

Article by Congressman Joe Moakley

It is difficult to imagine a time when El Salvador has not been at war. For over a decade, the world has witnessed some of the worst brutality imaginable -- perpetrated by both the FMLN and the Salvadoran Armed Forces . It has been an ugly war that has not only been costly in terms of human life, but it has also left that tiny country economically crippled. It has been a war whose victims have primarily been civilians.

I have become intimately acquainted with the realities of El Salvador only recently when Speaker Foley appointed me to head a special Congressional Task Force to monitor the Salvadoran Government's investigation into the savage murders of six Jesuit priests, their housekeeper and her young daughter. Up to that point, my expertise on El Salvador was limited to newspaper and magazine articles. I am, as I've said many times, a bread and butter politician from South Boston. My expertise has always been in domestic issues -- not foreign policy matters.

During the last year and one half, my task force has carefully observed the investigation into the Jesuit murders, the prospects for peace in El Salvador and United States policy towards that war-torn country. I would like to briefly expand on those three points.

The murders of the Jesuits on November 16, 1989, focused attention on the situation in El Salvador in a way not seen since the murder of Archbishop Oscar Romero -- nearly a decade earlier. The reaction in Congress was one of pure outrage. When it became clear that the

Salvadoran Armed Forces were directly responsible for the murders -- the outrage turned to anger.

The central question became whether the murder of the Jesuits resulted from the actions of a few renegade military and political figures operating at the margins of Salvadoran society or whether, in fact, it stemmed from attitudes and actions that go to the very heart of the armed force and other major institutions in that country.

U.S. officials told me early on to view the Jesuit case as an isolated incident -- the deranged actions of a few -- and not as indictment of the armed forces as an institution. However, anyone who is at all familiar with the facts in the Jesuit case must conclude that the murders reflect problems within the Salvadoran armed forces that go far beyond the actions of a particular unit on a particular night. They reflect problems deeply embedded in the armed forces as an institution.

The murders of the Jesuits grew out of an attitude of suspicion and anger towards activist segments of the church that remains all too widespread within the Salvadoran armed forces and certain other sectors of Salvadoran society. Because of this attitude, too little effort is made to distinguish between those who use non-violent methods to advocate change, and guerrillas who take up arms against the government.

While visiting El Salvador in February of 1990 and during numerous meetings in the United States, I have never once heard any high level Salvadoran military officer ever say the murders of the Jesuits was wrong. They've described the killings as "dumb," "self-defeating," and "stupid" -- but they never said it was wrong. I often get the feeling that the only reason there is any progress on the case -- albeit very limited progress -- is to get the United States off the back of the Salvadoran military, and not because it is the right thing to do.

This is a very harsh assessment of the Salvadoran military -- but I believe it is deserved. However, I do not wish to leave the impression that every member of the Salvadoran armed forces is bad. There are some honorable and professional men within the ranks of the Salvadoran military who I know are genuinely horrified by the murders of the Jesuits. Sadly, that calibre of person is lacking from the current high command of the Salvadoran Armed Forces -- where decisions and recommendations on how the military should proceed on human rights cases are made.

The Salvadoran high command has failed to provide the necessary leadership and cooperation for this case to move forward. They have, in my opinion, obstructed justice. Salvadoran military officers have withheld evidence, destroyed evidence and repeatedly perjured themselves in testimony before the presiding judge. That could not be done without at least the tacit consent of the high command.

I could list, for pages, examples of military obstructionism in the Jesuit case. But, I remain convinced, if the political will existed within the high command, we could solve the Jesuit case overnight.

At this moment, eight military officers are being held --pending trial -- for the murders. It remains uncertain whether these men will be punished or whether they will walk free. It also remains uncertain whether the investigation into the tragic murders will extend to the issue of "who gave the orders." I believe justice will not be done in this case until the intellectual authors of this crime are held accountable.

I believe the Jesuit case has important implications on whether or not the current round of U.N.-mediated negotiations between the FMLN and the Salvadoran Government can succeed --which is the second point I want to discuss in this essay.

The government obviously wants the FMLN insurgents to put down their weapons and become politicians. We all want that. But this will never happen if the FMLN knows that its members can still be murdered with impunity by the military or death squads allied with the military.

And if the government cannot convict those who murdered the Jesuits -- a case which has received tremendous attention -- then who is going to punish the murderer of a trade unionist or a civilian politician or a guy who stands up on a street corner and says the armed forces

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are corrupt and have to change?

It's this simple. If military impunity does not end, the war will not end.

The FMLN also must take steps to make peace in El Salvador a reality. Quite frankly, the FMLN's negotiating stands have been hard-line and, in many cases, unreasonable. The FMLN's position on the key issue of military reform has been particularly extreme in that the FMLN is advocating a total elimination of the Salvadoran military. While some may view a society without an army, especially one that has committed so many atrocities, as desirable -- it is simply unrealistic and unworkable. The FMLN must show more flexibility on this issue, if the talks are to succeed.

Further, the FMLN must make a greater effort to refrain from the kind of violent offensives like the ones they launched in November of 1989 and 1990. In both cases, there were large numbers of civilian casualties and enormous destruction to the physical infrastructure of the country. I, for one, do not believe that these acts of violence contribute in any positive way to the peace process. In fact, they make peace more difficult. El Salvador is a country where one act of violence prompts another act of violence. It is a vicious and mindless circle. The fact is that the Salvadoran people are sick of war and sick of people who talk about nothing but war.

What is the proper role for the United States in all of this? It is

my belief that the United States must become the leading international supporter of peace in El Salvador. To do that we have got to become more even-handed. For too long, too many in the Executive Branch have felt that by criticizing the Salvadoran military they would be giving aid and comfort to the FMLN.

Let me be clear, I am no fan of the guerrillas. But it is important to remember, if not for the corruption and the human rights violations of the military, there would be no FMLN.

During the last session of the Congress, legislation was passed in both the House and Senate to reduce military aid to El Salvador. Under the bill, 50% of our military aid would be withheld unless the FMLN refused to negotiate or take certain other actions that escalate violence or human rights abuses. On the other hand, if the Salvadoran government refuses to negotiate, fails to investigate the Jesuits case, or abuses human rights, 100% of our military aid would be withheld.

The purpose of the bill was to create a strong incentive for both sides to negotiate seriously and to reduce the level of fighting while those negotiations were underway.

On January 15, 1991, the Bush Administration determined that the FMLN had violated two of the conditions in the legislation passed by the Congress -- and announced its intention to unfreeze the 50% of the aid that had been withheld by the Congress (although they have

agreed not to obligate the money for 60 days). I was extremely disappointed with this determination -- not because the Administration faulted the FMLN, who I agreed did not follow the law -- but because it let the Salvadoran military off the hook and failed to hold them to the same strict standard. There is no doubt that the Salvadoran military has obstructed justice in the Jesuits case and there is no doubt that a legal case could be made that all military assistance could be cut, in accordance with the congressional legislation.

Yet, the Administration failed to be balanced and failed to be accurate. I fear that the Administration's double standard can only reduce pressure on the Salvadoran armed forces to reform and negotiate in seriously for peace.

In the coming weeks, Congress will challenge the Administration's judgement on El Salvador -- and press for a more even-handed approach in dealing with that country.

I would also hope that, in the meantime, the Bush Administration and the Congress will double their efforts in support of the United Nations efforts to mediate an end to the conflict. This truly is the best hope for peace and for a new El Salvador. One of the greatest flaws in U.S. policy during the last few months has been our failure to enthusiastically and unequivocally support the efforts of the United Nations. If there is to be peace, our attitude must change.

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