

The case of Colombia's Constituent Assembly

On Dec. 9, 1990, less than 25% of the Colombian electorate chose 70 delegates to represent the nation in a Constituent Assembly, given responsibility for writing a new Constitution that would supposedly "modernize" the state. The referendum which brought the Assembly into being was explicitly prohibited by the Colombian Constitution, and therefore illegal. Nonetheless, it was rammed down the throats of Colombia's terrorized and compromised Council of State and Supreme Court under a "state of siege" decree, by a President in league with the country's rampaging narcotics cartels. The Constituent Assembly was, in fact, the principal demand of the narco-terrorist forces, which were seeking to parlay their violent blackmail of the nation into political power.

Once installed, the Assembly was empowered—if it so chose—to declare Colombia a monarchy, to dissolve the Congress or the Armed Forces, to declare the nation a colony of a foreign power, to drive the Catholic Church underground, even to tear up international treaties. The first act of the Assembly was, in fact, to shut down the National Congress. Its delegates—most of them outright terrorists, such as the M-19's Antonio Navarro Wolf, or front-men for the narcotics cartels—then moved to the primary business at hand, banning the extradition of Colombian drug-traffickers and narco-terrorists, especially to the United States, where the drug lords' ability to bribe, terrorize, or otherwise subvert the Colombian justice system would be neutralized.

The narco-Constitution drawn up in 1991 has no legal standing, and the Colombian government has been operating outside the bounds of constitutional law since that time.

Articles 35 and 19 of the 1991 Colombian Constitution did explicitly ban the extradition of nationals, even if their crimes were committed abroad. In fact, a videotape from the U.S. Drug Enforcement Administration (DEA) emerged at the time, showing a drug-cartel lawyer in the act of bribing one of the Assembly delegates, and boasting that he had similarly "arranged" another 37 delegates, to vote against extradition. One leading politician said that "authentication of the video would vitiate the new Constitution." Yet the investigation of the video scandal went nowhere: Then-President César Gaviria possessed that videotape *before* the Assembly vote on extradition, but he chose to bury the story. Immediately after the ban on extradition was approved, Medellín Cartel boss Pablo Escobar "surrendered" himself, and proceeded to serve his sentence in a five-star prison, where

he continued to run drugs under the protection of the new "law of the land."

Shattering the national institutions

Besides the immediate task of doing the bidding of the drug lords, the 1991 *Constituyente* took aim at the nation's most fundamental institutions. The Assembly targetted the Roman Catholic Church by legalizing abortion and divorce, prohibiting religious education, and placing Christianity on a par with Satanic cults by announcing that "all churches are equally free." The military, too, came under attack. Under the pretext of "subordinating military power to civilian," the Assembly limited the jurisdiction of the Armed Forces such that it could no longer deploy on national territory without the prior authorization of regional and local leaders, including in the zones where mayors and governors were at the beck and call of the narco-terrorists. The result can be seen today, where about 50% of the national territory is in narco-terrorists' hands.

The neo-liberal "opening" demanded by the international financial oligarchy was enshrined as a constitutional precept as well. Article 333 intones, "Free economic competition is the right of all," and that "the state, by mandate of law, should prevent any obstruction of economic liberty." The takeover of basic state companies, and of the energy and mineral resources in the hands of the state, by international sharks, was also guaranteed, when privatization was consecrated as a constitutional norm. Article 336 states: "The government should transfer or liquidate state enterprises and give to third parties the development of their activity when they do not meet the requirements of efficiency."

Further, by granting autonomy to the Central Bank, the Constituent Assembly eliminated the sovereign ability of the state to control the issuance of credit and currency. The Monetary Council, which had determined internal credit for productive sectors, was shut down, and it was determined that the Central Bank of Colombia "will not be able to establish credit quotas." But, it adds, to the glee of the creditor banks, "The Congress will be able to eliminate or reduce expenditures, with the exception of those allocations needed to service the public debt and other contractual obligations of the state." Assuring foreign debt repayment is now a constitutional precept.

It is worth recalling that one of the leading international promoters of Colombia's Constituent Assembly was none other than then-President of Venezuela, Carlos Andrés Pérez. When Gaviria illegally imposed the Constituent Assembly, and then dissolved the National Congress, Pérez travelled to Colombia to give his wholehearted backing to Gaviria's monstrosity. Pérez appeared before the Assembly delegates, declaring that they were "an example to Latin America, to accommodate its constitutions to the new political and economic realities," such as "opening up the economies."