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SPEECH BY DR. DANTE M. CAPUTO
OAS GENERAL SECRETARIAT

AT THE INAUGURATION OF THE
FORTY-FOURTH REGULAR SESSION OF CICAD

**SPEECH BY DR. DANTE M. CAPUTO AT THE OPENING SESSION
OF THE FORTY-FOURTH REGULAR SESSION OF CICAD
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It is a pleasure for me to be here, at this Inaugural Session of CICAD, representing the Secretary General of our Organization, Dr. José Miguel Insulza.

Allow me first to express my gratitude to the people and government of Chile, for the permanent kindnesses they have extended to us since our arrival in this beautiful country, and for organizing this event.

I would like to talk about two topics:

The fight against drug trafficking as a global phenomenon of organized crime, and how the drug trade affects not only health, not only law and order, not only security, but also something that is even closer to our hearts: democracy. How drug trafficking impacts, damages, weakens, and threatens democracy in our countries.

It is a custom of diplomacy not to name countries, and so I won't (..... said that man was given speech to disguise his thoughts; I will follow’s recommendation and will therefore not name the countries) but Secretary General Insulza prefers – I suppose the preference comes from China – that we work in the field. And he makes us go out into the field and he makes us leave our desks, our offices, and our protocols, and conduct electoral missions on the ground, in the jungle. And, not very long ago, he sent me there. The amazing thing – amazing but horrible – that I saw in some places as an electoral observer was how the drug traffickers were buying votes to install their own mayors in various towns. Because, obviously, if you control the mayor, and you control the town council, you can legislate to ensure impunity. And so, the drug lords are no longer just pursuing illegal trafficking, pursuing contraband, they also want power – at the local level for the moment, but we all know that they also want power at the national level – and that in some of our countries, they are knocking on the doors of the central government.

So, when we talk about the drugs trade, we are of course primarily talking about health, and about its impact on security, which is where CICAD has focused its efforts and has done so brilliantly – allow me to congratulate you, on behalf of the Secretary General, for your work – but we are also talking about a political dimension that we must not lose sight of. Two brief thoughts on this matter:

The first deals with drug trafficking as a form of organized crime and its attack on power, its attack on democratic power. Ours, esteemed commissioners, is a very special kind of democracy: we are an exception in the world. Our American hemisphere is the first region in the world – there have been no others – to bring together such democracy, poverty, and inequality. We are the most unequal region, with the highest concentration of wealth. We are a region with high levels of poverty, with the exception of certain countries such as this one, which has achieved the magnificent accomplishment of evolving from a dictatorship with a 40% poverty rate to become a democracy with a poverty rate of 14%. Most of our countries have poverty rates of 40%. An unbelievable triangle: poor and free, unequal and free. It has only ever happened here in this region.

The consequences of this triangle create a number of new dilemmas that require our attention. Among other things, poverty creates fragility, and fragility opens the doors for the drugs trade: the fragility and weaknesses of our democratic systems, with their institutional failings and with their political failings, enable the drug trafficking phenomenon to penetrate more easily, and with greater strength, into the structure of power.

I therefore think we should not discuss the problem in abstract terms; we must discuss it as a part of this reality we face: how this terrible, unique, but fascinating combination of poverty, income concentration, and freedom sets us a series of specific challenges that we cannot ignore when tackling the problem of the drugs trade.

That is the first comment of a political nature I would like to make this morning. The second relates to a very specific feature of the region's democracies, particularly of the Latin American democracies. And that is to combat drug trafficking, to ensure the capacity to fight organized crime, one central player is necessary: the state.

In Latin America, the state suffers from major shortcomings. Not in all our countries, of course – and not in the country whose guests we are today – but in many countries there are important weaknesses in the state's preparation and capacity for combating the drugs trade. So it is vital that the mechanisms, remedies, and instruments that we invent, devise, and seek to put into practice have the power necessary for enforcement. If we do not have the power to enforce them, they will be good mechanisms but will be incapable of changing a thing.

Latin America – particularly Latin America, not the Caribbean; I insist: particularly Latin America – has what I would like to call a shortage of “statehood.” I use the word “statehood” not out of any love of novel usages, but to avoid relaunching age-old debates, because if I were to say a shortage of the state, heaven knows what people would understand by that: a yearning for the interventionist states of the past. I'm talking about “statehood.” What do I mean by statehood? I am not getting away from the topic; I'm not talking about political science, or about politics: I want to speak about tackling the drugs trade with the appropriate tools for doing so, hence the reference to politics.

Statehood basically entails four things: First, a capacity for imagination, to produce public policies. Without the installed capacity for producing public policies, no state action is possible. The second condition is a capable bureaucracy: in other words, a public apparatus that is capable of implementing those public policies. Technical apparatuses and bureaucracies that can implement them: that is the second component of statehood. The third feature of this “statehood” – a central one for me, of course, as an obsessive politician – is power: because, if the state is not internally sovereign, it can have the best policies, it can have the best technical agencies, but it won't have the power to impose, over other authorities, the policies that the majority has voted to implement.

The state is not internally sovereign if it does not enjoy supreme power: in other words, if there are other powers that are equal or superior to it. In saying this, I am not being an apologist for the absolute power of the state – far from it – because that power of the state serves to enforce the policies for which the electorate has voted. If that electoral mandate can be carried out, democracy is strengthened; and if it cannot be carried out, it creates doubts about democracy. The state is, in turn, controlled by the citizens through that relationship we call the democratic

rule of law: citizen oversight over the power of the state. But oversight over a power that wields power.

Note that regarding this topic, the question of power, the fiscal component is the strongest of any. Imagination is needed to create fiscal policy. Revenue collection mechanisms must be in place. But later, if you cannot collect from someone who has lots of money and lots of power – and lots of concentrated power – taxes are no use whatsoever. And there are countries in Latin America where the state doesn't have that sort of power; that situation is found in many Latin American countries.

And the fourth element, because we cannot have a curtailed statehood: the state must be present throughout the territory and in all sectors of society. Because if it has power, but that power is limited to just some groups and just some parts of the territory, that is a most serious problem. There are perfect examples, here in the Americas, of how the state, in spite of having the will, imagination, strategy, political capacity, and military capabilities necessary for doing so, is unable to control the whole of its territory.

Latin America suffers from this shortage of “statehood”; the strange, inexplicable thing is that the matter is not adequately discussed in our region. How can we have democracy if we don't have enough of a state to guarantee that we can resolve the asymmetries of power that exist in our societies? Ours is the region with the highest concentration of income and also of the highest concentration of power not in state hands. Those non-state powers include some that are legal – economic power, the power of the press – but there is also the power of the drug traffickers, which is beyond the law.

We must reconstruct our “statehood” because in many countries, we dare not offer this up as one of the public options – we are afraid that some editorial in one of the dailies will call us statist, we're afraid that some radio or television presenter will say, “here they come again with that old topic” or something like that – but this is a matter of vital importance to our continued existence.

Allow me to conclude by saying that we are all familiar with the claim that we are all equal before the law, but less well known is another phrase that reflects a reality in Latin America: although we are all equal before the law, the law is not equal for all of us. It applies to some, but not to others. That leads to the next phrase, which, fortunately, comes from a priest of the Dominican Order, and anyone can repeat it without being accused of God alone knows what. Henri Lacordaire, the Dominican who refounded the order in France, a great writer who ended up as a member of the French Academy, came out with this chilling phrase: “freedom oppresses and the law sets free.” Of course, telling those of us who have lived under dictatorships that freedom oppresses is somewhat strange. But without the law, freedom becomes a mere abstraction: there is no freedom for those who live in poverty; there is no freedom for someone who is attacked at the school gate by a drug dealer. We need the law, and the law comes from the state. And the state is something we have to reconstruct. In our debate on drug trafficking we must also discuss what new debate we need for the new democracy in Latin America.

Thank you very much.