

THE SALVADORAN TRUTH COMMISSION IN COMPARATIVE PERSPECTIVE*

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Since the Nuremberg trials in the aftermath of the Second World War, the task of establishing the truth and accountability for gross violations of human rights has challenged the modern world. Over the past quarter century an increasing number of countries including Greece, the Philippines, Uganda, Argentina, Brazil, Uruguay and Chile have struggled with this difficult task.

Increasingly the international community has also been preoccupied with the most effective mechanisms to be used including the possibility of an international criminal court (NYT, 11/21/94, A. 14). The search for truth has followed periods of extreme repression generally emanating from authoritarian governments. In countries in which the principal violators had clearly lost power, as in Argentina where the armed forces were defeated in the Malvinas War, there were more possibilities for action than in Brazil, where the military retained enough influence to stage-manage the transition to civilian government. Where democratic sectors were strong, and included a

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critical mass of politically sophisticated human rights organizations as in Chile, the task of establishing the truth was facilitated. However, since the Chilean army and its Commander in Chief General Augusto Pinochet, still exercised substantial influence in government and society, the capacity of the new government to bring military violators to justice was limited. Currently truth commissions and war crimes tribunals are investigating gross violations of human rights in a number of countries, most notably in South Africa and in the former Yugoslavia. Their establishment has been recommended in Haiti, Rwanda, Indonesia and elsewhere.

The most recent attempt in Latin America to establish the truth, and thereby accountability for gross violations of human rights, was in El Salvador where since 1980 an estimated 75,000 civilians have been killed without their assassins having been brought to justice. The victims include the Archbishop of San Salvador, Oscar Arnulfo Romero, and four churchwomen from the United States, Maura Clarke, Jean Donovan, Ita Ford and Dorothy Kazel all killed in 1980. On November 16, 1989 six Jesuits, Ignacio Ellacuría, Ignacio Martín Baró, Segundo Montes, Amando López, Joaquín López y López, and Juan Ramón Ramos were assassinated together with their cook Julia Elba Ramos and her daughter Celina Ramos. These and the thousands of others who are here unnamed lost their lives without recourse to justice and in a context in which they were frequently accused of being subversives or in some other fashion meriting their fates.

One of the most critical objectives of the search for truth is establishing the innocence of the victims and the culpability both morally and legally of the victimizers. In addition, it is widely agreed that in order for societies that have experienced a human rights crisis to reestablish the rule of law and widespread citizen participation in politics and civic life a species of societal catharsis is necessary. Indeed, the Secretary General of the United Nations Boutros Boutros Ghali stated upon formal receipt of the Report of the Truth Commission of El Salvador on March 15, 1993 that in order to put behind the trauma of war and achieve peace and reconciliation it was absolutely

necessary for all Salvadorans to experience the truth. Only through public acknowledgement of it would that level of peace and spiritual renewal necessary for a better El Salvador be achieved. Since no Salvadoran had been untouched by the war, the Secretary General felt that it was necessary that the truth become part of the country's history in order that there be reconciliation (Boutros Ghali, 3/15/93).

The Peace Accords signed by the Salvadoran government and the Farabundo Martí Liberation Front on January 16, 1992 were intended not only to end the war that had tormented the country since 1980, but also in the words of the principal United Nations mediator, Alvaro de Soto, to result in a "negotiated revolution." To accomplish this it was agreed that land was to be transferred or sold to ex-combatants and civilians in conflict zones, titles for those occupying land were to be legalized, a new civilian police force, the Policia Nacional Civil, was to be created and the existing National Guard and Treasury Police disbanded. In addition, the judiciary was to be reformed, a revised national electoral code adopted and the FMLN allowed to become a political party. In order to supervise the implementation of these agreements a National Commission for Consolidation of Peace (COPAZ) was created and the United Nations established within the country a special observer mission (ONUSAL).

Two other entities were created -the Ad Hoc Commission and the Truth Commission. The first was charged with reviewing the records of military officers to establish whether or not they had been guilty of gross human rights violations or other serious abuses of power. The second was charged with investigating serious acts of violence that had occurred since 1980 whose impact on society urgently demanded that the public know the truth.

Since both national and international human rights organizations, as well as many governments, concluded that the majority of gross human rights violations had been the result of actions by the military or death squads related to the armed forces the work of the two commissions was clearly linked.

That connection became even more important when in late 1992 President Alfredo Cristiani failed to purge the armed forces of 15 of 102 officers the Ad Hoc Commission had recommended be discharged or transferred to other functions (Boutros Ghali, 1/2/92). These included General René Emilio Ponce, the Minister of Defense, and General Orlando Zepeda, the Deputy Minister.

This precipitated the most serious crisis of the peace process since failure to "purify" the army would mean the civilian government, in spite of its having signed the Peace Accords, was, in effect, according impunity to some of the most egregious human rights violators. The difficulty of overcoming the historical impunity of the Salvadoran armed forces seriously preoccupied the members of the Ad Hoc Commission which included Abraham Rodríguez, a former adviser to President José Napoleón Duarte (1984-89), Reynaldo Galindo Pohl, one of the authors of the 1950 constitution, and Eduardo Molina Olivares, a founder of the Christian Democratic Party. The latter summed up the Ad Hoc's problems in the following way:

Many of the evil and the bad things in our country are due to the impunity of the Salvadoran army. We believed when we accepted this position on the Ad-Hoc Commission that even the El Salvadoran military was in agreement. In many of the interviews that we had with army officials they told us that they too were in agreement that the army should be purified. Perhaps many of these officers believed that these three elderly people would not do anything. But the moment when we gave our report to the Secretary General of the United Nations and President Cristiani in El Salvador, we began to be attacked very severely. And this is an indication that they no longer believed that we would do nothing, but in fact that we were doing something and that some of these officials in the army would have to leave the army. And even though the results of this report of the Ad-Hoc Commission are still confidential, there have been some severe attacks against some Ad-Hoc Commission members and some Truth Commission members. And undoubtedly these attacks are

due to the fact that they are afraid of the truth. On the other hand it is an indication that the army officers do not want to give up...power...(Molina Olivares, 1).

Negative reaction by the military, as well as their civilian allies, to the Ad Hoc's recommendations was so strong that Molina and his colleagues had to take refuge in the United States.

Cristiani justified his failure to act on the grounds that the officers had not been accorded hearings. Furthermore, he suggested that "full implementation could have led to isolated acts of insubordination within the military or assassination attempts against former guerilla leaders by angry officers" (Farah, 1/8/93). Protests over his lack of compliance came quickly, not only from the FMLN, but also from the Catholic Church, civic organizations, labor, and some members of the US Congress. An FMLN spokesperson Shafik Handal stated "We cannot let reactionary groups that oppose the process of changes within the Armed Forces continue to obstruct the purge and the establishment of democratic guidelines for the corps, according to the peace accords and the Salvadoran people's wishes" (FBIS, 1/5/93).

The National Debate, a grouping of dozens of civic and other organizations, argued that Cristiani's actions were an offense to the Salvadoran people. It insisted failure to comply was to continue to allow the military to dominate the government and constituted a blow to the peace process and nascent democracy. If there was not to be a real purification there would be no rule of law or reconciliation (Debate, 4). The Vice President of the National Assembly and former supporter of the FMLN, Rubén Zamora, held that "the correct attitude on the part of the president would be to honor his word and comply with the commitments he signed in Chapultepec to help the country move forward instead of stalling and causing a crisis, as is the case now simply because he does not want to assume his historic responsibility and honor his own word" (FBIS, 1/5/94, 7).

Perhaps the most pointed comment was made by the Archbishop of San Salvador Arturo Rivera y Damas in a homily on January 10,

1993 in which he said "A party that negotiates about the truth and justice about what happened to thousands of victims does not have credibility... The truth is not negotiable" (CAWG, 1). Nevertheless, President Cristiani continued to argue that there was no reason to act until the end of the period for fulfilling all the peace agreements, namely, after the 1994 national elections (Farah, 1/8/93).

The President's inaction served to focus attention on the activities of the Truth Commission whose mandate included a specific charge "to study with special care the impunity with which the Salvadoran military and security forces committed abuses" (Truth, 1). This obviously required investigating accusations that the fifteen unpurged officers had been involved in gross human rights abuses. Expectations at the outset were limited, particularly among the human rights community and general public in El Salvador. Indeed, the members of the Commission, Belisario Betancur, former President of Colombia, Reinaldo Figueredo Planchart, former Foreign Minister of Venezuela, and Professor Thomas Buergethal of George Washington University shared some of the doubts. As the latter phrased it "It is going to be very difficult for us to get evidence in some cases. There are very strong efforts that might be made to cover up." Furthermore, "You are just not going to get anyone to talk on issues where they are going to be afraid that if they talk, something might happen to them" (Reuters, 1). Nevertheless, the Commission established itself in El Salvador in July 1992 and with a staff of about twenty non-Salvadorans began gathering data from some obvious and not so obvious sources. They also called upon individual Salvadorans to come forward and testify about abuses.

Initially, there was some reticence about testifying not only on the part of individuals, but also institutions including local human rights organizations. This was eventually overcome and after some weeks lines of people would often curl out of the Commission's building in San Salvador as they waited patiently to tell their stories. Many were heard for the first time as those who had long been silent overcame their fear and trusted the Commission's ability to resist the pressures that hampered many Salvadoran institutions. In October,

1992 a *New York Times* correspondent described the scene outside the Commissions's headquarters as follows:

The trucks arrive on a leafy street in a neighborhood that hid from most of El Salvador's civil war behind walls imbedded with spikes and broken glass. They pull up outside a place called the Truth Commission, and peasants clamber down as if coming to a Sunday market. But now they bring their stories of whole families shot by the Salvadoran Army, of young men abducted in the night and found in pieces in the morning, of children maimed by guerilla mines (Golden, 5E).

The Commission and its staff also visited rural areas not only to take testimony, but also to investigate reports of massacres. Forensic excavations were undertaken in some areas.

Over 7,000 cases were investigated on the basis of direct testimony and over 18,000 from secondary sources in the course of eight months with special emphasis on those acts so violent that their damage to Salvadoran society was obvious (Acuerdo, 1). These included the assassinations of Archbishop Romero, the four US churchwomen and the six Jesuits together with their cook and her daughter, as well as the massacres at Río Sumpul and El Mozote.

During the course of the Commission's work in El Salvador assassinations and disappearances continued, although the number was less than the several hundred a month in 1980 and 1981.

The large number of cases caused the Commission to focus on certain notorious ones or those that exemplified systematic patterns. This was criticized strongly by some, including Tutela Legal, the legal division of the Archbishopric of San Salvador. As its director María Julia Hernández expressed it "for the Church all cases are exemplary... The suffering of every family is the same, and according to international humanitarian law, all families have the right to know the fate of their relatives" (El Rescate, 3).

Both the government and the FMLN presented denunciations of gross human rights violations by the other. The armed forces submit-

ted approximately 17,000 cases including soldiers killed in action on the grounds that the FMLN was not a legitimate insurrectionary force, but rather a terrorist organization. Of these the Commission concluded there were about 50 cases that might constitute actual gross violations. For their part the FMLN argued that since they had already admitted their responsibility in some instances they should not be investigated further. The Commission's response was that such reasoning would mean that it should not delve into the Jesuit case since there had already been some convictions. Since the FMLN had urged the Commission to pay particular attention to that case, the former guerillas were somewhat stymied.

As the United States government supported the Salvadoran government in its struggle against the FMLN providing it with an estimated \$6 billion in economic and military aid in the 1980s, the Departments of State and Defense, as well as the FBI, CIA, and Defense Intelligence Agency were asked to cooperate by providing documentation and information on a number of cases, as well as individuals. An interagency group chaired by Assistant Secretary of State Bernard Aronson was created to assist and \$1 million was provided the UN to fund the Truth Commission. However, by November 1992 Professor Buergethal complained publicly about the lack of cooperation of the US government. In an interview with the *Miami Herald* he said that the Pentagon had refused to provide names and addresses of US military personnel stationed in El Salvador during the war and did not let him meet with several US officers. Buergethal asserted that "For the American member of the Commission not to be able to speak with American military officers off the record is outrageous to say the least... It's un-American" (Marquis, 11/6/92). Ultimately, important information was provided that was critical for the Commission's conclusions (Hayner, 642).

In response to the argument that the withholding of information was necessary to protect informants, a US human rights advocate responded that actual documents did not have to be provided, but rather the same methodology could be used as in the trial of Oliver North, that is, a summary of data based on classified documents

could be provided (Arnson, 7/23/92). Since Buergenthal had security clearance and the material would be kept confidential, the failure of the Pentagon, FBI, CIA and DIA to cooperate was seen as suggesting that the US had something to cover up. Ultimately, the final report did not explore US involvement to any considerable degree. The US Congress did, however, hold hearings for the spring of 1993 to explore the role of the US.

What the Truth Commission did do was name names, including those of General Ponce and General Zepeda. Utilizing three criteria for evidence—overwhelming, substantial and sufficient—the Commission concluded that officers of the Salvadoran Army High Command ordered the murder of the Jesuits and their cook and her daughter. As a result the Truth Commission called for the immediate dismissal and banning forever from military or security duties of Minister of Defense Ponce and his Vice Minister Zepeda, together with the former Vice Minister of Public Security Colonel Innocente Montano, the Chief of Staff General Gilberto Rubio Rubio, the former Air Force Commander General Juan Rafael Bustillo, Colonel Francisco Elena Fuentes and Colonel Alfredo Benavides.

With respect to the assassination of Archbishop Oscar Romero the Truth Commission found that Major Roberto D'Aubisson ordered it and Army Captain Eduardo Avila and former Captain Alvaro Saravia, together with a civilian, Fernando Segrera, participated. The former National Guard Commander General Eugenio Vides Casanova, who served as one of two military advisers to the Ad Hoc Commission, was cited for assisting in the cover-up of the assassination of the four US churchwomen (Truth, 4-5).

The Truth Commission also found "that the General Command of the FMLN approved of the killing of civilian mayors and that the People's Revolutionary Army (ERP)... was responsible for the killing of at least eleven mayors. The Commission cited ERP comandantes Joaquín Villalobos, Ana Guadalupe Martínez, Mercedes del Carmen Letona, Jorge Meléndez, and Marisol Galindo for having responsibility for the executions." As a consequence, it recommended that all be

barred from holding public office for a decade (Truth, 4-5). The day of the Report's release to the public Villalobos indicated his agreement with the recommendations including the prohibition of his holding public office for ten years (French, 3/16/93). This was in spite of his having previously indicated strong interest in running for office.

The thousands of other Salvadorans whose deaths or disappearances were reported to the Commission served as a basis for an analysis of the systematization of violence and repression principally by the armed forces, security police and death squads in their efforts to stifle pressures for socioeconomic and political change in a country where historically the vast majority live in acute poverty. Indeed the Commission concluded that the death squads were supported by "powerful businessmen, land-owners and some leading politicians." As a consequence, the Commission strongly urged that there be a special investigation of death squads in order to eradicate them. The Commission also expressed its deep concern about the "close relation between the military, hired assassins and extremists within the Salvadoran business community and some affluent families, who resorted to killing to settle disputes" (Truth, 7). In early 1994 the Grupo Conjunto para la Investigación de Grupos Armados Ilegales con Motivación Política en El Salvador was formed combining representatives of the Salvadoran government and ONUSAL. It reported on July 28, 1994 that extralegal executions attributable to death squads continued with considerable impunity in good measure because of linkages to the armed forces, as well as certain criminal elements. The weakness and corruption of the judiciary, the Grupo Conjunto concluded, was another contributing factor (Informe, 60-68).

The Truth Commission's overall conclusions focused on removing human rights violators from public office, reforming the military and the judiciary, promoting human rights, democracy, the rule of law and national reconciliation. Individuals found to have been responsible for gross violations of human rights were to be purged from public office or military posts immediately and should not hold any public, military or security office for ten years.

Reform of the armed forces with a view towards professionalizing it and imbuing it with respect for human rights and imposing effective civilian control was to be facilitated by the removal of all officers found to have violated human rights or having engaged in other serious abuses of power, placing promotions, budget and intelligence services under effective civilian control, mandating that military personnel could refuse to obey unlawful orders, eliminating all ties between the military and paramilitary groups, and including courses on human rights in military training (Truth, 6). The Grupo Conjunto found that by mid-1994 only limited progress had been accomplished in this respect (Grupo Conjunto, 16-17).

Reform of the judiciary was also found to be essential if the level of human rights abuses was to be effectively diminished. This required the rapid adoption of constitutional reforms resulting in the removal of all members of the current Supreme Court, especially the President, Mauricio Gutiérrez Castro, for having been involved in covering up human rights abuses. In addition, there had to be a real separation of powers among the executive, legislative and judicial branches of government in order to depoliticize the administration of justice and the courts. The Independent Judicial Council should be strengthened so that it could effectively discharge its responsibility to oversee the judicial system and determine the capacity of judges. It should also appoint and remove judges rather than the Supreme Court. Adequate salaries should be paid magistrates in order to reduce the possibility of corruption. Extrajudicial confessions should be forbidden and limits placed on pre-trial detentions. The right of habeas corpus and presumption of innocence should be made more effective and the location of all detainees should be made public. The new National Police Force should be supported so that it served as an effective peace force that upheld the rule of law (Truth, 7-8). While some progress was made in restructuring the Supreme Court the overall reform of the judiciary and fortification of the rule of law has proved to be a particularly arduous task requiring a consensus within the National Assembly that does not exist (Zamora, 11/16/94).

To root respect for human rights more firmly in Salvadoran society the Truth Commission concluded the ombudsman created by

the Peace Accords should have more power and have representatives stationed throughout the country. The latter should have access anywhere needed. In addition, the Salvadoran constitution should be amended to clearly guarantee human rights. The National Assembly should ratify and the government implement those international human rights agreements outstanding. And El Salvador should admit the jurisdiction of the Inter-American Court of Human Rights (Truth, 8). The need for such reforms is seen in the Commission's determination that given the deficiencies of the existing judicial system it could not "recommend judicial proceedings...against the persons named in its report until after judicial reforms are carried out" (Truth, 8). Legal action was also made difficult by the fact that the government issued an amnesty shortly after signing the Peace Accords in early January 1992.

This Law of National Reconciliation amnestied all except those involved in the principal cases. The legislation had a questionable legal basis since under international law states have the obligation to take action in cases of war crimes, crimes against humanity and gross violations of human rights. In addition, governments cannot amnesty themselves. Some leaders of the FMLN agreed to the amnesty as a means of facilitating their own entrance into political office and a number of them were subsequently elected to public office (Howland, 18). On March 14, 1993 one day prior to the release of the Truth Commission's Report, President Cristiani called for a fuller amnesty in order to eliminate all possibilities of revenge and reprisals and hence promote reconciliation. Cristiani deemed that the public knowledge of the truth was sufficient (Cristiani, 2).

On March 20, 1993 Cristiani's party—ARENA—succeeded in pushing through the National Assembly a general amnesty for all current and former military officers, guerillas, and others, including members of the death squads. It was notable not only for the rapidity with which it was adopted, but also because it was, as the *New York Times* noted, the "first major piece of legislation passed without broad consensus between the left and the right since a January, 1992, peace agreement" (NYT, 3/21/93). ARENA deputies who held a comfort-

able majority in the National Assembly rejected demands that any amnesty be linked to compliance with the Ad Hoc Commission's recommendations to purge the remaining military officials implicated in gross violations of human rights, as well as the Peace Accords mandate to reform the judiciary.

With respect to the recommendations of the Truth Commission the then President of the National Assembly, ARENA deputy Roberto Angulo, stated that "It would be irresponsible on our part as legislators to allow (i.e., accept) attitudes of revenge and confrontation because of limitations in the report, which has been highly questioned" (NYT, 3/21/93). Attacks on the credibility of the Truth Commission's Report emanating from the right in El Salvador were frequent in the days following its appearance. Discounting it, however, was regarded as very dangerous by the opposition. As the then Vice President of the National Assembly Rubén Zamora phrased it: "He who tries to ignore history is condemned to relive it...Pray to God that we don't relive ours" (NYT, 3/21/93).

The Salvadoran case points up the growing belief within the human rights community that the simple establishment of the truth is not sufficient in the aftermath of human rights crises. Indeed, while recent history has shown that the exacting of justice via legal mechanisms is difficult to accomplish, there is a strong sense among human rights experts, as well as the victims and their families, that truth telling is not enough. As a consequence, there is increasing debate about the nature of effective accountability and what constitutes a basis for reconciliation. In general it is felt that there must be legal action before any amnesties or official pardons are given.

In addition, reparations that not only provide material assistance, but also recognize that the victims and their families were innocent are deemed necessary. Such reparations clearly concede that there is no adequate recompense for torture or loss of life. Establishing the truth and admitting it is, itself, considered a species of reparation helping to restore the victims' dignity and humanity. In addition, establishing a legitimate political, economic and social order is a form

of reparation that helps reincorporate those previously excluded or marginalized. Public acknowledgement of the state's responsibility is also considered necessary. Symbolic recognition through a memorial has also been found to be helpful, although few countries have actually done so (Ensalco, 663).

Elsewhere in Latin America, the experience of other countries suggests the limits of judicial action against human rights violators where fragile democratic governments confront serious domestic problems such as faltering economies. Subsequent crises tend to make human rights accountability decline in priority on national agendas. In both Argentina and Chile the continued relative strength and autonomy of the armed forces from civilian control further complicated the task of exacting justice from human rights violators who belong to or are allied with the military. In these cases the possibilities for accountability were substantially greater than in El Salvador where the governing political elites continue to be closely tied to the armed forces.

Only in Chile has there been a substantial commitment to preventive measures other than legal sanction. These include reforming and fortifying the constitution and the judiciary, accepting international human rights instruments and mechanisms, establishment of an ombudsman and human rights offices or courts. Some international institutions have offered technical assistance to El Salvador in this realm including the UN, OAS and Inter-American Institute of Human Rights. In addition, social movements within the country have initiated programs to provide the general populace with more information about their rights and how to protect them. Such efforts face difficulties given limited resources. Nevertheless, there has been some progress.

Purification of the military, reining in of security and intelligence services, together with their subjection to effective civilian control are essential to diminish future human rights violations in El Salvador. There is, however, some debate about the efficacy of proposed mechanisms to improve the human rights record of the military.

Evaluations of courses in human rights for military personnel have suggested that the ideologies and normative values of such individuals have already been formed and are unlikely to be changed in any substantial way by exposure to more democratic thinking (Fitch, 1979). This increases the importance of working to implement effective civilian control of the military, as well as the rule of law, in El Salvador as elsewhere.

Education of the general public from an early age via informal and formal means is perhaps more useful, although it obviously is not going to have immediate impact. Those countries that seem to have the highest enjoyment of human rights, such as Costa Rica, tend to incorporate such education into all levels of schooling. Legal education is also important as is the preparation and retraining of judges and court personnel together with employees of penal systems.

As already indicated legal punishment of human rights violators is generally very difficult. In Latin America in the last decade criminal trials have been undertaken in only one country—Argentina. They were facilitated by the fact that not only had the armed forces been defeated militarily, but also a prime justification of their taking power, namely, to turn around the economy, had not been achieved. That together with initially strong popular support for the civilian government of Raúl Alfonsín allowed for trials of senior officers. However, as the country began to lose ground economically and tensions between the government and the armed forces increased, there was an erosion of support for such legal proceedings. Ultimately, the officers were exempted by legislative action or pardoned. Unless a military is definitively defeated as were the German armed forces in World War II, it is difficult for fragile democracies to undertake extensive legal action.

Given the continuing strength of the Salvadoran military, it is highly unlikely that the government will undertake any prosecutions. The possibility of victims and their families receiving legal justice in El Salvador is scant. This was recognized by the Truth

Commission and influenced it in its decision to name names. Without this the sense was that little accountability would ever be possible. This decision differed from that of the government of Patricio Aylwin in Chile which directed its Commission on Truth and Reconciliation not to publish any names, but rather turn them over to the Ministry of Justice. Since the presentation of the Chilean report, an increasing number of criminal and civil trials have been resurrected or initiated in the courts. While the Pinochet government did adopt an amnesty in 1978, it does not cover certain major cases, nor civil action. Nevertheless, like El Salvador it is considered unlikely that many human rights violators in the Chilean military will ever be subjected to legal proceedings.

While governments can hand down pardons after legal convictions, no state action can substitute for the victims' own granting of pardon. The latter is a necessary prerequisite for reconciliation. In a country such as El Salvador where human rights abuses are endemic and the violators are largely unrepentant, achieving such reconciliation will be very difficult.

The Truth Commission has not, however, been without impact for shortly before the release of its report the Minister of Defense General Ponce submitted his resignation. While he did not feel impelled to resign as a result of the recommendations of the Ad Hoc Commission, he obviously felt increasingly pressured to do so in the light of the recommendations of the Truth Commission. Indeed, its report constitutes a message to the military that the egregious abuses of the past will at least no longer enjoy the impunity that silence provides. The Report also clearly revealed the systemic nature of state violence thereby creating more pressure for reforms including of the military and judiciary. The naming of names was particularly important in a country with a judiciary incapable of providing any real defense of human rights.

While the Peace Accords did not transform the underlying power relations within El Salvador, they have contributed to the opening up of political space that has been taken advantage of by a growing

number of new political and socioeconomic actors, some of which represent those previously excluded.

The reports of the Ad Hoc Commission and the Truth Commission with their focus on the military as the principal author of gross violations of human rights made a substantial contribution to the process of reconstituting civil society. Obviously, any long-term increase in political participation by those previously excluded will require enormous effort by a broad cross-section of Salvadorans. The report of the Salvadoran Truth Commission *De la Locura a la Esperanza: La guerra de 12 años en El Salvador* was, however, a major contribution to the initiation of that process.

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