónimo</i>	423	28-31	June 16, 1990	MIL
SEM	(I) <i>Golpe Al Sicariato</i>	424	42	June 19, 1990	EXT
SEM	(I) <i>Por Las Nubes</i>	425	26-28	June 26, 1990	EXT
SEM	(I) <i>¿De Dónde Sacó La Plata?</i>	427	26-29	June 10a, 1990	EXT
SEM	(I) <i>El Que Mucha Coca Vende</i>	427	34-36	June 10b, 1990	EXT
SEM	<i>El Misterioso Documento</i>	429	26-33	July 24a, 1990	EXT
SEM	(I) <i>¿Qué Se Sabe?</i>	429	34-37	July 24b, 1990	EXT
SEM	(I) <i>Narcotráfico Y Cia</i>	429	54-55	July 24c, 1990	EXT
SEM	(I) <i>Narcotráfico</i>	430	35-36	July 31, 1990	EXT
SEM	(I) <i>Acuerdo Sobre Ruedas</i>	431	32-33	August 7a, 1990	CA
SEM	(I) <i>Siguen En El Banquillo</i>	431		August 7b, 1990	EXT
SEM	(I) <i>Los Desafíos De Las Mafias</i>	432	30-31	August 14, 1990	EXT
SEM	<i>¿Que Será Lo Que Tiene El Negro?</i>	433	60-65	August 21, 1990	EXT
SEM	(I) <i>¿Y Los Narcos Qué?</i>	435	34	September 4, 1990	EXT
SEM	<i>¿Quién Tiene A Diana Turbay?</i>	437	14-20	September 18a, 1990	EXT
SEM	(I) <i>Nosotros Hemos Dicho : Nada Con El Narcotrafico</i>	437		September 18b, 1990	EXT
SEM	<i>El Rehén</i>	438	14-18	September 25a, 1990	EXT
SEM	(I) <i>El Picotazo</i>	438	19-20	September 25b, 1990	EXT
SEM	<i>Si Yo Hacía Eso Me Daban Casa Y Carro</i>	439	26-27	October 2a, 1990	EXT
SEM	(I) <i>Vuelve Y Juega</i>	439	14-17	October 2b, 1990	EXT
SEM	(I) <i>La Mano Invisible</i>	439		October 2c, 1990	CA
SEM	(I) <i>Las Primeras Señales</i>	440		October 9a, 1990	LS
SEM	(I) <i>La Cara De Rodríguez</i>	440		October 9b, 1990	EXT
SEM	<i>¿Un Tigre Suelto ?</i>	441	14-20	October 16a, 1990	CA
SEM	(I) <i>Los Yuppies Constituyentes</i>	441	21-23	October 16b, 1990	CA
SEM	(I) <i>Mal Negocio</i>	442		October 23, 1990	EXT
SEM	(I) <i>Otro Númeroo Dos</i>	443	33	October 30a, 1990	EXT
SEM	(I) <i>Las Armas Del Mexicano</i>	443	35	October 30b, 1990	EXT
SEM	(I) <i>Sigue La Espera</i>	444	38	November 6, 1990	EXT
SEM	(I) <i>Escobar Quema Las Naves</i>	445		November 13, 1990	EXT
SEM	<i>¿El Cartel De La Carcel?</i>	447	24-29	November 27, 1990	EXT
SEM	(I) <i>Liberación Gota A Gota</i>	450	33	December 18, 1990	EXT
SEM	<i>¿Porqué Se Entrgó Fabio Ochoa?</i>	452	24-28	December 25, 1990	EXT
SEM	<i>¿Qué Sigue?</i>	456	18-27	January 29, 1991	EXT
SEM	<i>¿Cuánto Se Cedió?</i>	457	14-17	January 5, 1991	EXT
SEM	(I) <i>Funcionó</i>	458	25	February 12, 1991	CA
SEM	(I) <i>¿ Y El Cartel De Cali Qué?</i>	460	14-17	February 26, 1991	EXT
SEM	(I) <i>En Busca De Pruebas</i>	461	22-23	March 5, 1991	CO
SEM	(I) <i>El Pastor Y La Oveja</i>	463		March 21, 1991	EXT
SEM	(I) <i>Una Pelea Sin Arbitro</i>	464	18-21	March 26, 1991	CA

SEM	(I) <i>La Ultima Guerra De Escobar</i>	465		April 2, 1991	EXT
SEM	<i>El Caso Lucio ¿ Qué Tan Cierta Es La Conexión M-19 - Narco</i>	466		April 9, 1991	EXT
SEM	(I) <i>El Enemigo De Escobar</i>	467	14-22	April 16, 1991	EXT
SEM	(I) <i>¿Pies En Polvorosa ?</i>	469	18-19	April 30, 1991	EXT
SEM	<i>¿Vennganza O Boleteo?</i>	470	14-18	May 7, 1991	EXT
SEM	<i>¿A Qué Juega Gaviria?</i>	471	18-22	May 14a, 1991	CA
SEM	(I) <i>Lehder Se Confiesa</i>	471	23	May 14b, 1991	EXT
SEM	<i>El Pastor Y La Oveja Negra</i>	472	14-19	May 21, 1991	EXT
SEM	<i>Escobar, El Mundo A La Espera De Su Entrega</i>	473	25-28	May 28, 1991	EXT
SEM	<i>¿Qué Pasa Si Escobar Se Entrega?</i>	475	34-41	June 11, 1991	EXT
SEM	<i>¿Quién Hizo Esta Carcel?</i>	476	18-22	June 18a, 1991	EXT
SEM	(I) <i>Porqué No Se Ha Entregado Escobar?</i>	476	23-24	June 18b, 1991	EXT
SEM	(I) <i>Un Circo De Tres Pistas</i>	477	11	June 25a, 1991	CA
SEM	<i>La Entrega</i>	477	22-27	June 25b, 1991	EXT
SEM	(I) <i>¿ Un Genio Del Mal?</i>	477		June 25c, 1991	EXT
SEM	(I) <i>La Fórmula Gaviria</i>	477	35-39	June 25d, 1991	LS
SEM	(I) <i>¿ Y De Cali Qué?</i>	477		June 25e, 1991	EXT
SEM	(I) <i>Escobar, Ganadores Y Perdedores</i>	477	46	June 25f, 1991	EXT
SEM	<i>¿ Qué Piensan Ellos?</i>	478	14-23	July 2, 1991	EXT
SEM	(I) <i>El Abogado Del Diablo</i>	479	20-22	July 9, 1991	CA
SEM	(I) <i>No Voy A Estudiar Derecho Porque Aguí Cambian Todos Los Días De Leyes P 28-30</i>	479		July 9, 1991	EXT
SEM	<i>Escobar Habla Sobre Los Magnnicidios P</i>	481	22-25	July 23, 1991	EXT
SEM	(I) <i>El Misterio Del CASA 212</i>	485	30-33	July 20, 1991	OTH
SEM	<i>La Formula de Gaviria</i>	481	35	July 25, 1991	EXT
SEM	(I) <i>A La Colombiana</i>	482	48-50	July 30, 1991	EXT
SEM	<i>El Testigo Clave</i>	487	18-27	September 3, 1991	CO
SEM	<i>La Flor Maldita</i>	488	22-27	September 10, 1991	ERA
SEM	(I) <i>Jaque Al Ajedrecista</i>	489	34-35	September 17, 1991	EXT
SEM	<i>Lehder Suelta La Lengua</i>	490	30-35	September 24, 1991	EXT
SEM	<i>Así Cayó La Quica</i>	491	22-26	October 1, 1991	EXT
SEM	<i>En La Mira De Lehder</i>	499	30-37	November 26 , 1991	EXT
SEM	(I) <i>Lara Bonilla Fue Asesinado Por Destruir Tranquilandia</i>	500	40-42	December 3, 1991	EXT
SEM	(I) <i>La Verdad Sobre La Carcel De Escobar</i>	502	42-43	December 17, 1991	EXT

SEM	<i>¿Guerra Otra Vez?</i>	506	16-20	January 14, 1992	EXT
SEM	<i>La Confesión De Escobar</i>	510	22-27	February 11, 1992	EXT
SEM	<i>(I) ¿Bombas Contra Escobar?</i>	515	28-30	March 17, 1992	EXT
SEM	<i>(I) La Misión Era Aniquilar A Escobar</i>	516		March 24, 1992	EXT
SEM	<i>(I) ¿El Fin Justifica Los Medios?</i>	518	30-31	April 7, 1991	EXT
SEM	<i>El Rey De La Amapola</i>	522	30-34	May 5, 1992	EXT
SEM	<i>Un Año Después</i>	527	30-35	June 9a, 1992	EXT
SEM	<i>(I) Menos Peor</i>	527	36-37	June 9b, 1992	EXT
SEM	<i>(I) Doble Llave Y Candado</i>	527	38-40	June 9c, 1992	EXT
SEM	<i>(I) Terrorismo De Imperio</i>	529	34-35	June 23, 1992	EXT
SEM	<i>Conmoción</i>	532	30-33	July 14a, 1992	LS
SEM	<i>(I) ¿ Conversación En La Catedral?</i>	532	42-43	July 14b, 1992	EXT
SEM	<i>Los Gringos Secuestraron A Mi Hijo</i>	533	18-23	July 21a, 1992	EXT
SEM	<i>(I) El Adiós Al General</i>	533	58-59	July 21b, 1992	MIL
SEM	<i>¿Fuga Sin Retorno?</i>	534	25-31	July 28a, 1992	EXT
SEM	<i>(I) Juicio De Responsabilidad</i>	534	32-34	July 28b, 1992	EXT
SEM	<i>(I) Cómo Se Voló Escobar</i>	534		July 28c, 1992	EXT
SEM	<i>(I) Escobar Escobar</i>	534	36	July 28d, 1992	EXT
SEM	<i>Aguantó El Gobierno</i>	535	22-29	August 4a, 1992	EXT
SEM	<i>(I) Rafael Pardo: La Defensa</i>	535	36	August 4b, 1992	EXT
SEM	<i>Vivo O Muerto</i>	537	26-30	August 18a, 1992	EXT
SEM	<i>(I) EE UU Vs Escobar</i>	537	32-34	August 18b, 1992	EXT
SEM	<i>(I) Así Se Escapó</i>	537	34-35	August 18c, 1992	EXT
SEM	<i>(I) La Defensa</i>	538	36	August 18d, 1992	EXT
SEM	<i>Habla El Israelí</i>	539	22-27	September 1a, 1992	EXT
SEM	<i>(I) El Veredicto</i>	539	34-35	September 1b, 1992	EXT
SEM	<i>(I) Ciertamente</i>	540	22-25	September 8, 1992	EXT
SEM	<i>Soy El Unico Testigo Contra Escobar</i>	541	30-33	September 15a, 1992	EXT
SEM	<i>Las Perlas De Escobar</i>	541	34-35	September 15b, 1992	EXT
SEM	<i>Regreso Al Terror</i>	542	22-25	September 22, 1992	EXT
SEM	<i>¿Quién Los Mata?</i>	544	18-21	October 6a, 1992	EXT
SEM	<i>(I) La Conexión Corleone</i>	544	24-28	October 6b, 1992	EXT
SEM	<i>(I) El Contrato De Carrillo</i>	545	33	October 13a, 1992	EXT
SEM	<i>(I) Esperando A Escobar</i>	545	34-37	October 13b, 1992	EXT
SEM	<i>(I) Historia Por Entregas</i>	546	42-43	October 20, 1992	EXT
SEM	<i>(I) Archivo Secreto</i>	547	30-37	October 27, 1992	OTH
SEM	<i>(I) Historia Secreta Un Gringo Mató A Gacha</i>	549	38-39	November 10, 1992	EXT
SEM	<i>(I) Una Visión Gringa</i>	551		November 24, 1992	EXT
SEM	<i>(I) Escobar Se Quedó Solo</i>	552	38-42	December 1a, 1992	EXT

SEM	(I) <i>El Diario De Azucena</i>	552	72-79	December 1b, 1992	EXT
SEM	<i>El Hombre Del Retén</i>	555	34-37	December 22, 1992	EXT
SEM	(I) <i>El Coletazo</i>	560	18-21	January 26, 1993	EXT
SEM	<i>Hablan Los Delatores</i>	561	28-32	February 2, 1993	EXT
SEM	(I) <i>Buscando Al Patrón</i>	562	33	February 9, 1993	EXT
SEM	(I) <i>El Nuevo Gremio</i>	563	34-39	February 16, 1993	EXT
SEM	(I) <i>Semana De Pepazos</i>	565	30-33	February 23a, 1993	EXT
SEM	<i>La Ley Del Sapo</i>	565	34-40	February 23b, 1993	EXT
SEM	<i>¿Quienes Son Los Pepes?</i>	565	22-25	February 23c, 1993	EXT
SEM	(I) <i>El Arte De Someterse</i>	566	36	March 9, 1993	LG
SEM	<i>¿Qué Hacer Con Escobar?</i>	568	26-29	March 23, 1993	EXT
SEM	(I) <i>¿Y Ahora Qué?</i>	570	26-28	April 6, 1993	EXT
SEM	(I) <i>¿Al Fin Cuanta Plata Entra?</i>	571	34-39	April 13, 1993	EXT
SEM	<i>La Guerra Es A Muerte</i>	572	41-45	April 20, 1993	EXT
SEM	(I) <i>Cali Quiere Jubilarse</i>	575	44-47	May 11a, 1993	EXT
SEM	(I) <i>Cinco Aclamando</i>	575	68-71	May 11b, 1993	EXT
SEM	(I) <i>¿Ocho Es Suficiente?</i>	578	44-45	June 1, 1993	EXT
SEM	(I) <i>¿En Qué Anda Escobar?</i>	580	34-37	June 15, 1993	EXT
SEM	<i>Legalizar : ¿Llegó La Hora?</i>	581	50-60	June 22, 1993	LS
SEM	(I) <i>Apertura En La Coca</i>	582	26-27	June 29, 1993	EXT
SEM	(I) <i>Un Año Caro</i>	584	34-35	July 13, 1993	EXT
SEM	<i>Las Pruebas Definitivas</i>	589	30-35	August 17, 1993	EXT
SEM	(I) <i>¿De Quién Es Esta Carta?</i>	590	38-40	August 24, 1993	EXT
SEM	(I) <i>¿Se Acaba La Búsqueda?</i>	593	38-41	September 14, 1993	EXT
SEM	(I) <i>El Porrizo</i>	595	38-42	September 28, 1993	EXT
SEM	<i>El Telefonazo</i>	596	38-43	October 5, 1993	EXT
SEM	<i>Así Se Esconde Escobar</i>	597	38-43	October 12, 1993	EXT
SEM	(I) <i>¿Porqué No Cae Escobar?</i>	598	44-50	October 19, 1993	EXT
SEM	<i>Looking For Pablo</i>	599	46-90	October 26, 1993	MIL
SEM	<i>¿Se Entrega Gilberto Rodríguez?</i>	600	38-43	November 2, 1993	EXT
SEM	<i>Como Les Iría</i>	601	48-52	November 9a, 1993	EXT
SEM	<i>Los Ultimos Secretos De Escobar</i>	605	46-56	November 9b, 1993	EXT
SEM	<i>La Batalla Final</i>	605	38-43	November 9c, 1993	EXT
SEM	<i>¿Qué Viene Ahora?</i>	605	44	November 9d, 1993	EXT

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