

**STRATEGY
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THE PEACE PROCESS IN EL SALVADOR (1984-1992)

BY

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El Salvador Army

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ABSTRACT

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El Salvador is on the road to peace and reconciliation after twelve years of war (1980-1992). The signing of the final peace accord in Mexico City on January 16, 1992, an occasion marked by extraordinary displays of mutual affection and respect among once-bitter enemies, demonstrated a genuine desire on the part of key actors in society to work toward democracy in El Salvador.

This paper presents an historical overview of Salvadoran society, the origin of the Salvadoran conflict, and the Peace Process from 1984 to 1992. It discusses the roles that the major actors played in the process, and how the Peace Accord has changed the social, political, and military aspects of Salvadoran society.

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HISTORICAL OVERVIEW

The Spanish conquistadores arrived in El Salvador in 1522. They were driven by a desire for instant wealth (gold) that could be sent back to Spain. In the early sixteenth century, the conquerors subjugated the Indians, placing them under the control of the captaincy general of Guatemala. It would be three centuries before El Salvador and the other Central American provinces declared their independence.

The most important crop in El Salvador was indigo, from which came blue dye, but very soon the European market for that product dried up, and then coffee appeared. The introduction of coffee as an export crop in the second half of the nineteenth century had an immediate and dramatic impact on Salvadoran life. Much like today, El Salvador sought to insert itself into an increasingly competitive world market. Large private coffee plantations quickly came to dominate the countryside, displacing the Indians and farmers who had worked the land communally for centuries. Living in a densely populated country and controlled by vagrancy laws favoring the commercialization of coffee for export, the great majority of Salvadorans had little choice but to work the land under harsh conditions for bare subsistence wages. By 1934, coffee accounted for a staggering 95 percent of the country's exports.

On January 22, 1932, the peasants in the western section of the country rebelled, seizing several towns and villages in the Sonsonate province. They were led by Farabundo Marti. This revolution was stopped by General Maximiliano Martinez, who had seized power in a coup six weeks earlier. Because of the instability in the social, political and economic spheres, the military took charge of the presidency until 1979.

Salvadoran society was based on political domination. Early in the 20th century, El Salvador, not having developed a significant urban middle class, consisted of a tiny landowning elite and a mass of impoverished campesinos. The ruling class was drawn from this elite, which continued to govern unchallenged in pursuit of its own interests (such as securing favorable tariff policies).

1972 was a critical year. The electoral fraud, perpetrated by the governing party to maintain its control, convinced many Salvadoran democrats that peaceful change was impossible. This substantially weakened the position of those who continued to believe that reform could occur.¹

Amidst a volatile and insurrectional atmosphere, the one-party system collapsed on October 15, 1979, when a group of reform-minded junior officers deposed the president, Gen. Carlos Humberto Romero. A new junta, including Social Democrat

Guillermo Ungo, two military men, and a progressive businessman and receiving support from the National Revolutionary Movement (MNR), the Christian Democratic Party (PDC), and the communists in the Nationalist Democratic Union (UDN), took charge of the government. They later called for: The abolition of the Nationalist Democratic Organization (ORDEN), a paramilitary organization in the countryside; workers and peasant rights to organize; land reform; financial reform; and a more equitable distribution of national wealth. Nearly all of the revolutionary organizations, however, denounced the junta and its communist collaborators as opportunists. They accused the reformers of collaborating with military repression and of following a strategy incompatible with their preferred model of insurrection. Subsequently, they responded with large marches and building occupations.

Due to a lack of unity and an inability to implement their reforms, the civilian junta members resigned. On January 3, 1980, Ungo and the communists stepped down along with thirty-seven other high-ranking officials. The Christian Democrats gradually assumed all of the new junta's civilian positions in the belief that they could institute reforms and produce democratic change. This move, however, precipitated a party split that witnessed the departure of the PDC's more liberal activists, including Ruben Zamora.

In March 1980, Jose Napoleon Duarte, a leading Christian Democrat, joined the junta. By the end of the year, by securing U.S. sponsorship and with the military's acquiescence, he would be elevated to the presidency of that body. Meanwhile, the junta nationalized foreign trade, and 51 percent of the banking system, and began a major land reform. The political opposition, coalesced around the Democratic Revolutionary Front (FDR). Civil war began. At this point, El Salvador became a central focus of U.S. foreign policy. Although the Carter administration had earlier pressured the Salvadoran Army to respect human rights, U.S. relations with the military gradually warmed. In January 1981, the FMLN (a coalition of the five rebel groups initiated in October 1980) launched an unsuccessful "final offensive" in an attempt to grab power before Ronald Reagan assumed office.

The Reagan administration selected El Salvador as the first test case in its worldwide crusade against communism. Large-scale military and economic assistance to bolster the regime, strengthening and professionalizing the military, defeating the rebels, supporting gradual reform, and managing the transition to democratic government, were central elements in its strategy. This required a deep U.S. political and military commitment and a willingness to overlook human rights abuses by the Salvadoran regime. The United States and the Salvadoran government became allies to preserve their mutual security interests. Eventually,

this relationship paved the way toward a negotiated solution and a democratic transition.

THE ACTORS

The Government

On October 15, 1979, a coup d'etat, executed by a group of young officers in the Salvadoran army, put an end to a regime serving a social minority that had become increasingly dependent on the bloody repression of the masses and opposition groups. The coup produced a series of reformist juntas with the participation of the left that promised broad-based political and economic change. In the spring of 1980, however, the civilian junta members on the left and center-left resigned and eventually aligned themselves with the armed opposition.

In 1984, presidential elections were held. The new government focused its policy on maintaining free elections, respect for human rights, and peace negotiations. The first talks with the FMLN were realized in 1984, but these did not lead to any positive outcomes. In 1989, El Salvador got a new president, Alfredo Cristiani, whose administration continued democratic reforms and improved the human rights picture. He continued the dialogue with the FMLN.

President Duarte's 1984 decision to open a dialogue with the guerrillas met with scorn from Roberto D'Aubuisson² and some

elements in the military, who considered any attempt to agree on terms with the rebels as "dangerous" at best. Duarte's government was long on good intentions and short on power. It was unable to stop human rights abuses, do much about the dismal condition of the economy, or sustain a dialogue with the insurgents.

When Alfredo Cristiani, the candidate of the right-wing National Republican Alliance (ARENA), won the election to the presidency of El Salvador in March 1989, many observers feared that hopes for peace and democracy would have to be postponed indefinitely, if not abandoned altogether. But Cristiani was anxious to strengthen the legitimacy of his government by following through on his inaugural pledge to bring peace to El Salvador. The presidency of Cristiani, a U.S. educated man of the traditional landowning upper class, would not witness a return to the old despotism.

In January 1990, President Cristiani announced his intention to renew talks with the guerrillas. The United Nations became a party to the negotiations. After agreements on a timetable at Caracas, Venezuela, in June 1990 and on a human rights accord at San Jose, Costa Rica, in July, the negotiations stalled over questions of disarmament and the status of the FMLN vis-a-vis both the armed forces and the civilian political process. The armed forces refused even to consider the notion of fusing the

FMLN with the army. Preparations for the legislative and municipal elections of March 1991 also contributed to the delay of the process by diverting attention toward the balance of power in governmental institutions.

Cristiani, who was the undisputed leader of this tendency, was well aware that El Salvador's failure to move toward democracy in the early 1980s had set the stage for the country's descent into nightmarish violence. The peace agreement signed on 16 January 1992 sought to deal with some basic causes of the conflict by including a section on economic and social issues. This section dealt with the agrarian question in a broad sense, calling for preferential access to available land for former fighters from both sides, the speedy settlement of land ownership disputes, easier agricultural credit, more technical assistance for newly established farmers, and the creation of a forum to deliberate on various approaches to socioeconomic development. There was no doubt that El Salvador had taken giant steps to restore the rule of law and support democratic institutions.

FMLN

The FMLN was one of the most ideologically rigid leftist insurgencies in the Western Hemisphere. In October 1980, five separate guerrilla groups came together to form the Farabundo Marti National Liberation Front (FMLN), named for a Salvadoran Communist Party founder. The FMLN, with the support and leader-

ship of Fidel Castro, developed a series of strategies against the government, the armed forces, and the society. On the political, military and social fronts, it developed a complex and well-organized structure both in and out of the country, consisting of:

- 1- The central committee, composed of five "commanders" from the five armed groups.
- 2- The social front: student, teacher, worker, and peasant organizations.
- 3- The military front: peasants, militia, and armed forces, with its special forces and urban commands.
- 4- The political front: (national) the progressive-popular Church, the non-governmental organizations (NGOs); (international) the U.S., Committee in Solidarity with the People of El Salvador (CISPES), and other "solidarity committees" throughout the U.S., Western Europe, Latin America, Australia, and New Zealand.

The FMLN received undercover support from Cuba, Nicaragua, the former Soviet Union, Bulgaria, East Germany, Hungary, Vietnam, Ethiopia, Libya, and others, in weaponry, military supplies, and personnel. Funding came from two sources: money from the kidnappings in the 1970s, and the money from mostly U.S. and European citizens and organizations such as CISPES³ with its 58 offices established mainly in the United States.

In 1981, at the beginning of the armed conflict, the FMLN launched its first "final offensive." However, it represented for them a military failure. In 1983, the FMLN adopted a

"movement war." In 1984, it made tactical and strategic changes and developed the "social-political war strategy." By 1986 the FMLN implemented the "strategic counteroffensive." At the same time, the FMLN addressed political-diplomatic pressures all around the world with a bogus interest in resolving the conflict.

With the fall of the Soviet empire, the FMLN lost its main support and decided once more to execute a final offensive, which it launched in November 1989. This "definitive military offensive" sought to spark a national insurrection. However, it failed because of the lack of popular support. The war came to the capital city of San Salvador on a grand scale. Guerrillas penetrated the city from three different directions. It took the armed forces a week to dislodge them. The Salvadoran armed forces, before attacking the guerrillas, took civilians out of their homes in order to avoid noncombatant deaths. Although the FMLN's attempt to spark a general uprising failed, it did create pressure for a transition to a diplomatic phase and shifted many people's attitudes in favor of negotiations. These were the objectives the FMLN tried to achieve because it now realized that it could not overthrow the government.

The rebels' ability to take the battle right to the doorstep of San Salvador's economic and political elite persuaded many that the civil war had to be ended by political means as soon as possible. Once the United States and the Soviet Union went on

record as favoring a negotiated settlement, it was only a matter of sorting out the procedural details of an armistice and a new system of "mutual security" guarantees under which the FMLN's combatants could be assured that they would not be subjected to political violence.

In light of the momentous changes then occurring in Central Europe and the Soviet Union, the other high-level commandants including Joaquin Villalobos, Salvador Sanchez Ceren, Eduardo Sancho, and Francisco Jovel, began to understand that a negotiated settlement was both necessary and possible. During the peace negotiations, the FMLN wisely rotated some of its more skeptical field commanders in and out of the negotiating round so that they could observe the proceedings up close without jeopardizing the process because of their inflexibility.

It is important to note that throughout the war the FMLN assassinated rightist political figures, executed unarmed combatants, indiscriminately planted land mines, and abused human rights to achieve its ends.⁴ After the peace agreement in 1992, this guerrillas group was transformed into a political party.

ONUSAL

The establishment of "ONUSAL" came about as a result of a complex negotiating process initiated by the government of El

Salvador and the FMLN in 1989. On May 20, 1991, following the Secretary General's recommendation, the Security Council decided to establish the United Nations observer mission in El Salvador (ONUSAL) as an integrated peacekeeping operation to monitor all agreements concluded between the parties. The mission's initial mandate was to verify the compliance by all parties with the San Jose agreement on human rights. Subsequently, the mandate was enlarged to monitor all the agreements concluded between the parties. A small preparatory office was established in advance in January 1991, and on July 26th ONUSAL was launched.

All ONUSAL operations were under the overall direction of the chief of mission, whose office was composed of a team of political affairs officers and was directly responsible for monitoring and promoting the implementation of all the political aspects of the peace agreement.

The first division, on human rights, was established on July 26, 1991, to verify compliance with the San Jose accords. It was established before the cessation of hostilities. The human rights task forces monitoring the situation investigated specific cases of alleged violations and made recommendations for the elimination of such abuses. The human rights division established its headquarters in San Salvador and its regional offices in selected cities. Subsequently, teams of civilian observers traveled throughout the country, making contact with

political, military and judicial authorities, NGO's, and the FMLN, to gather evidence.

The military division began operation on January 19, 1992 to verify the cease-fire, the withdrawal of the armed forces from certain zones, the concentration of FMLN combatants in designated areas, and their disarmament. The division verified and investigated relevant reports of violations. It consisted of mobile teams of unarmed military observers to verify the concentration of the Salvadoran armed forces. Verification teams were deployed at all 15 FMLN concentration zones, while mobile teams periodically visited and inspected the 62 army concentration areas. In terms of their mandate, the peacekeeping troops could not engage in combat or obstruct the activities of any force.

The police division also began operation on January 19, 1992. Its early tasks involved accompanying the national police during the transition period; later, it verified the deployment of the newly created national civil police. In general, it supported the institutional strengthening of the national civilian police and the newly created national public security academy.

In addition, an electoral division was established in September 1993 and disbanded on April 30, 1994. This division

verified the electoral process preceding, during and following the March 1994 elections (and the second-round in April.)

Sir Brian Urquhart, the father of peacekeeping, formulated and simplified rules for the success of such operations. In El Salvador, ONUSAL met all his criteria, and this was an important factor in the mission's triumph. These criteria were:

- 1- the consent of the parties involved.
- 2- the continuing and strong support of the operation by the Security Council.
- 3- a clear and practicable mandate.
- 4- the nonuse of force, except in self-defense.
- 5- the willingness of troop-contributing countries to support the Peacekeeping Operation.
- 6- the willingness of the Security Council to make available the necessary financial and logistical support.

ONUSAL represented the first time the United Nations had been asked to help resolve an internal conflict in the Western Hemisphere; it was also the first mission ever to include human rights and police divisions with traditional military peace-keeping functions.

THE PROCESS

Objectives and Goals.

From 1989 onward, the peace process was conducted by the parties in conflict, but under the auspices and supervision of the United Nations Secretary General, the objective was to achieve a series of political agreements aimed at resolving the prolonged armed conflict by political means as speedily as possible. The goals established were:

- promoting democratization in the country.
- guaranteeing unrestricted respect of human rights.
- the reunification of Salvadoran society.

San Jose Agreement

The first substantive agreement on human rights was achieved on July 26, 1990, when the parties agreed in San Jose, Costa Rica, to sanction the establishment of ONUSAL to monitor respect for and guarantee of human rights and fundamental freedoms in El Salvador. According to the accord, the mission was to take up its duties upon the cessation of the armed conflict. Shortly after signing the agreement, however, the two parties independently requested that the mission be set up even before a cease-fire.

Mexico City Agreement

Subsequently, on April 27, 1991, in Mexico City, the parties agreed to the amendment of the 1983 Constitution, the alteration of the role of the military, and the dissolution of the Military Intelligence Directorate and three paramilitary bodies. The agreement further called for a new civilian police, a new nonpartisan Electoral Tribunal, and a more broadly elected Supreme Court, as well as a Truth Commission to be set up to assess violations of human rights by both sides.

New York I Agreement

On September 25, 1991, the FMLN rejected a phased cease-fire and demanded a place for its troops in the new police force. In addition, a National Commission for the Consolidation of Peace (COPAZ), comprised of parties with powers to implement accords, was established.

New York II Agreement

On December 31, 1991, following more than two weeks of negotiations at the United Nations, the parties signed the "Act of New York, "Which combined with the agreements previously signed in Costa Rica, Mexico, and New York completed the negotiations on all substantive issues of the peace process. In New York, the parties also agreed that the final peace agreement would be signed in Mexico City on January 1992.

Mexico City Agreement

The formal signing at Chapultepec Castle of the final accord, consolidating all the agreements negotiated since April 1991, took place in the presence of the new U.N. Secretary General Boutros Boutros-Ghali, and various heads of state.

WHAT THE PEACE AGREEMENT MEANS TO SALVADORAN SOCIETY

Institutional Changes

The purpose of the accords was not only to end a civil war, but to transform the institutional structures of Salvadoran society. The changes required by the accords are intended to abolish the injustices that gave rise to civil war. The accords have brought about changes that are unmatched by any other country and that seemed unimaginable a few years ago.

Human Rights

The Salvadoran government and the FMLN had long been accused of continuing human rights violations. People were kidnapped or disappeared. The FMLN contributed to a population exodus in the eastern part of El Salvador by initiating in 1983 a policy of forced recruitment; also by the indiscriminate use of mine fields. The armed forces, in turn, were charged with indiscriminate air bombing and the killing of captured guerrillas. After the agreement of San Jose, ONUSAL's human rights division monitored compliance with the human rights by investigating specific cases of alleged violations, making

recommendations for the elimination of violations and reporting to the U.N. Secretary General.

Truth Commission

The negotiators recognized the need to break with impunity and officially undertook to search out the truth about some of the worst human rights violations that occurred during the war. Following the agreement, the U.N. Secretary General appointed three important personalities to the Truth Commission.

The Truth Commission report named some 40 military officers, FMLN members, civil defensemen, judges and many civilians. The commission urged that those named be removed and/or barred from holding public office for at least a 10-year period, with a permanent bar against holding national defense or public security positions.

The Salvadoran Government and the FMLN formally agreed to form a Commission on Truth as part of an interim accord signed in Mexico City in April 1991. (The entire peace agreement was signed eight months later in January 1992.) The Mexico agreement called for the commission to investigate "grave acts of violence which have occurred since 1980 and whose impact on society demands most urgently public knowledge of the truth."⁵

The agreement specified that the commission would be non-jurisdictional (i.e., it would not have judicial power) and that its three members would be designated by the U.N. Secretary General, with input from the parties. The members also must be from other countries for reasons of security, impartiality and the prestige of the commission.

The two parties also put forward lists of cases for the commission to consider. Both sides accepted the suggestion of the United Nations that it be left to the members of the proposed commission to decide which cases warranted further investigation.

The Truth Commission staff arrived in El Salvador in June 1992, but the commission's work officially got underway on July 14th. In August, the Truth Commission carried out an extensive publicity campaign designed to advertise its presence and describe its purposes in the country. Advertisements placed in newspapers and on the television and radio invited private citizens to give written or oral testimony under guarantees of strict confidentiality.

The commission staff from South and North America included around 20 lawyers, social scientists, and other human rights professionals with a wide variety of experience in nongovernmental organizations. Early on, the investigators decided that it was important for the process of national

reconciliation to provide an opportunity for any Salvadoran to come forward with testimony, rather than to just investigate select, well-known cases. The Salvadoran government, the FMLN, and a broad range of local and international nongovernmental organizations were also invited to provide documentation.

With a six-month mandate to carry out its huge task, the commissioners and their international staff received testimonies from 2,000 people and devoted much of their time to investigating selected cases chosen either for the seriousness of their repercussions or as representative of certain practices. The taking of testimony ended on October 31, 1992.

The Truth Commission staff members maintain that FMLN cases were more difficult to investigate. The Front had kept few internal records and, except for high-profile cases, there were few court records to consult.

The government was very concerned that the report of the Truth Commission would name names. The Minister of the Presidency, Oscar Santamaria, and the Minister of Defense, General Rene Emilio Ponce, wrote a letter to the Truth Commission stating that it was "fundamental that names of people be omitted, because identifying individuals would have an effect contrary to what is being pursued." They argued that to name names "would violate fundamental rights such as that of due process." The letter also

recommended that the commission propose a "law of punto final" that would close the books on or limit prosecution of state agents responsible for crimes.

President Cristiani stated publicly on March 11, 1993, that there would be violence if the report named names, provoking extremist sectors on both sides to seek retaliation against individuals and their families. Cristiani also went before the nation on March 14th to ask for an "immediate general and total amnesty that will end the temptation to seek revenge. The time has come to forgive."⁶

The Minister of Defense also appeared at a press conference, where he denounced U.S. pressures. He maintained that only the Salvadoran government and its laws had the right to "compare and judge the actions of the armed forces."⁷ (National honor and sovereignty are strong traditions in El Salvador). On the other side, the FMLN's formal position was that names should be included.

Released in New York by U.N. Secretary General Boutros Boutros-Ghali on March 15, the report of the Truth Commission held that the violence carried out by the government forces originated in a political mind-set that viewed political opponents as subversives and enemies. Violence in the countryside was indiscriminate in the extreme in the first

years of the decade, and less so in urban areas. As for the guerrillas, the commission reported that it was considered legitimate to physically eliminate people who were labeled military targets, traitors or "orejas" (informers), and even political opponents.

The Truth Commission report concluded with detailed recommendations stemming from its investigation, in accordance with its mandate to suggest measures to prevent the repetition of abuses and promote national reconciliation. Its main recommendations included:

- 1- All those named in the report, be they members of the Armed Forces, the FMLN, or civilians, should be immediately removed from any position of authority, whether in the armed forces, the judiciary or in public administration, and that the National Commission for the Consolidation of Peace (COPAZ) should draft a law that would prevent those named from holding public office for a period of "not less than ten years."
- 2- Given the tremendous responsibility of the judicial branch for furthering impunity, all members of the Supreme Court should immediately resign.
- 3- Given the risk that death squads could renew their activity, there should be a "thorough investigation" of private armed groups, with the assistance of friendly countries.
- 4- Aspects of the peace accords dealing with reform of the armed forces and the judiciary should be carried out in full.
- 5- To increase the independence of the judiciary, judges should be named not by the Supreme Court but by an independent National Council on the Judiciary.

- 6- A special fund should be created, with the support of the International Community, to pay compensation to victims of political violence.⁸

In El Salvador, the report drew an instant reaction. President Cristiani told the nation that "the Truth Commission report does not respond to the wishes of the majority of Salvadoran who seek to forgive and forget everything having to do with that very sorrowful past."⁹

The AD-HOC Commission

Negotiators for the Salvadoran government were willing to accept the idea of a military review commission, but proposed that it be comprised of military officers who would carry out a form of "self-purging." The two sides agreed in September 1991 to form a civilian "AD-HOC Commission," composed of three individuals nominated by the U.N. Secretary General and appointed by President Alfredo Cristiani. At the government's insistence, the commission was to be composed of Salvadoran nationals, not foreigners as in the case of the Truth Commission. The military was permitted to send two officers as observers to the body's deliberations, but could not participate in its final decision making.

The final intermediate agreement before the comprehensive peace settlement was signed in January 1992, indicated that the AD-HOC Commission review of the officer corps would be based on

three criteria: respect for human rights, professionalism, and democratic commitment. The commission was to work for three months, after which it would present recommendations for the transfer or dismissal of individual officers to the Secretary General and to President Cristiani. The Salvadoran President was to carry out the recommendations within sixty days. The members of the AD-HOC Commission were named in January 1992. The military observers were two former Ministers of Defense.

The report of AD-HOC Commission, delivered to the U.N. Secretary General and to President Cristiani on September 23, 1992, went far beyond the expectations of both sides. The commission called for the dismissal or transfer of 103 officers; heading the list of those to be removed was Minister of Defense Rene Emilio Ponce and Vice-Minister of Defense Juan Orlando Zepeda.

The peace accords had established an original deadline of October 31, 1992, for meeting the AD-HOC Commission's recommendations. But the United Nations negotiated a new timetable with the Salvadoran government, postponing the demobilization and the army's purge until the end of the year. However, senior officers refused to implement the purge, complaining that the time frame was too short. Cristiani informed the United Nations of the measures he had taken regarding 94 officers. Seven of these 94 were named military attaches abroad. Eight others, including

Generals Ponce and Zepeda, retained their posts. This failure to carry out the purge was considered by the U.N. to be a serious breach of the peace accords. In a rare public statement, Secretary General Boutros-Ghali declared on January 7, 1993, that the government's actions were "not in compliance" with the AD-HOC Commission's proposals and therefore "not in conformity with the peace accords."¹⁰

On February 9, 1993, the U.N. Security Council passed a resolution expressing its concern over the government's lack of compliance. A final schedule for completing the purge was not set forth until the Truth Commission named some of the same officers resisting dismissal as those involved in the 1989 Jesuit murders. On March 31, 1993, President Cristiani informed the United Nations through an emissary that all those named by the AD-HOC Commission would be placed on leave with pay by June 1993, and retired by the end of the year. Meanwhile, the U.S. applied economic pressure on the Salvadoran government. Secretary of State Warren Christopher had notified President Cristiani on February 17, 1993 of an aid suspension, pending the army's compliance with the recommendations of the AD-HOC Commission.

Judicial Reform

The Truth Commission further emphasized the need for immediate and far-reaching reform of the legal system, beyond those changes agreed to in the accords. These included:

- 1- The independence and professional qualifications of the judiciary would be increased by changing the selection process for judges at all levels.
- 2- The Supreme Court would no longer be named by a simple majority of the assembly for a five-year uniform term; instead, the National Council on the Judiciary and the bar associations would be charged with nominating candidates who would then be selected by the assembly from a list of three by a 2/3 majority vote to serve staggered 9-year terms.
- 3- the attorney general and state council were also to be elected by a 2/3 vote of the assembly instead of by a simple majority.

Civilian National Police

The peace accords' creation of a new National Civilian Police (PNC) force, a new training academy, and a new doctrine emphasizing citizen rights and minimal use of force was designed specifically to supplant the Salvadoran military from its decades of dominance over the country's internal security functions. The accords called for the immediate decommissioning of two of the old security forces accused of widespread human rights abuse, the National Guard and the Treasury Police, as well as the gradual demobilization of the National Police (PN) to coincide with the deployment of the new PNC.

The PNC represents an unprecedented attempt to transform the relationship between the state security force and the population --one historically based on fear and repression-- into one of trust and respect for individual rights. Former FMLN combatants

were to comprised 25 percent of its initial force and another 25 percent were to be former National Police members, with the rest civilians.

Reform of the Armed Forces

The peace accords offered an impressive blueprint for subordinating the armed forces to civilian control. The accords completely redefined the military's role, limiting it to national defense, and required the dissolution of the security forces and intelligence apparatus, separating them from the military's command structure. The accords also provided for the reduction of the size of the institution from some 55,000 to 31,000 troops, the dissolution of five specialized combat battalions and the civil defense units, the establishment of a joint civil-military academy, and a review of the conduct of the officer corps to be carried out by the AD-HOC Commission of three prominent Salvadorans

In sum, during the past several years there have been a number of significant developments in the military, some of which bode well for professionalism and the future of civil-military relations.

CONCLUSIONS

The civil war has ended with an agreement not simply to stop shooting but to restructure Salvadoran society. This is a first in the country's history. The accords mandated demilitarization, including halving the size of the armed forces, eliminating the state security forces and the FMLN's guerrilla army, legalizing the FMLN as a political party, amending the constitution, reforming the electoral and judicial systems, settling the land distribution issue, and establishing independent commissions to identify those responsible for major human rights abuses and purge the armed forces of its most serious human rights violators.

Most of the military's entanglement in government has been encouraged, even driven, by domestic instability or by politicians who courted security forces in the interest of removing unaccountable, failing administrations. Fortunately, the principle of democratic rule now appears to have almost universal military acceptance in El Salvador. Most officers recognize that their past forays into politics, even if successful, have diluted their professionalism and undermined their standing in society. Unfortunately, there is a widespread lack of confidence in civilian leaders to govern effectively, and this attitude seems to reflect the view of a majority of the civilian public.

At the moment, the military is withdrawing from politics. The armed forces are standing very much by themselves. If all goes well, they will eventually come out of their isolation in a reorganized condition that will leave them better prepared, psychologically and structurally, to assume a new role. But this is a process, and all of this will take time.

Appendix 1: Summary of the Salvadoran Peace Process

23 Jan. 1989	El Salvador	FMLN offers to contest and respect elections if the elections are delayed for six months with military confined to barracks.
23 March 1989	El Salvador	Cristiani offers talks; in response FMLN proposes new poll, withdrawal of U.S. military aid, radical reduction of military and trial of those responsible for repression.
1 June 1989	El Salvador	At his inauguration Cristiani offers talks without prior FMLN surrender.
4 April 1990	Geneva	Joint declaration of desire to end war, promote democracy and guarantee human rights; commitment to secret negotiations under mediation of UN Secretary General or his representative.
21 May 1990	Caracas	Three-phase agenda established: Political accords sufficient for a cease-fire; integration of FMLN into legal sphere; consolidation of peace. UN to verify all accords. Military represented this time.
26 July 1990	San Jose	Substantive agreement on human rights and establishment of ONUSAL, first UN verification body to oversee human rights at end of a civil war.
27 April 1991	Mexico	Major accord to amend 1983 constitution, including alteration of role of military, dissolution of military intelligence directorate and three paramilitary bodies, to be replaced by civilian police; new non-partisan electoral tribunal and more broadly elected Supreme Court; Truth Commission to be set up to assess violation of human rights by both sides.

26 July. 1991	El Salvador	ONUSAL starts human rights monitoring under broad powers that preclude need for referral to New York.
11 Sept. 1991	El Salvador	New National Assembly ratifies constitutional reform required by Mexico accord of April.
25 Sept. 1991	New York	Rejection of phased cease-fire; FMLN agrees in secret annex to drop all demands for inclusion of its troops in military in exchange for participation in new police force (PNC); establishment of National Commission for Consolidation of Peace (COPAZ), comprised of parties, with powers to implement accords.
23 Oct. 1991	Washington	U.S. Congress withholds half of military aid pending improvement in human rights and advances in peace process.
31 Dec. 1991	New York	Six-paragraph act (NEW YORK II) ending the civil war is signed; calendar for implementation discussed until 14 Jan.
16 Jan. 1992	Mexico City	Formal signing at Chapultepec Castle of accord consolidating all agreements since April 1991 in presence of new U.N. Secretary General Boutros Boutros-Ghali and various heads of state.
SOURCE:	James Dunkerley,	<u>The Pacification of Central America</u> , 1994.

Appendix 2: SUMMARY AND CHRONOLOGY OF THE CONFLICT IN EL SALVADOR

1979

October 15 A group of young military officers overthrows the government of General Carlos Humberto Romero and forms a ruling junta with prominent civilian politicians.

1980

January 3 Two of three civilian members of the junta resign, along with all the civilian cabinet members, after the military rejects civilian control. The first junta dissolves. A new Christian Democratic Party-military junta is formed.

March 6 The junta promulgates an agrarian reform law; it plans to expropriate all properties over 500 acres and form cooperatives to be owned by the families working them.

March 24 Archbishop Oscar Romero is assassinated.

April The Democratic Revolutionary Front (FDR) is formed and begins to operate as the political arm of the revolutionary opposition.

October 11 The Farabundo Marti National Liberation Front (FMLN) is formed by the union of five insurgent groups.

November 27 Six leaders of the FDR are kidnapped and killed as they prepare for a news conference.

December 2 Four U.S. churchwomen are abducted, raped, and killed by members of the National Guard.

December 5 U.S. economic and military aid is suspended in reaction to the churchwomen murders.

December 17 U.S. restores economic aid.

1981

January 4 Two American labor leaders and the head of the Salvadoran Institute of Agrarian Reform are assassinated at the Sheraton Hotel in San Salvador

January 10 Insurgent forces launch "final offensive."

January 14 U.S. restores military aid and sends three advisory teams to El Salvador.

May Major Roberto D'Aubuisson founds the ARENA party.

December 11 Massacres occur in the Hamlet of El Mozote and nine surrounding villages.

1982

January The first 1500 Salvadoran soldiers arrive at Fort Bragg and Fort Benning to receive training.

March 28 Election held for Legislative Assembly.

April 22 D'Aubuisson elected president of Legislative Assembly.

April 29 Due to U.S. pressure, the presidency of El Salvador is denied to D'Aubuisson. Alvaro Magana is named instead.

1983

January-June The FMLN murders at least 43 civilians. In early May the FMLN summarily executes captured government soldiers.

March The National Campaign Plan, a comprehensive pacification effort, is begun in San Vicente and Usulután.

December 11 Vice President George Bush visits El Salvador and makes specific threats to end U.S. aid unless death squad activities are curbed and certain officers strongly suspected of human rights violations are relieved of command. Officers are transferred and death squad activities diminish significantly.

1984

May 6 Christian Democratic leader Jose Napoleon Duarte is elected president of El Salvador, defeating ARENA party leader D'Aubuisson.

December 31 Insurgent forces take over the Fourth Brigade Headquarters at El Paraiso.

1985

Early 1985 The FMLN begins to change tactics from relatively large-scale, conventional attacks to smaller-unit action. Economic sabotage become a major component of insurgents' arsenal.

March 31 The Christian Democratic Party wins a majority of seats in the Legislative Assembly and a majority of municipal councils.

June 19 FMLN members attack several nightclubs in San Salvador's Zona Rosa, killing 13 unarmed people, including four off-duty U.S. Marines.

September 10 Ines Guadalupe Duarte, the president's daughter, is kidnapped by the FMLN. She and several majors, who had been kidnapped in previous months, are released on October 24 in exchange for political prisoners held by the government.

November The United for Reconstruction civic action campaign is inaugurated.

1986

January 8 Salvadoran armed forces initiate "Operation Phoenix," designed to drive out insurgents from strongholds on the Guazapa Volcano. It lasts until mid-1987.

June 1 FMLN accepts Duarte's proposal for a resumption of peace talks.

October 12 Earthquake strikes San Salvador, killing over 1000 and causing extensive damage.

1987

August 7 Duarte signs the Central American Peace Plan, obligating the government to negotiate with the FMLN, to allow FDR leaders to return to El Salvador, and to declare amnesty for political prisoners.

October 22 A broad amnesty for all crimes (except the Romero murder) connected with the civil war is passed by the Assembly. FMLN combatants must apply within 15 days for amnesty.

October 26 Herbert Anaya, head of the nongovernmental Human Rights Commission, is murdered.

November Ruben Zamora and Guillermo Ungo, respectively vice president and president of the FDR, return from exile and resume political activity.

1988

March 16 ARENA supplants the Christian Democrats as majority party in municipal and legislative elections.

July 7 U.S. Secretary of State George Shultz visits El Salvador and presses Salvadoran military officials to curb human rights violations.

September 21 Soldiers of the Fifth Military Detachment murder ten villagers from San Sebastian. The Army first asserts that the villagers were subversives who were killed in a fire fight; it then claims the FMLN killed the villagers.

1989

February 3 Vice-President Dan Quayle visits El Salvador, issuing a tough warning on human rights violations and declaring the need to solve the San Sebastian case.

March 19 Alfredo Cristiani, of the ARENA party, is elected president.

April 19 The FMLN kills attorney General Jose Roberto Garcia Alvarado.

June 9 Jose Alejandro Antonio Rodriguez Porth, newly appointed minister of the presidency, is killed. Although it denies involvement, the FMLN is the prime suspect.

October 17 Ana Isabel Casanova, daughter of the commander of the military academy and cousin of a former defense minister, is assassinated.

October 19 Zamora's home is bombed.

October 31 Bombs explode at the office of COMADRES (the committee of the Mothers of the Disappeared) and the FENASTRAS labor federation, killing ten persons and wounding over 35.

November 2 FMLN breaks off peace talks.

November 11 FMLN launches biggest offensive in the history of the conflict.

November 16 Soldiers of the Atlacatl Battalion kill six Jesuit priests including the rector and vice-rector of the Central American University and the director of its Human Rights Institute.

November 29 The FMLN kills five journalists after capture at the headquarters of the government news agency.

1990

January 13 Cristiani identifies nine Army soldiers as those responsible for the Jesuit murders.

May 16 The government and the FMLN begin the first round of the most recent peace talks.

July 17 U.S. Assistant Secretary of State Bernard Aronson visits El Salvador to deliver a scathing lecture to the Salvadoran High Command regarding its suspected involvement in the Jesuit murders.

1991

January 2 The FMLN shoots down a U.S. military helicopter carrying three U.S. servicemen. Two of the servicemen survive the crash but are murdered by the FMLN.

March 10 Legislative and municipal elections are held. ARENA emerges as dominant party but loses outright majority.

December 31 The Government and FMLN reach a Peace Agreement in New York City

1992

January 16 The Government and FMLN sign the Peace Agreement in Mexico City.

ENDNOTES

1. Joseph S. Tulchin and Gary Bland, Is There a Transition to Democracy in El Salvador? Boulder, CO: Lynne Rienner Publishers, 1992, page 168.
2. D'Aubuisson, Roberto. Right-wing political leader and founder of the Nationalist Republican Alliance (ARENA). He was forced out the military after the coup in October 1979.
3. CISPES stands for the Spanish words "Comite Internacional de Solidaridad con el Pueblo de El Salvador" (International Committee in Solidarity with the People of El Salvador). This organization was in charge of collecting funds from U.S. Citizens for the FMLN guerrilla group.
4. United Nations. Truth Commission Report, New York, NY: United Nations, 1994.
5. Americas Watch. El Salvador, Accountability and Human Rights, New York, NY: Americas Watch, 1993, page 7.
6. Ibid; page 14.
7. Ibid; page 14.
8. Ibid; page 19.
9. Ibid; page 20.
10. Ibid; page 9.

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