The New PROHIBITION

Voices
of Dissent
Challenge
the Drug War



Foreword by Governor Jesse Ventura

Edited by Sheriff Bill Masters

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BY MIKE KRAUSE AND DAVE KOPEL

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In 1986, President Ronald Reagan declared illegal drug trafficking across America's borders to be a "national security threat." In 1989, President George H.W. Bush issued National Security Directive 18, calling for \$250 million in aid to fight the Andean drug trade, followed quickly by another \$65 million for Colombia alone, in the form of military, law enforcement and intelligence assistance. He dispatched U.S. Special Forces soldiers to train the Colombian military and police in counter-narcotics.

At the time, Colombia was the source of 80% of the cocaine coming into the U.S., and Peru was the main coca-producing nation. A gram of cocaine retailed for about \$100 and was readily available to almost anybody who cared to use it. Meanwhile, Colombia was being ripped apart by violence and corruption fueled by narco-dollars.

In 2002, U.S. Army General James Hill, the new commander of the U.S. Southern Command and the man in charge of military operations in Latin America, called illegal drug trafficking across America's borders a

"weapon of mass destruction." U.S. aid to fight the Andean drug trade, with the lion's share to Colombia, has surpassed \$2 billion and President George W. Bush promised yet more. The U.S. has trained three battalions of the Colombian army—about 2,800 men—and supplied equipment including UH-60 Black Hawk and UH-1N helicopters, fixed-wing aircraft, and gun boats.

Today, Colombia is still the main source of cocaine coming into the U.S., plus about 10% of the heroin, and Peru is the second largest coca producer (behind Colombia). Cocaine is still readily available in the United States, and a gram still retails for about \$100, making it one of the few commodities that is cheaper today in real dollars than it was a decade ago. And Colombia is still being ripped apart by violence and corruption fueled by narco-dollars.

The ongoing destruction linked to the drug trade comes not from the nature of drug trafficking itself, but rather from the drug war, which in Colombia and Peru long ago stopped being mere metaphor.

The last decade of the U.S.-led drug war in the Andes has thwarted free-market capitalism, destroyed the livelihood of subsistence farmers, enriched narco-terrorists and criminal thugs, strengthened the role of the military, weakened civilian rule, propped up government corruption, and hindered Andean anti-insurgency efforts.

Colombia: The Drug War Enriches Terrorists

In the early 1990s, the U.S. government embarked on a "Kingpin Strategy" of dismantling the Colombian drug cartels, which controlled production and distribution of the roughly six billion dollar a year Andean cocaine trade.³ Drug warrior theory was that taking down the cartel leaders—the Medellin and Cali cartels in particular—would also destroy the trafficking infrastructure and end the cocaine business in Colombia. The Kingpin Strategy was thwarted, however, by the black market economics of prohibition.

By the mid-1990s, most of the Medellin and Cali leaders were either dead or in prison. Yet just as the 1931 imprisonment of Al Capone did not shut down the illegal liquor business in America, the destruction of particular drug cartels in Colombia simply created a void that was quickly filled by other drug cartels. The transition to new cartels proved to be quite harmful to American interests.

In 1964, a Marxist guerilla organization calling itself the "Revolutionary Armed Forces of Colombia" (FARC) began a campaign to overthrow the

government. The group financed itself with kidnapping and extortion. Operating on the fringe of the drug trade, FARC also acquired income by protecting (or leaving alone) cartel coca fields and processing plants. With the cartels dismantled, the FARC began directly taxing traffickers and coca growers for protection from government anti-narcotics forces; then FARC moved into both the production and distribution of narcotics and the control of local coca base markets.

In other words, the net financial result of the "Kingpin Strategy" was to change who made the profits from the illegal drug trade. Formerly, the revenues had gone into the hands of apolitical organized crime syndicates. Now, the revenues flowed to communist terrorists.

Before the United States government militarized the "drug war" in the Andes, a majority of coca was cultivated in neighboring Bolivia and Peru, then processed in and shipped from Colombia. At the same time guerillas were taking over the drug trade in Colombia, the success of the U.S. "Airbridge Denial" program—the shooting down of suspected drug flights delivering coca paste for processing—prompted traffickers to simply move their growing operations into Colombia. The result was a 150% increase in Colombian cultivation. Already the largest producer of cocaine, Colombia became the largest coca-growing country as well.⁵

It was a great boon for the terrorists. As one State Department official explained it, "All of the sudden, their coffers were running over."

The new terrorist wealth resulted in an unprecedented wave of guerilla violence. FARC displaced government authority in large parts of Colombia. In 1999, Colombia's President Pastrana simply abandoned a chunk of southern Colombia twice the size of New Jersey to the FARC. The U.S. escalated financial and military aid to \$1.3 billion in 2000, and sent more CIA and Special Forces "trainers" and civilian "contractors" into Colombia to assist in further eradication and interdiction efforts. This was called "Plan Colombia," but a better title would be "Plan Vietnam: Cultivating an unwinnable jungle war in South America."

The United Self-Defense Forces of Colombia (AUC) was a private Colombian army, or autodefensa, formed to kill the FARC and supported by moneyed interests (including the cartels) and the Colombian military (and thus, tacitly, by the U.S. government through its military assistance to Colombia). After the destruction of the Medellin and Cali cartels, the AUC too jumped into the drug trade, transforming from anti-communist death squads to an umbrella group for drug trafficking and narco-terror. The AUC have been officially—though many believe not unofficially—outlawed by the Colombian government; in 2002, AUC leader Carlos Castano was

indicted by the U.S. for smuggling some 17 tons of cocaine into the U.S. and Europe since 1997.⁷ And in November, 2002, AUC terrorists were arrested in an FBI sting trying to trade cocaine and cash for guns and bombs.⁸

Estimates for how much money the Colombian narco-terrorists garner from the drug trade range between \$100 and \$500 million per year. Whatever the precise amount, the FARC and AUC, both accurately listed as terrorist organizations by the U.S. Department of State, have profited handsomely from drug prohibition.

Before the drug war, Colombia faced an insurgency run by rag-tag guerillas; now the nation suffers from a full blown civil war, and the Colombian military is fighting not just the remarkably well-funded FARC but also the military's ex-allies, the AUC.

Enriching one's deadly enemies is a terrible military strategy. But that is precisely what the U.S. drug war has accomplished in Colombia.

Peru: The Shining Path Needs the Drug War to Prosper

Beginning in 1980, Peru—having just emerged from over a decade of military rule—was forced to wage a bloody and brutal war against the Shining Path (Sendero Luminoso), an army of Maoist guerillas fighting to turn Peru into a totalitarian socialist state. Some thirty thousand Peruvians were killed by one side or the other. Like the FARC and AUC, Shining Path were narco-terrorists, funding their murder through the fruits of prohibition. As Rand Beers, Assistant Secretary of State for International Narcotics and Law Enforcement, told a Senate committee in 2002, the Shining Path's ability to "cut a brutal swath" through Peru had been "largely funded by levies it imposed on cocaine trafficking."

The war culminated in the 1990s, during the early days of the presidency of Alberto Fujimori, when thousands of Shining Path were captured and the insurgency was crushed.

The destruction of Shining Path was accompanied by the destruction of Peru's fledgling constitutional democracy. In 1992, Fujimori launched a coup, dissolved the courts and Congress, and instituted military tribunals. The results, as described by U.S. State Department human rights reports, were what one would expect in a country with a tradition of corrupt and brutal government: "The military and police continue to be responsible for numerous extra-judicial killings, arbitrary detentions, torture, rape and disappearances... Besides beatings, common methods of torture include electric shock, water torture and asphyxiation..." Of the over 3,900 Peruvians convicted in the secret courts, more than 600 have since been

released by a review.¹⁰ Similarly, swaths of Colombia have recently been turned into "theaters of operations," with constitutional protections removed and martial law in place.¹¹

Another prong of Fujimori's war on Shining Path was to call off U.S.-backed coca-eradication programs. The Shining Path was thus deprived of income from drug-trade protection rackets and deprived of peasant support. As Ian Vasquez, director of the Cato Institute's Project on Global Economic Liberty, describes it, "At the time Fujimori claimed, 'Peruvian-American anti-drug policy has failed' and from 1990–1995 there simply wasn't any eradication going on in Peru." Fujimori, it seems, took a lesson from the past.

Melanie Tammen, writing for the Cato Institute, details how Peruvian counter-insurgency efforts in the 1980s were undermined by U.S. driven counter-narcotics efforts:

In 1984 President Belaunde Terry declared the Upper Huallaga Valley an emergency zone and dispatched the military with the mission not to fight drugs but to fight Shining Path. The top military commander forbade anti-narcotics operations in the area, arguing that they disrupted counterinsurgency efforts. With no reason to oppose security personnel and no need for guerilla protection, coca growers withdrew their support and even revealed the identities of Shining Path members. The guerillas retreated and the coca industry in the valley boomed. From 1985 to 1989 the new government of President Alan Garcia cooperated closely with U.S. DEA officials to carry out succesive eradication and interdiction campaigns, and Shining Path gained control of as much as 90 percent of the Huallaga Valley.¹³

This prompted President Garcia to stop listening to U.S. drug police and start listening to his terrorist fighting General, Alberto Arciniega. Coca farmers were again left unhindered and a coca growers cooperative was promoted. As Tammen continues, this opened the door for succesive strikes against Shining Path:

Arciniega conducted at least 320 offensives against Shining Path guerillas in 1989, killing 700 guerillas (more than half the number killed nationwide that year), and greatly improved security in the towns of the Upper Huallaga Valley. But U.S. officials, concerned that Arciniega had done nothing to fight coca cultivation, pressed the Peruvian government for his transfer.

In recent years, Peru has again acceded to U.S. demands to prioritize coca eradication. In 2002 alone, Congress provided \$156 million in drug war aid to Peru. At the same time, Shining Path was beginning a comeback. As Beers continued at the 2002 Senate hearing, "In 2001 the Shining Path had a slight resurgence in areas like the Huallaga and Apurimac Valleys, where cocaine is cultivated and processed, indicating that the remnants of the group are probably financing operations with drug profits from security and taxation services."

The Shining Path is being joined in the Peruvian valleys by FARC guerillas from Colombia. The FARC and Shining Path bear gifts of poppy seeds, money, and protection to recruit Peruvian farmers into their drugrunning racket.¹⁴

A February 8, 2002, Stratfor intelligence brief reported that, thanks to an expanding alliance with Colombian drug traffickers and the FARC, "Shining Path is trying to re-build its numbers and weaponry by working in the heroin trade. Peru is poised to become one of the world's heroin producers." A State Department official explained in 2001, FARC terrorists "are making so much money they could probably double the size of their armed forces." ¹⁵

Further expansion of U.S. anti-narcotics efforts in Peru may drive traffickers and growers under the wings of the reborn Shining Path and FARC, allowing the terrorist groups to develop into a major threat again in Peru. A vicious cycle requiring more and more U.S. involvement appears very possible.

Terrorists in the United States cannot overthrow our government, but they are far stronger in South America. The drug war in the United States attempts to protect American consumers from the consequence of their own bad choices, but the effect of the effort to protect North American fools is to put fragile South American governments in danger of being destroyed by terrorists.

Starve a Farmer, Feed a Trafficker

In September of 2002, some six weeks after taking office, new Colombian President Alvaro Uribe made his priorities clear: "We will not stop. We will spray and spray. We will intercept. We will seize. We will do all the best every day and every night to destroy narcotics in Colombia." ¹⁶

In 1996–1997, the Clinton Administration had decertified Colombia as a "cooperating" nation in the drug war. To stave off trade sanctions against lawful industries and a loss of U.S. foreign aid, Colombia began U.S. backed coca-eradication efforts, including slashing and burning on the

ground and aerial herbicide spraying of coca fields. It has thus far been a smashing success...at destroying the livelihoods of subsistence farmers. As one State Department official put it, "If the spraying is successful it kills their (the growers') income." ¹⁷

A core weakness of the eradication policies is the pricing structure of drugs. The production cost of cocaine is around 3% of the U.S. retail price, with smuggling to U.S. borders adding another 10%. So, eradication and interdiction comprise a relatively small part of the cost of doing business for drug traffickers. 18

That the Colombian or Peruvian farmers receive no more than 3% of the street value of cocaine in the U.S. means that drug importers have a lot of flexibility to increase what they pay to farmers. If pressure from the police or military causes trouble for too many growers, then traffickers can double or triple the prices paid to farmers, or simply move their operations, as they did from Bolivia and Peru into Colombia, with only minor or no price increases required at the U.S. retail market.

Another aspect of the eradication effort is to fund alternative crop development. For example, from 1995–2001, the U.S. Agency for International Development provided \$107 million worth of assistance to Peru. In 2001, Robert Brown, from the Office of National Drug Control Strategy, testified before Congress on the "success" of Peruvian interdiction strategies: "By the summer of 1996, the U.S. Embassy in Lima was reporting widespread hunger in the coca growing regions. Coca farmers began abandoning their illicit crops, clamored for U.S. alternative development assistance and welcomed the presence of Peruvian governmental institutions necessary to deliver aid." 20

Yet while Peruvian coca farmers went hungry, the traffickers, who had moved their operations elsewhere, continued to eat well. And while coca growers abandoning their illicit crops may make for compelling congressional hearings, Brown's optimistic testimony flies in the face of simple market forces.

Americans have provided alternative crop subsidies in Peru for coffee, a crop whose production costs on many Peruvian farms exceed its market value. In 2002 the regional cost of growing coffee was about \$1.50 per kilogram, while the world price was just half a dollar.²¹ In contrast, the 2002 price farmers got for coca leaves was at an all time high of \$3.50 per kilo, compared to just 40 cents per kilo in 1995, when there was no eradication going on in Peru.²²

The U.S. also tried alternative crop subsidies in Colombia until it was discovered that much of Colombia's growing regions, especially the coca-rich

Putamayo region, while ideal for growing coca, are not very suitable for other, legal, commercial crops. The program was essentially abandoned. The spraying, of course, continued. 23

Half the population of Colombia and Peru lives in poverty.²⁴ Not the American "below the poverty level" lifestyle of color television and so much food that obesity is a serious problem, but rather third world poverty, with starvation and abject desperation.

The hard reality is that farmers in Peru and Colombia are being starved out by a militarized anti-narcotics strategy. They cannot see why they should be prevented from growing an export crop that feeds their families.

In Peru, coca consumption dates back to the days of the Inca, with coca consumed by chewing its leaves. The effect is not all that different from caffeine consumption. (In Bolivia, the cultivation of 12,000 hectares of coca is actually allowed under the law for traditional use.) In the United States, though, the illegality of coca encourages sellers to sell the product in much more concentrated (and therefore much more concealable) forms: powder and crack cocaine. The psychoactive effects and dangers are much greater. Similarly, American prohibition of alcohol caused a consumption shift away from beer (large volume, low "kick") to gin (low volume, high "kick").

It is unrealistic to expect that Andean farmers trying to feed their families are going to care much about how American drug laws change the way that coca is consumed in North America. The farmers are ideal targets for terrorists, who offer to protect and buy the coca crop. Now, terrorists are convincing the farmers to plant poppy seeds, too.

The "starve an Andean peasant to save an American cokehead" strategy has been largely unsuccessful. According to the U.S. State Department, from 1995–2000, coca cultivation in Peru was reduced from over 100,000 hectares to around 34,000 hectares. The Peruvian Center for Social Studies disputes the claim and reports about 70,000 hectares under cultivation in 2001. Peru's new drug czar, Ricardo Vega Llona, suggests that the previous estimates of acres under production may have been far too low. In any case, it is undisputed that coca production is thriving, partly because producers have learned to plant more crops per acre.

In Colombia, according to the U.S State Department, between 1993 and 2000, about 100,000 hectares of coca were eradicated. Yet during that same period, coca cultivation more than tripled, from 793 hectares in 1993 to over 183,000 hectares in 2000.²⁵

According to *The Washington Post*, in the last quarter of 2002 some 115,000 acres of Colombia's Putamayo province alone were sprayed with herbicide, killing not just coca, but the few legal crops that are grown there.

The result has been the displacement of scores of Colombian farm families, offered only the hollow promise of an international welfare program funded by American taxpayers.

At the same time, the number of Colombian provinces being used for coca cultivation has reportedly doubled over the previous three years.²⁶

Prohibition makes narcotics amazingly profitable, which in turn allows narco-traffickers to move their operations with relative ease in response to eradication and interdiction efforts.

Drugs, Thugs, Money, and Murder

During the reign of Peruvian President/dictator Alberto Fujimori, spy chief Vladimiro Montesinos was the *de facto* head of the Peruvian National Intelligence Service (SIN). He was also a long time drug war ally of the U.S. and head of his own anti-narcotics division (DIN), to which the CIA reportedly gave funding.²⁷

In 2002, Montesinos found himself in a Lima jail cell, charged with over 80 crimes, including money laundering, organizing death squads, protecting drug traffickers, and illegal arms trafficking (selling 10,000 AK-47s to the Colombian FARC terrorists). So far over \$200 million (including over \$50 million in U.S. banks) of Montesinos' illicit fortune has been tracked down and seized.²⁸

More than 70 high-ranking military and intelligence officials have been arrested in association with the scandal. Among them is retired General Nicolas Hermoza, Chief of the Peruvian Armed Forces Joint Command through most of the 1990s, who was arrested in 2001 for gun running and protecting drug traffickers, and who confessed that the millions in his Swiss bank account were from "illicit activities."²⁹

Hermoza was America's partner in "Airbridge Denial"—the program to shoot down planes suspected to be carrying drugs. Apparently the General was making sure that his favored traffickers got through unhindered. Not so fortunate was an airplane full of American missionaries, some of whom were killed in a shoot-down in 2001. Bad publicity from shooting down a plane full of innocent Americans led to a temporary suspension of the program, which was subsequently resumed.

In January of 2002, at the request of the new Peruvian president, the U.S. released a decade's worth of diplomatic cables on the relationship between the U.S. and Montesinos.³⁰ As a 1999 cable noted: "Like it or not, he is the go to guy, short of the president himself, on any key issue, particularly any counter-narcotics issue."

As the declassified documents show, Washington was aware as far back as ten years ago that our "go to" guy might be working both sides of the street as a narco-trafficker. A 1991 embassy cable acknowledged that Fujimori's "senior advisor on national security matters (Montesinos) is however linked to past narcotics corruption."

U.S. officials have justified the ongoing relationship with the known murderer, drug smuggler, and terrorist gun-runner on the grounds that although "Montesinos carries a significant amount of negative baggage with him," he is a "valued ally in the drug fight..."

But of course, he was only valuable insomuch as American officials made the drug war in Peru a priority over human rights and counter-terrorism.

As Mark Bowden explains in his book *Killing Pablo*, from 1989–1993 the U.S. "underwrote a secret war in Colombia." In Medellin, Colombia's second largest city, with a justice system thoroughly corrupted by narco-dollars, the cartels killed at will. Bystanders, journalists, judges, prosecutors, police and their families—even a front-running presidential candidate—were all victims. In one 15-day period, 30 members of a special anti-narcotics unit were murdered, with the help of the Medellin police. In November of 1989, an Avianca jetliner was blown out of the sky by cartel sicarios (paid gunmen)—150 dead in a failed attempt on a politician's life.

During much of that time, Pablo Escobar, one of the most wanted men in the world—made into a billionaire and nearly a law unto himself by prohibition—hid in plain view. Intelligence provided by the U.S. to one part of the Colombian government would simply be passed on to Escobar by another.³¹

Today, the U.S is underwriting an open war in Colombia. In Medellin, in the latter half of 2002, thousands of government troops were running pitched gun battles in the streets, trying to take back an entire section of the city controlled by guerillas.³²

Meanwhile, anti-narco dollars have joined narco-dollars as a corrupting force. An investigation was opened into an embezzlement scheme by scores of Colombian anti-drug police who had stolen millions in U.S. drug-war aid.³³ The war on drugs continues to cut a brutal swath of violence and corruption through Latin America, not just in Andean source countries, but all the way through Central America and into Mexico.

It has been more than a decade since the unprecedented U.S. invasion of Panama to arrest ex-president Manuel Noriega on drug-smuggling charges. Today Panama, a land bridge from Colombia into the rest of Central America, remains, according to the State Department's 2001 narcotics control report, a "major drug transit country," with corruption as "the major impediment to law enforcement."

In 2002, in Guatemala, a narcotics trans-shipment country, the U.S. Drug Enforcement Administration stopped all major joint counter-drug investigations because, as the *Miami Herald* reported, "narcotics gangs now permeate the (Guatemalan) agencies." Corruption is so rampant, Guatemala's Department of Anti-Narcotics Operations (DOAN) was simply dissolved and all of the Justice Department's drug prosecutors fired. As one U.S. official said at the time, "Large amounts of cocaine are being trans-shipped through Guatemala with almost complete impunity." 35

Also in the latter half of 2002, in Mexico, where the military is heavily involved in the drug war, two full generals were convicted in military court for aiding in the smuggling of cocaine and marijuana through Mexico, ³⁶ and the entire 65th Infantry Battalion was disbanded because it had been "infiltrated by drug traffickers." ³⁷ At the same time, the Gulf cartel, whose influence rivals the old Colombian cartels, is cutting a path of corruption and murder through some ten Mexican states in a drug trafficking pipeline that reaches all the way into Michigan and New York. ³⁸

And the Drugs Keep Coming

In March of 2001, the U.S. Coast Guard, in the largest maritime drug bust ever, seized 26,000 pounds of cocaine from a Belize-flagged ship, the Svesda Maru. An optimistic drug warrior would see this as a victory in the war on drugs. Actually, what the Svesda Maru bust suggests is that more drugs are getting through than ever before.

Over the past five years, the Coast Guard has been involved (often in joint agency operations) in the seizure of over 490,000 pounds of cocaine with a value of some \$17 billion.³⁹ Add in hundreds, even thousands of other seizures over the same number of years by the FBI, Customs, DEA, and state and local police agencies and the numbers become numbing. Yet today in America, cocaine (like heroin) is cheaper and purer than it was 15 years ago.

In 1995, according to U.S. State Department narcotics reports, Colombia and Peru jointly produced about 690 metric tons of cocaine. In 2000, according to those same reports, they produced a combined 730 metric tons. The United Nations disagrees, putting Colombian production alone at between 800–900 tons.⁴⁰

Whatever the case, one thing is clear. After a decade's worth of interdiction, spraying and subsidizing, there is actually more of the stuff on the world market than ever before.

In November of 2000, at the Ibereoamerican Summit of Chiefs of State

in Panama City, Uruguay's President, Jorge Battle, asked the question, "Do you think that as long as that substance (cocaine) has such fantastic market power there could be any mechanism created to prevent its trafficking?"

Battle continued: "If that little powder were worth only 10 cents, there would be no organization dedicated to raising a billion dollars to finance armies in Colombia."

Speaking at President Vincente Fox's inauguration in Mexico City, Battle observed, "The day it is legalized in the U.S., it will lose value, and if loses value there will be no profit."

The FARC, AUC, and Shining Path have murdered tens of thousands of innocent people in Colombia and Peru. They have made life into living hell for many peasants and other people. They provoked the destruction of a young democracy in Peru and are doing the same to an older one in Colombia. Only because of the drug war have these terrorist groups been able to accumulate the money and power to inflict such widespread harm.

If a magic spell somehow eliminated every last molecule of coca from Colombia and Peru, Americans bent on chemically-induced self-destruction would still have many other substances available, including alcohol. Eliminate coca from Peru and Colombia, and the reduction in substance abuse in the United States would not be great.

On the other hand, the conquest of Peru by the Shining Path or Colombia by the FARC would be the worst possible disaster for the people of those nations, who would be subjected to the most vicious extremes of communist oppression. For decades, American foreign policy has correctly recognized that the establishment of a communist regime anywhere on the Latin American continent would be a disaster for the United States.

Similarly, the rise of the AUC threatens Colombia's already faltering constitutional democracy, and a takeover by para-military terrorists would subject Colombians to the brutal rule of an extreme right-wing junta and a new human-rights conflagration.

Revelations in late 2002 that the South American terrorists are cooperating with Al Qaeda and other Islamic terrorists make it all the more important to destroy the power of the South American terrorists. The way to destroy their power is to take away their money, and this can be accomplished only by ending the drug war.

The drug war in Colombia and Peru has done little to protect the health of American drug users or, for that matter, the national security of the United States. But it has caused immense harm to the innocent people of Peru and Colombia who do not use drugs. The drug war in Colombia and Peru causes the unintended—but quite visible—consequence of enriching

and empowering both communist and right-wing terrorists, and even their Islamic terrorist allies.

America has a self-interest in a pragmatic foreign policy that does not indirectly assist the enemies of America, and Americans have a humanitarian interest in a good-neighbor foreign policy that does not inflict starvation, human-rights abuses, death, and the destruction of civil government on the people of Peru and Colombia. For both pragmatic and moral reasons, it is time to change the failed drug war policies in Latin America.

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