

Bosch should take deal

Miami Herald (Editorial) 7-13-90-18

CALL HIM what you will — and some call him a terrorist, others a hero — you have to call Orlando Bosch gritty. He accepts 13 of the 14 strictures that the Justice Department offered him in exchange for his freedom from jail. But he remains in jail because he says that accepting the 14th condition — keeping a list of people who visit him or whom he visits — in effect would make him an informant.

That's arguable, as is everything else about the Cuban pediatrician's obsession with fighting Fidel Castro. It's also arguable whether the list-keeping would achieve the Government's unstated purpose of revealing any contacts that Bosch might have with terrorist elements. Anybody making such contact, knowing that it meant appearing in a "guest log," would be profoundly stupid.

Even so, Bosch should accept the proffered deal, as his wife has urged. He should accept because, while its terms appear Draconian, so are the alternatives. By refusing the deal, Bosch consigns himself to remain in jail indefinitely — unless the State Department can find a country that will accept him as a deportee. Thirty-one countries have said No.

FOR SAKE OF ALL CONCERNED

Bosch should accept, most of all, because the Government is trying to find an equitable path out of a legal quagmire. Bosch is a convicted felon, an excludable alien subject to immediate deportation — except that he'd surely be killed if deported to his homeland, Cuba. There he is presumed guilty of masterminding the 1973 bombing of a Cuban airliner that killed 73 people. He spent 11 years in Venezuelan prisons before being freed after two acquittals on that charge.

The Government's offer still leaves him subject to deportation, but let's be realistic. If Bosch scrupulously met all of the terms of his parole, there is little chance that the Government would try to deport him. Second, if he proved by impeccable behavior that he indeed has renounced terrorism, the Government would invite accusations of being inhumane (even if legally correct) by deporting a well-behaved parolee.

In short, Bosch ought to take his wife's advice, accept all 14 Government conditions, and end the stalemate that so pains his family and friends.