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Illicit Arms Trafficking, Corruption, and Governance in the Caribbean

Ivelaw L. Griffith

There are four main drug or drug-related operations in the Caribbean: production; consumption and abuse; trafficking; and drug money laundering. These have numerous effects, including arms trafficking, corruption, crime, and an adverse impact on tourism, an economic mainstay of several Caribbean nations. These operations and effects have implications for several aspects of political, socio-economic, and security conduct in the region, including the area of governance. This article examines some of the connections involving arms trafficking, corruption, and governance.

There are direct linkages among these three aspects of the narcotics phenomenon: because of its illegality, arms trafficking necessitates corruption; and both arms trafficking and corruption undermine good governance. But arms trafficking is not the only reason that corruption exists. Consequently, there is corruption in places where there is no evidence of arms trafficking. Further, partly because of the proscription against drug production, consumption-abuse, trafficking, and money laundering, corruption is a crucial facilitator of these illegalities. Because two or more of these operations exist simultaneously in some places, corruption often involves inter-locking networks to facilitate production, consumption, and trafficking, money laundering and trafficking, production, trafficking, and arms smuggling, or other such combinations.

Arms Trafficking

The ownership and use of arms and ammunition are considered vital to the successful prosecution of some drug operations, especially production and trafficking. Weapons and ammunition are used for both symbolic and substantive purposes: for protection of drugs and drug operatives; for execution of tasks that facilitate the pursuit of the interests of producers, dealers, or traffickers, such as robbery and narcoterrorism; for intimidation of
clients as well as fellow operators; and for deterrence against deviance or disloyalty by fellow operators.

Arms trafficking in the Caribbean has been both intra-regional and extra-regional. In the former case, it has facilitated some or all of the above mentioned functions by Caribbean drug producers, traffickers, and users. The disastrous consequences of the drugs-weapons connection has been felt in Puerto Rico, St. Kitts-Nevis, Guyana, the Dominican Republic, Trinidad and Tobago, and elsewhere in the region. But perhaps of all places, Jamaica and Puerto Rico provide the most startling evidence of those consequences, in addition to high rates of drug-related homicides and drug gang activities. Indeed, in Jamaica, a 1989 statement still captures the reality today: “Jamaica over the past few years has experienced, through an upsurge in violent crime, the effects of a combination of drugs and money in the form of the naked display of power, through the use of arms.”¹ This is certainly also true of Puerto Rico.

In the case of extra-territorial trafficking, the Caribbean is used to facilitate the acquisition of weapons by drugs operators based in South America. Both intra-regional and extra-regional trafficking have serious security consequences, manifest as well as latent problems. But extra-regional trafficking is relatively more dangerous, partly because of the larger quantities of weapons and funds involved, and the notoriety and viciousness of some of the individuals and organizations behind it. One gets a sense of this by looking at a few of the dramatic cases.

In one case, a 10-ton shipment of arms, with an estimated value of J$ 8 million, arrived in Jamaica on December 22, 1988 on the way to Colombia.² The shipment, from Heckler and Koch of then West Germany, included 1,000 G3A3 automatic assault rifles, 250 HK21 machine guns, ten 60-millimeter commando mortars, and 600 rounds of high explosive 60-millimeter mortar shells. The planned trafficking operation involved Germans, Englishmen, Panamanians, Colombians, and Jamaicans. Interrogation of some of the conspirators on January 4 and 5, 1989, revealed that the arms were destined for a leftist insurgent group called the Revolu-

¹. Vincent Tulloch, Terrorism/Drugs Combination Threatens Security, SUNDAY GLEANER (Jamaica), Jan. 15, 1989, at 10A.
². See Arms Shipment: Traffickers, Terrorists Involved, SUNDAY GLEANER, Jan. 8, 1989 at 13B; and Text of Statement Made at a Press Conference at Up Park Yesterday by Minister of National Security Errol Andersen, SUNDAY GLEANER, Jan. 8, 1989 at 16B.
tionary Armed Forces of Colombia (FARC). The operation was underwritten by Colombian cocaine dealers who financed FARC. The arms had been paid for out of a special drug shipment made earlier to Europe. The affair ended on January 6, 1989, when the arms were placed on a Colombian military aircraft and sent to Bogotá. The foreigners were extradited and the Jamaicans were held on several charges.

More dramatic, though, was the case involving Antigua-Barbuda. On December 15, 1989, the Colombian police killed Gonzalo Rodríguez Gacha and his son Freddy, both of the Medellín cartel. One of the raids made on Rodríguez Gacha's properties uncovered hundreds of Israeli-made Galil rifles and supporting ammunition. Colombia sought an explanation from Israel. The disclosure by Israel that the weapons were part of a larger sale to the Antigua-Barbuda government for the Antigua-Barbuda Defense Force (ABDF) led to a Colombian diplomatic protest to Antigua-Barbuda on April 3, 1990. The protest prompted Antigua-Barbuda on April 10, 1990, to retain U.S. attorney Lawrence Barcella to investigate the matter. This was essentially an investigation about the international aspects of the matter. As the matter developed, though, it was clear that both domestic and foreign aspects had been probed. Consequently, there was an extensive public inquiry by a one-man Commission of Inquiry. It was held in Antigua and broadcast on local radio and television.

The inquiry, by British jurist Louis Blom-Cooper, uncovered an incredible scheme involving Israelis, Antiguans, Panamanians, and Colombians. Yair Klein, a retired Israeli army Colonel, and Pinchas Schachar, a retired Brigadier-General, then a representative of Israel Military Industries (IMI), were told by Maurice Sarfati, another Israeli, that the Antigua-Barbuda government was interested in acquiring weapons and ammunition. Sarfati presented forged documents showing (a) he was an authorized Antiguan government representative, and (b) an arms purchase had been authorized by Vere Bird, Jr., Antigua's "National Security

3. See Arms Shipment, supra note 2.
4. Id.
6. Id.
7. Id.
8. Id.
9. Id.
Minister,” the son of then Prime Minister Vere Bird, Sr., and Colonel Clyde Walker, then the head of the ABDF. Consequently, the relevant End-User Certificate, the official weapons requisition by an arms purchaser, was forwarded to Israel. It should be noted that Sarfati had indeed been a government representative at one time, but in this case the documents were forged. Moreover, there was no person in the Antiguan government designated as “National Security Minister.”

U.S. Senate investigations into the affair revealed that the initial order was for 500 weapons and 200,000 rounds of ammunition, valued at U.S. $353,700. The final order total was U.S. $324,205. A down payment of U.S. $95,000 was made, and between November 14, 1988, and February 13, 1989, thirteen financial transactions, ranging from U.S. $44,000 and U.S. $100,000 were made on the deal. The banks used were Banco Aleman-Panameño, Philadelphia International Bank, Manufacturers Hanover Trust, Bank Hapoalim of Israel, and American Security Bank of Washington, D.C. The weapons were placed aboard a Danish ship, MV Else TH, which sailed from Haifa, Israel, on March 29, 1989, bound for Central and South America via Antigua. The consignment was transshipped at Port Antigua to the MV Seapoint, a Panamanian ship. The Seapoint then took the arms to Colombia to the real consignee, the Medellín cartel. The Antiguans implicated were: Vere Bird, Jr., Minister of Public Works and Communications; Lt. Col. Clyde Walker, ABDF Commander; Vernon Edwards, Managing Director of a shipping and brokerage agency; and Glenton Armstrong and Sean Leitch, Customs officers.

Sarfati, the leading Israeli figure, first went to Antigua in April 1983. He cultivated a friendship with Vere Bird, Jr., then an attorney in private practice, who was instrumental in the granting of approval for a melon cultivation project, one of Sarfati’s pet schemes. The Bird-Sarfati friendship produced many advantages.

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10. BLOM-COOPER, supra note 5.
11. Id.
12. Id.
14. Id.
15. Id.
16. Id.
17. BLOM-COOPER, supra note 5, at 47-52.
for Sarfati between 1983 and 1990: appointment in October 1984 by Vere Bird, Jr., as Special Advisor on Civil Aviation; appointment in May 1985 as Special Envoy in the Ministry of External Affairs, Economic Development, and Tourism; a 1985 OPIC ([U.S.] Overseas Private Investment Corporation) loan of U.S. $700,000; a supplemental loan from OPIC for U.S. $600,000 in 1986; appointment in February 1986 as Managing Director of Antigua-Barbuda Airways, with a token salary of U.S. $100, but a U.S. $70,000 expense account; and a series of 1987 promissory notes by the Antiguan government, totaling U.S. $4 million.\(^{18}\)

Thus, Sarfati had developed a relationship with the Antiguan government, and with Vere Bird, Jr. in particular, enabling him to exploit the relationship and not account meaningfully for any of his actions. Vere Bird, Jr., also benefitted from the links. For example, his law firm, Bird and Bird, handled the legal interests of Sarfati’s corporate holdings—Roydan Ltd. and Antigua Promoters Ltd. In addition, Sarfati guaranteed Bird’s loans, amounting to U.S. $92,000 in November 1988.\(^{19}\) Blom-Cooper observed: “It seems to me a matter of some significance that at the time the conspiracy was negotiated, Mr. Vere Bird, Jr. was in financial difficulties and was beholden to the bankrupt Mr. Sarfati. He needed money, but he also needed to help Mr. Sarfati earn money.”\(^{20}\) The Commissioner made an even more damaging observation: “I entertain no doubt Mr. Vere Bird, Jr. was paid by or at least with, money emanating from Señor Rodríguez Gacha, for the services rendered to the arms transhipment.”\(^{21}\)

The arms transhipment was, however, only part of a larger scheme, which was initiated in September 1988, to create a mercenary training outfit using the ABDF as organizational cover. According to the brochure produced by Spearhead Ltd., the project’s corporate entity, the aim was to establish a security school to train “corporate security experts, ranging from the executive level to the operational level, and bring them to the highest professional capacity in order to confront and defuse any possible threat.”\(^{22}\) A central part of the enterprise was to be a “specialty shop” to sell small arms, among other things. Blom-Cooper asserted: “To any one with the slightest knowledge of armed forces

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18. Id. at 120-21.
19. Id. at 116.
20. Id.
21. Id. at 117.
22. BLOM-COOPER, supra note 5, at 58.
it was obvious that the training school proffered by Spearhead Ltd., was intended, among other things, to train mercenaries in assault techniques and assassination.”23

The full extent of arms trafficking in the Caribbean may never be known, for fairly obvious reasons. What is clear from direct and circumstantial evidence, though, is that the cases mentioned above do not represent the sum total of Caribbean arms smuggling. Scott MacDonald, for example, recounted an incident involving “Mickey” Tolliver, an American pilot and a July 1986 air run.24 The run began in Haiti, where he picked up a DC-3 with weapons and ammunition. After making a stop in Costa Rica, he flew to Colombia for a consignment of 4,000 pounds of marijuana and 400-500 kilos of cocaine, and then headed for the Bahamas where all the weapons and ammunition were unloaded.25

Guyana, which has risen in prominence in drug trafficking, is also said to be deeply implicated in arms trafficking. The contraband goods smuggling routes linking Guyana with Brazil, Suriname, and Venezuela that were developed during the 1970s as the country faced an economic crisis, have been adapted to drug trafficking. These are, no doubt, also being used to smuggle arms.26 As with drug trafficking, Guyana is also vulnerable because of its physical and social geography, and its political and economic weaknesses: 214,970 km² of territory that is sparsely populated, and then mainly along the Atlantic coast; long borders with neighboring countries—1,120 km with Brazil, 745 km with Venezuela, and 600 km with Suriname—none of which are adequately policed, largely due to financial and manpower shortages, and the existence of scores of landing strips.27

Corruption

In many ways corruption is an inevitable consequence of the illicit operations described above. It is the proscription against drug production, trafficking and the other operations, coupled with the demands for them that drives corruption. Drug-related corruption in the Caribbean, like elsewhere, violates both laws and norms. It involves acts of commission and omission that breach

23. Id.
25. Id.
laws and deviate from accepted social, economic, and political norms. Especially problematic are acts by public officials. Drug corruption varies in nature, scope, and impact, but despite the variation, the deleterious effects on governance are unmistakable.

In conceptual terms, there are different ways to approach the subject of corruption. One approach—by Ethan Nadelmann—which is useful for our analysis, distinguishes networks by size, sophistication, and hierarchical structure. This approach differentiates between three types—sporadic, systemic, and institutionalized corruption.  

The first is characterized by the absence of broad patterns of corruption, where individuals or small groups take bribes without sharing their takings or knowledge of their activities with other personnel. Systemic corruption has two facets. In the first, corruption is pervasive, but poorly organized; although corruption may be rampant, not every one in the hierarchy is corrupt. In the second, there is a hierarchical payoff arrangement where lower-level officials hand over most of their takings to their superiors. The flow of the takings may also flow in the reverse direction—higher to lower. Institutionalized corruption is defined as when all “payoff cones” fall within a centralized national “payoff cone” or where only one “payoff cone” exists for the entire nation. One example of this would be where the country’s maximum leader controls virtually all corrupt schemes of any value, especially using the military and the police.

There is considerable evidence of sporadic and systemic corruption in the Caribbean. Yet, except perhaps for pre-Aristide Haiti, no contemporary Caribbean country fits Nadelmann’s category of institutionalized corruption. However, as will be seen later, several countries have had institutionalized corruption, if such is defined differently. One approach to institutionalized corruption that is applicable to the contemporary Caribbean is that of Peter Andreas: “Corruption becomes institutionalized when individuals within an institution are complicit in the [drug] trade and the institution acts as a shield against accountability.”

29. Id.
30. Id.
31. Id.
32. Id.
The discussion of arms trafficking above also pointed to some the region's corruption. In the Antigua-Barbuda case, for example, Blom-Cooper summed up the motives quite well: "Greed, the thirst for power, and finally, unbridled corruption."34 The Antigua-Barbuda case was both dramatic and dangerous. Yet, given what one scholar called "Antigua's highly distasteful record of corruption, maladministration, and general sleaze,"35 some observers were not surprised that it occurred. But other, reputedly pristine places do offer surprises sometimes. One such country is St. Lucia. For example, this writer had an extensive interview with Cuthbert Phillips, then that island's Police Commissioner on August 16, 1988, about Eastern Caribbean security issues. The drug problem consumed much of our attention, and Phillips waxed eloquent in declaiming against the drug barons and their accomplices. Less than a month later, however, Phillips was dismissed for being implicated in drug-related corruption and inefficiency in the Royal St. Lucia Police Force. (He was later imprisoned also, following a manslaughter conviction.)36

Partly because of the central role of the Bahamas in both trafficking and money laundering over the years, this archipelagic nation has had some of the region's most notorious corruption cases. Continuous allegations about high-level corruption involving the Prime Minister and other government officials prompted an official inquiry in 1983. In its 1984 report, the Commission of Inquiry noted that widespread trafficking through the Bahamas had adversely affected almost all strata to society.37 Several top officials were indicted, and five government ministers either resigned or were dismissed. The Commission noted several questionable practices by Prime Minister Lynden Pindling, and the fact that between 1977 and 1984, his expenditures and assets far exceeded his official income.38 For example, his bank deposits reflected US$ 3.5 million in excess of his salary for that period, but

34. BLOM-COOPER, supra note 5, at 131.
38. Id.
there was no hard evidence of his being on the drug payroll as alleged.\textsuperscript{39}

The Commission reported being “alarmed by the extent to which persons in the public service have been corrupted by the illegal trade,” asserting that there was corruption at both the upper and lower levels of the police force, and within the immigration and customs services.\textsuperscript{40} It declared: “We were particularly concerned to discover that those corrupting influences made their presence felt at the levels of Permanent Secretary and Minister.”\textsuperscript{41} Media attention, the Commission’s report, and the implementation of some of its recommendations have led to treatment of the institutionalized corruption in the Bahamas; however, sporadic corruption exists.

In March 1992, for example, Sergeant Roger Newman of the Bahamas Police Force was charged with possession and intent to supply six kilos of cocaine.\textsuperscript{42} Interestingly enough, Newman worked with the Bahamas special drug court, where he often acted as a prosecutor.\textsuperscript{43} More recently, Chief Petty Officer Keith Baker of the Bahamas Defense Force was one of several people convicted on January 17, 1995, in Miami on charges of importing and distributing three tons of marijuana.\textsuperscript{44} In a sting operation conducted during the preceding investigations, Baker took a cash bribe of US$ 25,000 to use a Bahamas Defense Force boat to provide safe haven through the Bahamas to a Colombian ship used for trafficking.\textsuperscript{45} However, while these two cases relate to the police and the military, sporadic corruption also exists elsewhere.

Three months after the publication of the Bahamas inquiry report, Chief Minister Norman Saunders and Commerce and Development Minister Stafford Missick of the Turks and Caicos were among several people arrested in Miami on drug related charges.\textsuperscript{46} The March 1985 arrests followed three months of

\textsuperscript{39} Id.
\textsuperscript{40} Id.
\textsuperscript{41} Id. at 35.
\textsuperscript{42} Bahamian Police Charged for Cocaine, STABROEK NEWS (Guyana), Mar. 18, 1992, at 7.
\textsuperscript{43} Id.
\textsuperscript{44} Three Guilty of Importing Marijuana, MIAMI HERALD, Jan. 12, 1995, at 2B.
\textsuperscript{45} Id.
\textsuperscript{46} See Deborah Cichon, British Dependencies: The Cayman Islands and the Turks and Caicos, in ISLANDS IN THE COMMONWEALTH CARIBBEAN 579-81 (Sandra Meditz and Dennis W. Hanratty eds., 1989); see also MACDONALD, supra note 24, at 120-22.
investigations by the U.S. Drug Enforcement Agencies (DEA), in cooperation with the British government, and Turks and Caicos law enforcement agencies. The charges included conspiracy to import narcotics into the United States, conspiracy to violate the United States Travel Act, and the illegal conduct of interstate and foreign travel to aid racketeering.

During the trial, the DEA alleged that Saunders had accepted US$ 30,000 from undercover DEA agents to guarantee safe stopover refueling on flights from Colombia to the United States. Moreover, the prosecution showed a video tape, filmed before the arrests, where Saunders was shown receiving US$ 20,000 from a DEA undercover agent. The money was allegedly to protect drug shipments passing through South Caicos Island, en route to the United States.

All the defendants were convicted in July 1985 on the conspiracy charges, although Saunders was acquitted of the more serious charges of conspiring to import cocaine into the United States. Missick was convicted of the additional charge of cocaine importation. Saunders and Missick were sentenced to eight and ten years, respectively, and each was fined US$ 50,000. Curiously enough, after his release from prison, Saunders resumed his involvement in local politics. Although he was repudiated by his former political party, the Progressive National Party, and denied its platform for elections, he was elected to Parliament as an independent candidate in January 1995, winning the South Caicos seat by a mere six votes.

In April 1992, Assistant Commissioner of Police Rodwell Murray of the Trinidad and Tobago Police Service went public with an allegation he had made in 1991 to top National Security Ministry officials: that there was a drug-trafficking cartel operating within the police force. Drug corruption had been uncovered before in Trinidad. In 1987, for example, an inquiry led to the suspension of 51 police officers and the eventual resignation of

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47. See Cichon and MacDonald, supra note 46.
48. Id.
49. Id.
50. Id.
51. Id.
Police Commissioner Randolph Burroughs who had earlier been indicted on bribery and other charges, but later was acquitted.\textsuperscript{54}

That inquiry produced considerable evidence of the violation of both laws and norms, and at all hierarchical levels. It noted “[t]here is abundant evidence of a close relationship between the Commissioner and more than one known drug dealer,” and that “it is clear that several members of the Police Service have become involved in many ways in illegal drug use, and in its trade, and this unfortunate situation has existed for some years now.”\textsuperscript{55} The report also highlighted the frequency of police officers “use of drugs, their pushing of drugs, their engagement in the growing and reaping of marijuana, recycling of confiscated drugs for the supply of drug dealers, the operation of protection rackets whereby major drug dealers are assisted in or allowed to pursue their illegal trade without let or hindrance.”\textsuperscript{56}

Because of the increasing scale of drug trafficking and attendant problems, the seniority of the police officer making the allegations in 1992, and the seriousness of those allegations, Prime Minister Patrick Manning invited Scotland Yard to investigate the situation.\textsuperscript{57} The investigation was led by Detective Superintendent Graham Seabry (Seabry Inquiry).\textsuperscript{58} The Seabry inquiry did not confirm the allegations about the existence of a drug cartel in the police department, but it revealed the scope and extent of institutionalized corruption (in the Andreas sense) there, and several structural and functional factors that facilitated it.\textsuperscript{59}

According to the investigators, “corruption in the police service can be described as endemic,” existing in many forms, including cash or goods for favors, canteen fraud, theft from colleagues, false claims for extra duty and mileage for travel, and bribery to protect illegitimate enterprises from police interference, and to take action against rival enterprises.\textsuperscript{60} Blackmail was also identified, with “clear evidence showing cash demanded not to execute warrants,

\begin{itemize}
\item \textsuperscript{54} Id.
\item \textsuperscript{55} Id. at 20.
\item \textsuperscript{56} Id. at 21.
\item \textsuperscript{57} Final Report for the Government of Trinidad and Tobago on Investigations Carried out by Officers from New Scotland Yard in Respect of Allegations made by Rodwell Murray and Others about Corruption in the Trinidad and Tobago Police Service, Gov't of Trinidad and Tobago, Ministry of Nat'l Security 24 (1993) [hereinafter Seabry Report].
\item \textsuperscript{58} Id.
\item \textsuperscript{59} Id.
\item \textsuperscript{60} Id.
\end{itemize}
not to charge criminal offenses, not to give evidence at court, or not to be able to locate the prosecution papers." The Seabry Report also stated: "The protection of whe whe banking turfs [whe whe being an informal banking scheme] is part of this level of corruption, but it also includes the protection of drug dealers, their supplies, and their supply routes. This is where the core of the police service gets its money."

In what is perhaps the main outline of the structural and functional linkages of the institutionalized corruption in the Trinidad and Tobago police force, the Seabry Report declared

Two corrupt groups were identified which stretched from the top to the bottom of the organization. Recruits were drawn in from the junior ranks. Such groups protected and promoted their own members, and provided a succession plan or "career structure" for their members. Thus, the groups are self-perpetuating. The two groups appear to be separate entities though the division does not appear to be absolute. The extent of any cooperation between the two groups is not clear, but the requirement to exist unhindered unites them. Their range of corrupt activity is wide. Anything that makes money is in, although protection of drug dealers and whe whe bankers forms a prominent and regular slice of the income. Using rank to frustrate honest police action and grant concessions is an irregular but repeating occurrence that can generate large bonuses. The complete make-up of such groups has not been fully established, but the heads and principal lieutenants have been identified.

It is not realistic to put a figure on the number of corrupt officers. The range of corrupt activities is large and the type of corruption varies greatly. However, the removal of about one hundred specific officers from the service would have a marked effect.

The absence of prosecutable evidence against the 100 officers named, resistance by the police union, and inaction by the police high command combined to thwart efforts to charge any of the officers; although some of the officers were transferred and brought up on administrative charges for a variety of matters.

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61. Id.
62. Supra note 57 (emphasis added).
63. Id. at 24-25.
64. Id.
Seabry probe also identified facilitators of corruption, titling them the "Ten Things that Allow Corruption to Flourish": (1) the police service being a law unto itself; (2) the idea that image must be sustained; (3) existence of a rank and status mentality, which is used to avoid (4) responsibility, hinder communication, (5) and promote intense ambition; (6) lack of accountability; (7) insufficient supervision; (8) absence of a clear policy on posting and transfers; (9) destruction of records; (10) a break-down of disciplinary procedures; and (11) territorial control that allows local commanders to pursue of condone corruption within their jurisdiction.65

Based on the findings, the Trinidad and Tobago government sought to introduce institutional changes, including an independent Police Complaints Authority, the establishment of a Complaints Division within the force, for internal review, and the creation of five new senior positions.66 The new positions—one Deputy Commissioner and four Assistant Commissioners—were to be filled with Scotland Yard officers.67 This decision infuriated police officers, some of whom demonstrated outside Parliament and police headquarters on February 5, 1993, against what they called "the recolonization of the police force."68 The staffing plan was later abandoned.

The Trinidad Police Commissioner has acknowledged that corruption exists, but he challenged claims about institutionalization, averring that the police high command had no interest in cover-ups; for him the problem was one of sporadic corruption.69 He explained the difficulty of getting hard, credible evidence to convict corrupt officers, something that is perhaps reflective of the institutional dimensions of the problem.70 Another senior government official observed that regrettably, drug corruption is not limited to the police department.71 Moreover, because of the corruption networks across agencies, law enforcement measures are often seriously compromised, and sometimes frustrated.72 One

65. Id. at 25-30.
66. Deborah John, A Bid to Police the Police, DAILY EXPRESS (Trinidad and Tobago), Feb. 2, 1993, at 1, 10.
67. Id.
68. Alviva Viarruel, Police March in Historic Protest, DAILY EXPRESS, Feb. 6, 1993, at 1, 10.
69. Interview with Trinidad Police Commissioner Jules Bernard, in Port of Spain, Trinidad (July 8, 1994).
70. Id.
71. Interview with Lancelot Selman, Director, Strategic Services Agency, Trinidad (July 4, 1994).
72. Id.
critical area is witness protection. Dealing with corruption is problematic partly because it is a politically charged issue. This explains some of the difficulty in getting legislation passed. But there is a problem beyond legislation—implementation, due to financial and other resource limitations.

Cuban involvement in drug trafficking illustrates a hybrid between systemic and the Andreas theory of institutionalized corruption. According to Andres Oppenheimer, the participation of military officials in drug trafficking, and in the smuggling of precious stones, ivory, and other commodities, was not done to profit individual officers, but to satisfy economic needs of the military in the first instance, and the economic and political interests of Cuba overall. Oppenheimer notes that the military and other institutions protected officials for some time, but turned on them when it became politically inexpedient and administratively awkward to have their projects continue.

In the case of Haiti, evidence of the extent of the institutionalization of corruption in (pre-Aristide) Haiti was produced during Spring 1997 when prosecutors in Miami unsealed indictments against several former Haitian government officials (and people in the United States) in relation to drug trafficking and corruption. The most significant indictment was that against former Haitian police commander, Lt. Col. Joseph Michel François, who was then based in Honduras ever since being forced into exile shortly after the September 1994 intervention that restored Jean-Bertrand Aristide's presidency. The evidence is that François had established his power and wealth by institutionalizing corruption in the police forces and by networking with corrupt agencies and individuals elsewhere in the country, as part of efforts to facilitate the movement of cocaine from South America to the United States.

Needless to say, post-Aristide Haiti is still very much a corrupt society (as was Haiti during Aristide's two periods of rule). The restoration of democracy there has not witnessed the elimination

73. Id.
74. See supra note 33.
75. See generally Andrés Oppenheimer, Castros Final Hour (1993).
76. See generally, id., ch. 1-3.
of drug and other corruption. Indeed, any expectation of this would have been unreasonable given the extent of the country's systemic and institutionalized corruption. One gets a glimpse of post-Aristide corruption from the following report:

The Haitian constitution prohibits self-enrichment through the use of public office (articles 241 and 242). Nevertheless, there is rampant corruption in the judicial system, and President Preval in 1996 began his own anti-corruption campaign that touched in part on drug corruption. On October 1, Preval ordered the arrest of one judge for the release of an alleged Dominican trafficker, and released from judicial responsibilities another judge accused of improprieties in narcotics related cases.78

While the above cases highlight the sporadic and the Andreas theory of institutionalized corruption, the case of Aruba comes closest to approximating one of the two systemic kinds identified by Nadelmann.79 Corruption there is reportedly so deep and wide that the late Claire Sterling, widely acclaimed for her works on drugs and crime, said of it: “the world's first independent mafia state emerged in 1993.”80 She argued that Aruba was “bought and paid for” by one of the most powerful mafia families: the Cuntrera brothers—Paolo and Pasquale—of Italy and Venezuela.81

From nearby Venezuela, the Cuntrereras are said to have bought and corrupted everything of value in Aruba: casinos, hotels, real estate, banks, police and customs officials, the prime minister, the justice minister, and the ruling and opposition parties.82 This corrupt “purchase” allegedly was the culmination of a process that began in October 1987 when a Sicilian-Medellín drug summit agreed to form a strategic alliance of the Italians and the Colombians.83 However, the U.S. Department of State feels that the corruption in Aruba goes beyond the Colombian-Italian connection; ethnic Chinese are also allegedly involved.84

Several observations are in order. First, corrupted officials not only violate laws and norms within their own nations, sometimes

79. See supra note 28.
80. CLAIRE STERLING, THIEVES’ WORLD 21 (1994).
81. Id.
82. See generally, STERLING, supra note 80.
83. Id.
they cross international boundaries to do this. Indeed, the transnational nature of most drug operations examined above makes this inevitable. In one case, for instance, Rufus Trotman of the Barbados mission in Caracas was dismissed in 1988 for his role in an attempt to use the Barbadian diplomatic bag to smuggle four pounds of cocaine out of Venezuela. In a second case, a Barbadian immigration officer was arrested at London’s Heathrow International Airport with a large quantity of cocaine he had brought from Barbados. In another case, Sergeant Earl Scott of the Jamaica Constabulary Force was sentenced to seven years in the Cayman Islands on January 6, 1994, following conviction for possessing one pound of cocaine with intent to supply. Scott and two female companions—Judith Kerr and Coleen Williams—had gone to the Caymans in February 1992 with the cocaine. Following negotiations with someone who turned out to be an undercover policeman, they agreed on a sale of the drugs.

The second observation is that the cases discussed here do not constitute the totality of corruption in the Caribbean. In talking about corruption in relation to his county, for example, the Justice Minister of Suriname, Soeshiel Girjasing, declared in 1995 that “The drug mafia has penetrated the military and the police . . . very deeply.” Although reluctant to specify the level of corruption, he admitted that several army and police officials were among the 117 people arrested in 1994 for trafficking. In the Dominican Republic, persistent accusations of drug-related corruption forced President Joaquin Balaguer on November 1, 1995, to dismiss Attorney General Juan Demostenes Cotes Morales and a prosecutor attached to the Santo Domingo Appeals Court, Jose Leonardo Duran Fajardo. Later that same month court martial proceedings began against two officers accused of cocaine smuggling:

85. GRIFFITH, supra note 36, at 256.
87. Jamaica Police Sergeant gets Seven Years for Cocaine, STABROEK NEWS, July 9, 1994, at 5.
88. Id. and Drug Convict points to top DLP Members in Scandal, SUNDAY ADVOCATE (Barbados), Oct. 2, 1994, at 1, 4.
89. Andrew Cawthorne, Cocaine Barons Threaten Suriname, STABROEK NEWS, Mar. 8, 1995, at 1, 12.
90. Id.
91. Dominican Republic: Two Officials Dismissed in Drug-related Scandal, MIAMI HERALD, Nov. 2, 1995, at 29A.
Col. Luis Rivera Jimenez and First Lt. Basilio Alcantara Gonzalez.92

Third, while most of the sporadic and institutionalized corruption mentioned here pertain to military and law enforcement agencies, corruption is not limited to such agencies. Official reports, indictments, and interviews by this writer have identified a wide variety of government agencies implicated, notably those dealing with customs, taxes, prisons, and banking. Moreover, although the discussion thus far has focused on violations of law and norms by government officials, drug-related corruption is not only a public sector phenomenon. The private sector is just as involved: owners and operators of banks, non-banking financial enterprises, taxi companies, airlines, shipping companies, supermarkets, farms, warehouses, private security agencies, and other businesses are also corrupted. Moreover, private sector corruption is also actually and potentially injurious to moral rectitude and good governance.

Finally, although most of the corruption cases cited here identify officials in the executive branch of countries, the judicial and legislative branches are not exempt from corruption. Corruption networks extend not just across agencies in a single branch of government, but also across branches. In Puerto Rico, there were serious charges of corruption during 1994 and 1995 in both legislative chambers.93 In one instance the Senate reacted to accusations against four Senators by ordering Senators to undergo drug tests, and one Senator even invited reporters into a public bathroom to vouch for the integrity of the urine sample94 (The reporters accepted the invitation.).

Governance at Risk

Undoubtedly, drug-related (and other) corruption have consequences for the observance of laws and norms. Apart from leading to the erosion of respect for law and norms, they also affect the shaping of attitudes and values in societies that are already vulnerable to cultural penetration and the political machinations of state and non-state actors elsewhere. Thus, Anthony Maingot was both coy and correct in observing that "The corrupting power of the

94. Id.
drug trade does strange things to an otherwise decent people.”

Some of the “strange things” happen at the individual level, but—and this is worse—many of them happen at the group, national, and international levels as well, affecting governance within the Caribbean people. The governance implications are both military and political in nature.

In the military area, the corruption of military and police officials compromises these agents of national security, with the effect that (a) their capacity for effective action is undermined, and (b) individuals and groups become inclined to resort to vigilante tactics because of that diminished capacity or a perception of it. Vigilante operations have long existed in Haiti and Jamaica. However, they are spreading to other places, to the point where National Security Minister Russell Huggins of Trinidad and Tobago was forced to make a national radio and television broadcast on the subject in June 1993. Among other things, he declared: “I wish to state quite strongly that under no condition will the government condone the formation of vigilante groups [where people] may choose themselves to be unlawfully armed with dangerous weapons on the pretext of protecting the community.”

The situation is worse when soldiers and policemen facilitate arms trafficking, as has been the case in Antigua-Barbuda, the Dominican Republic, Guyana, Jamaica and elsewhere. Arms trafficking presents real prospects for augmenting the store of illegal weapons with Caribbean countries, since, as with drugs, some of what is trafficked stays in the region, both by default and by design. This serves both to aggravate the crime problem and enable drug gangs to engage in violent conflict or escalate the level of existing violence. Jamaica, Puerto Rico, Trinidad and Tobago, the Dominican Republic, Haiti, and St. Kitts-Nevis are among places that bear sad testimony to this.

The undermining of effectiveness mentioned above is partly a function of a loss of public confidence, either in the government as a whole, or in certain specific institutions, and both of these have political implications. The October-November 1994 St. Kitts-Nevis

98. Id.
99. See generally BLOM-COOPER, supra note 5; GRIFFITH, supra note 96.
drugs-weapons-murder-riot saga, which led to the ouster of the ruling party in July 1995 elections, reflects the former. Perhaps more than anywhere else, recently in the Caribbean, the St. Kitts-Nevis experience dramatizes the emerging and dangerous linkages involving politics, power, and drugs, and the crime and other challenges to governability which these precipitate. Particularly since 1993, people in the leadership of the People's Action Movement (PAM), which ruled the country between February 1980 and July 1995, and of the St. Kitts Labor Party (SKLP), which won power in July 1995, have been credibly connected to people involved in the drug trade.

In relation to the PAM government, during the 1980s the ambassador to the United Nations, William Herbert, had been implicated in money laundering and drug trafficking. In July 1994 Herbert and his family disappeared mysteriously at sea. There was strong suspicion of foul play related to drugs. On October 1, 1994, Vincent Morris, one of the sons of Deputy Prime Minister Sidney Morris disappeared along with his fiancee, Joan Walsh. Later, they were both found murdered—in the trunk of a burnt vehicle abandoned in a cane field. The next month, two other sons of the Deputy Prime Minister were arrested for trafficking 121 pounds of cocaine and possessing illegal weapons. They were also implicated in the murders. Meanwhile, on October 13, Supt. Jude Matthews, head of Special Branch—the agency that protects top government officials—and the chief investigator into the murders, was himself assassinated on the way to work.

The Morris brothers were granted bail after arraignment. A public protest and a prison riot ensued as a result of the perception by the public and prisoners that the family and political connections of the Morris brothers influenced the granting of bail to them, manifestly violating equal treatment norms. Sidney

100. See generally, IVELAW L. GRIFFITH & TREVOR MUNROE, HUMAN RIGHTS IN THE CARIBBEAN (Ivelaw L. Griffith & Betty N. Sedoc-Dahlberg eds., 1997).
101. Id.
102. Id.
103. Id.
104. Griffith and Munroe, supra note 99.
105. Id.
106. Id.
107. Id.
108. Id.
110. Id.
Morris was forced to resign as Deputy Prime Minister.\textsuperscript{111} The riot resulted in the complete destruction of the central prison and the escape of over 150 prisoners, necessitating the invitation of troops from the Regional Security System (RSS) to help restore order (Most of the prisoners were recaptured later.).\textsuperscript{112}

Given the erosion of public confidence, the PAM government was forced to concede to a call by the opposition SKLP and a coalition of civic groups for new elections within a year.\textsuperscript{113} The elections were held on July 3, 1995—three years before the government’s term of office was due to end.\textsuperscript{114} The opposition SKLP was victorious, winning almost 50 percent of the popular vote, and seven of the eleven elected legislative seats.\textsuperscript{115} Predictably, major issues in the elections campaign were the escalation of narco-crime, drug-related violence in the country, and the perceived complicity of government officials in drug trafficking.\textsuperscript{116}

At the same time, the leadership of the SKLP, which formed the new government, was not without its own “skeletons in the closet.”\textsuperscript{117} In May 1993, for instance, just six months before the controversial November 1993 general elections, Noel “Zamba” Heath, a long standing business partner of both Dr. Denzil Douglas and Sam Condor, SKLP leader and deputy leader, respectively, was arrested and charged with illegal possession of drugs and ammunition.\textsuperscript{118} Heath subsequently pleaded guilty to the illegal weapons charges and was fined.\textsuperscript{119} Hence, in the St. Kitts-Nevis situation the narcotics stain tarnishes the credibility of the country’s leadership and contributes to the erosion of confidence in the political elites. All this clearly hurts good governance and sovereignty.\textsuperscript{120}

Thus, among other things, drug corruption has two serious consequences: it undermines the credibility of governments; and, as the St. Kitts-Nevis case clearly shows, it impairs the ability of government agencies to protect the interests of the state, both domestic and foreign. Further, it can warp the ability of politicians

\begin{thebibliography}{99}
\bibitem{111} Id.
\bibitem{112} Id.
\bibitem{113} Id.
\bibitem{114} Griffith and Munroe, supra note 99.
\bibitem{115} Id.
\bibitem{116} Id.
\bibitem{117} Id.
\bibitem{118} Id.
\bibitem{119} Griffith and Munroe, supra note 99.
\bibitem{120} Id.
\end{thebibliography}
and bureaucrats to adequately define those interests. When one bears in mind the political and social penetrability of Caribbean societies it is relatively easy to understand how the governability and sovereignty of states there can be subverted by drug barons and their accomplices. Sir Shridath Ramphal, former Commonwealth Secretary-General, highlighted both political and military vulnerability involved in stating: “It only takes twelve men in a boat to put some of these governments out of business.” Military-political dangers were similarly implicit in a remark by one Caribbean diplomat: “A handful of well-armed narcotic soldiers or mercenaries could make a lightning trip to a country, wreak destruction, and fly out before a defense could be mounted by states friendly to the small island.”

Conclusion

This article suggests that narcotics arms trafficking and corruption present a clear and present danger for the Caribbean. The dangers of drugs are matched by the uniqueness of the enterprise. Nadelmann captures this uniqueness when he says: “No other criminal activity comes close in terms of its magnitude, its lucrativeness, its capacity to corrupt the previously uncorruptible, its political consequences, and its impact on international relations.” This statement holds true for the Caribbean as it does for other regions.

121. GRIFFITH, supra note 36, at 258.
122. See generally Ron Sanders, Narcotics, Corruption, and Developments: The Problems in the Smaller Islands, 3 CARIBB. AFF'RS. 84 (1990).
123. NADELmann, supra note 28, at 258.