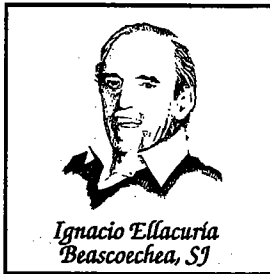


The Jesuit/Co-Worker Murders in El Salvador: November 16, 1989

The Night of Terror

In the very early hours of the morning (about 1:30-2:30 a.m.) on November 16, 1989, a large group of armed men broke into the residence of the Jesuit Community at the University of Central America in San Salvador and brutally shot to death six Jesuit priests, the community cook and her teenage daughter. Those murdered are:



Ignacio Ellacuría Beascochea, 59, Rector of the University;

Amando López Quintana, 53, Professor of Theology;

Joaquín López y López, 71, Director of *Fe y Alegria*, a religious education program;

Ignacio Martín Baró, 47, Academic Vice-Rector, Director of the Department of Psychology and editor of *Estudios Centroamericanos*;

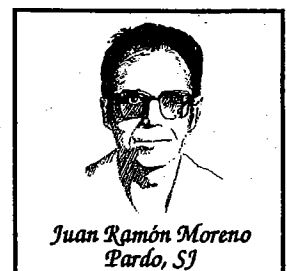
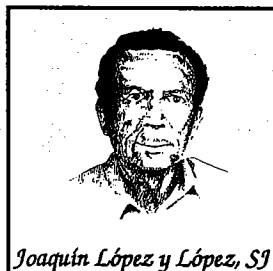
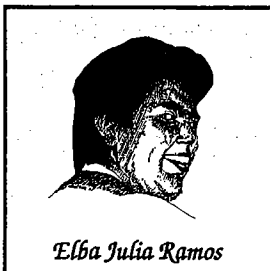
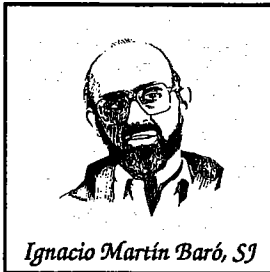
Segundo Montes Mozo, 56, Director of the Institute of Human Rights and a Professor of Sociology;

Juan Ramón Moreno Pardo, 56, Professor of Theology and Assistant Director of the Monsignor Romero Center;

Elba Julia Ramos, 42, Cook and Housecleaner for the Jesuits;

Celina Maricet Ramos, 16, High School Student on a scholarship working toward a business degree, daughter of Julia Elba Ramos.

(Art work by Stephen D. Kroeger, SJ of Chicago, IL).



The armed men, later identified by the Salvadoran government as members of the U.S.-trained elite Atlacatl Battalion, also ransacked the offices of the pastoral center at the University. The attack took place during the hours when a strict curfew was in force in San Salvador because the FMLN (the armed resistance: *Farabundo Martí Liberación Nacional*) had launched a nationwide military offensive.

According to the U.S. Jesuit Conference, this action eliminated "most of the leadership of the Jesuit University in El Salvador, which has been one of the strongest church voices on behalf of justice for the poor of that country." (*Communique*, 16 November 1989).

"The really terrible thing the Jesuits did was to tell the truth about El Salvador in their publications and public statements. They said that the most serious aspect was the massive, cruel and unjust poverty of the mass of the people. They said that then these masses, with every right and justice, organize simply in order to survive, they are repressed...They were killed because they believed in the God of the poor and tried to produce this faith through the university."

-Jon Sobrino, SJ, "Why were they killed?" in *Companions of Jesus: The Murder and Martyrdom of the Salvadoran Jesuits* (Nottingham: Russell Press Ltd., 1990).

The Investigation Thus Far

The key to this investigation is finding and prosecuting those who gave the orders, not only those who pulled the triggers. Every sign so far points to an incomplete investigation that has failed to pursue seriously the real authors of the killings. The Salvadoran military has strongly resisted suggestions that the probe be taken to higher levels, and even the judicial prosecution of those already indicted is moving with frustrating slowness.

Under heavy pressure from the United States, President Cristiani of El Salvador publicly admitted on January 7, 1990 that the Salvadoran military was responsible. Later that month, nine soldiers were indicted for the killings: Col. Guillermo Alfredo Benavides Moreno, three lieutenants and five enlisted men. Although no one with the rank of colonel has ever been so indicted before, church leaders in El Salvador are far from satisfied. Archbishop Rivera y Damas, Rev. Francisco Estrada SJ, the new Rector of the Jesuit University, and Rev. Jose Maria Tojeira SJ, the Jesuit Provincial of Central America, have all said that they believe no single colonel acting on his own would presume to order such murders. This analysis was supported by Colonel Sigifredo Ochoa, formerly of the Salvadoran military and now a high functionary in the ARENA party, in an interview with *60 Minutes* aired April 22, 1990. In short, accumulating information suggests the involvement of higher-ups and the strong possibility of a cover-up, although nothing is being done to carry the investigation higher than Colonel Benavides.

On April 30 1990, the Special Task Force (chaired by Rep. Joseph Moakley) appointed by Speaker of the House Thomas Foley to scrutinize the investigation, issued its *Interim Report*. Although it praised some technical aspects of the investigation, the Task Force found that "the investigation...has failed to delve in any serious way into the possibility that individuals other than Col. Benavides may have ordered the murders." In August 1990, Rep. Moakley publicly charged the high command of the Salvadoran military with "a conspiracy to obstruct justice." (*Washington Post*, 8-16-90).

"We are convinced that the military's contribution to the problems of human rights and a paralyzed judicial system are not caused by a few renegade officers; they reside at the heart of the armed forces as an institution. Decades of power, tempered only by the need to maintain a working alliance with wealthy landowners and businesspeople, have created an upper echelon within the armed forces that too often finds deference to civilian authority neither necessary nor desirable...the armed forces remain unwilling to police themselves, and only accept the right of others to do so when enormous pressure is applied."

-Interim Report of the Speaker's Task Force on El Salvador, Chair: Rep. Joseph Moakley, April 30 1990, p. 54.

Signs which Suggest a Cover-up

1. The Salvadoran government and the U.S. government continually suggested FMLN culpability for the murders for weeks after the killings (as late as January 2, 1990) in spite of facts which pointed clearly to the Salvadoran military.

The murders took place under cover of darkness when a strict curfew was in place that permitted only military movement. The military had searched the Jesuit residence on November 13, little more than two days before the murders. Government radio broadcasted death threats against the Jesuits for days before the murders. A woman witness testified that the assassins were Salvadoran military personnel.

2. The sole witness in this case, Lucia Barrera de Cerna, was brought to Miami for interrogation where she was subjected to hostile and abusive treatment.

The witness and her husband were held incommunicado for four days in Miami. Interrogators

included FBI agents and Colonel Manuel Antonio Rivas of the U.S.-funded Salvadoran Special Investigations Unit. Rivas insulted Cerna, accused her of lying and pushed her to change her testimony. According to Cerna, Spanish-speaking FBI agents threatened to send her back to El Salvador if she did not tell the story they wanted to hear. Under this pressure, she changed her story, said she had seen nothing, and was subjected to three polygraph tests which she failed.

After she was released from this interrogation, she reaffirmed her original testimony.

Nonetheless, Administration officials, including officials of the U.S. Embassy, made purposefully misleading off-the-record statements charging that Cerna's testimony was "worthless" because she had failed lie detector tests. They insinuated that she failed the test because her original testimony was wrong, when in fact, she failed the test only when she retracted that story under pressure and claimed to have seen nothing. (*Information from testimony of Holly*

Burkhalter of Americas Watch before the House Subcommittees on Western Hemisphere and Human Rights and International Organizations, January 31, 1990).

3. U.S. military personnel, once informed of the involvement of the Salvadoran military, identified the "whistle blower" to his commanding officer.

Colonel Carlos Armando Aviles reported to U.S. army Major Eric Buckland that Colonel Benavides had given the order for the killings. Initial reports indicate that the major kept the information secret for 10 days. When he finally told Colonel Milton Menjivar, the head of the United States Military Group in El Salvador, Menjivar went directly to Colonel Ponce, Chief of the Salvadoran High Command, and identified the source by name. When questioned, Aviles denied giving the information and was placed in detention. His military career is ruined and his life may be in danger. Exposing whistle blowers in a system like El Salvador's military surely deters other possible witnesses from coming forward. (*Information from Burkhalter testimony, Americas Watch, cited in #2).*

4. The Washington Post, San Francisco Examiner and Christian Science Monitor have reported on meetings of Salvadoran military officers a few hours before and a few hours after the murders. These reports raise serious questions about the involvement of higher-ranking officers who may have known about or ordered the killings and/or participated in a cover-up.

The first meeting included Colonel Rene Emilio Ponce, Chief of Staff, General Juan Rafael Bustillo, Commander of the Air Force and other members of the High Command. In the face of the FMLN offensive, they planned an escalation of the war including the use of air power, artillery and armored personnel carriers to go after the rebels. They discussed going after rebel leaders in each sector of the capital and rebel command centers. About an hour after that meeting, Benavides returned to his command center and gave the order to three lieutenants to kill the Jesuits, leave no witnesses and fire a flare when the operation was over.

On the morning of November 16, a routine meeting of Salvadoran intelligence officers was interrupted by a junior officer who announced that Rev. Ignacio Ellacuria, the Rector of the Jesuit University, was dead. The officers cheered when they heard the news. (*Washington Post, 2-6-90*). This report suggests strongly that the military knew who was responsible and covered up the information for weeks.

5. Colonel Guillermo Alfredo Benavides, the highest ranking officer indicted in the case, has been living in luxury since his detention, according to both U.S. and Salvadoran government sources.

Col. Benavides, the only colonel ever charged with a political murder, is reportedly living in a luxury

"Despite decades of promises, tens of millions of dollars in U.S. aid and repeated statements that progress is just around the corner, the Salvadoran justice system remains essentially an oxymoron -- neither systematic, nor just."

-Interim Report of the Speaker's Task Force on El Salvador, Executive Summary, April 30 1990, p. 10.

apartment, eating special food and occasionally visiting a luxury hotel on the Pacific Coast owned by the military. Reportedly, he receives regular visits from fellow officers who reassure him that he has nothing to worry about. (*Washington Post, 2-22-90 and Miami Herald, 2-23-90*).

Such "confinement" suggests that the prosecution of Benavides is not taken seriously by the military who continue to protect and coddle their own.

6. Reports of testimony by a "ninth man," one of the enlisted men indicted in the killings, may implicate high level officers other than Benavides.

One of the nine men charged with the killings, Pvt. Jorge Sierra, the so-called "ninth man," was not arrested because he reportedly deserted the army. According to a "Western diplomat and a Salvadoran citizen," he fled the country and may be in the United States. These same sources say that Sierra heard a radio exchange between one of the officers at the site of the killings and a high-ranking officer at the Defense Ministry. The officer on site reported that the Jesuits had been killed and asked about the cook and her daughter. "He was told to leave no witnesses," one source said. (*Los Angeles Times, 3-19-90*).

7. Salvadoran law stipulates that co-defendants in the same criminal action cannot testify against each other. Yet each of the three lieutenants in this case who claim to have received the orders from Benavides to carry out the killings were indicted, thus making it very difficult to figure out how Benavides can be prosecuted successfully.

8. On March 22, President Alfredo Cristiani announced that he's "not confident that he's [Benavides] going to be convicted" even though he thinks he's guilty. (*Washington Post, 3-24-90*).

9. Those knowledgeable about the military as an institution in El Salvador do not believe that the investigation has yet found those who gave the orders for these murders. Nonetheless, the investigators are not moving beyond Benavides in their work.

Rep. Moakley, who is chairing the Task Force following the investigation, cites the following information suggesting high level involvement:

a. A few days before the massacre, the Salvadoran

military took command of a government-run radio station and began making a tirade of anti-Jesuit announcements. Several hours before the shootings, military trucks roamed the San Salvador neighborhood where the Jesuits lived blaring messages that tied the Jesuits to the FMLN guerrillas.

b. On November 13, soldiers from the military unit later accused in the murders made an unannounced search of the Jesuit residence.

c. The killings produced shooting and flares that lasted nearly an hour and could be seen and heard in neighboring sections of the city, yet no military units responded even though they were on high alert that morning. (The site of the killings is within one mile of the headquarters of the High Command of the Armed Forces).

d. Four hours after the shootings, the military unit accused in the killings was reassigned to a different section of the city. (*Boston Globe*, 3-21-90).

10. The investigation is headed by a Lieutenant Colonel in the Salvadoran military who must question full colonels and generals about their possible involvement.

"No matter how strong this guy is, there's just no tradition for this kind of investigation, so in the end I fear he has to be deferential to everyone higher than him," said Rep. Moakley. (*Boston Globe*, 3-21-90).

11. In the United States, Rep. Moakley had to threaten the use of subpoena power through the House Rules Committee (an unprecedented move for that committee) in order to interview the U.S. army major who first received information about Salvadoran military involvement. Until subpoena power was threatened, the Pentagon had refused to cooperate.

12. Key evidence in the case has vanished or been destroyed and key witnesses have failed to give needed testimony.

A log book which recorded troop movements at the military school the night of the killings has been destroyed and Lt. Col. Camilo Hernandez has been implicated. Colonel Benavides' diary in which he kept notes of his activities is missing. Four soldiers believed to have been on guard duty at the school the night of the slayings were sent out of the country to study; when they did return, they denied having been on guard duty that night.

A key witness, Col. Carlos Aviles, who had blown the case wide open on December 20, 1989 when he told U.S. army Major Eric Buckland that Benavides was involved in the murders, denied under oath having any information about Col. Benavides' role and he denied telling Maj. Buckland. (*New York Times*, May 7 and June 1, 1990; *Boston Globe*, June 29, 1990).

Action Steps

Legislative Actions:

In spite of rhetoric to the contrary, the Salvadoran government and military continue to make a mockery of justice in this case. And the United States government funds El Salvador at the rate of more than \$1.5 million per day, most of it in military aid or war-related assistance.

The Salvadoran Armed Forces, clearly responsible for these murders, have been implicated in the murders of tens of thousands of unarmed civilian Salvadorans over the past 10 years. They have, by all accounts of human rights organizations such as Amnesty International and Americas Watch, run a regime of terror and repression.

Write or call your Members of Congress and demand that they pursue justice in the Jesuit/Co-workers case and cut all war-related aid to El Salvador at once:

U.S. House of Representatives
Washington, DC 20515

U.S. Senate
Washington, DC 20510

Capitol Hill Switchboard: 202-224-3121

Actions in the Media:

It is vitally important that we become part of the public policy debate on El Salvador. It is especially important that we keep the case of the Jesuit/Co-worker murders in the public eye.

For: If the government of El Salvador is unable or unwilling to do justice in this case which has received worldwide attention, how can it be expected to do justice in the thousands of cases of innocent Salvadorans who are victims of the repression? If it cannot do justice here, where is there any hope of an improvement in human rights?

Using the information in this brochure, do one or more of the following:

- *Write a letter to the editor of your local paper,
- *Write an "op-ed" column on the case,
- *Call in to your local radio-TV talks shows when El Salvador is being discussed and raise these issues,
- *Meet with the editorial board of your local paper and ask for an editorial calling for a cut in U.S. war-related aid to El Salvador.

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