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Massacres of El Salvador's past haunt the present

by Mary Jo McConahay

EL MOZOTE, EL SALVADOR — During three infernal days in December 1981, more than a thousand unarmed civilians died at army hands in the chapel, caves and houses of this remote hamlet and surrounding hills. "I lost those I never knew," Eduardo Angel Marquez, 22, told me recently as we stood on a spot where dozens died, including his grandparents.

Soldiers of the U.S.-trained Atlacatl Brigade shot local residents, gang raping young women before slitting their throats. At the site of the town convent, now a quiet garden, remains of 147 individuals were exhumed, 12 adults, the rest children and infants.

One year ago this month the Inter-American Court of Human Rights (IAHCR) ruled the Salvadoran government responsible, and survivors and families of the slain are insisting on amends and punishment of the perpetrators. Whether implementation of the sentence succeeds or fails will have a ripple effect on the outcome of other horrific cases, including the assassination of Romero and the Jesuits, leading to their clarification or eventual obliteration from official memory.

Until now, judges have failed to prosecute murders that happened during the civil war, claiming their hands are tied by the "Amnesty Law" passed by ultra-right legislators in 1993. The IAHCR El Mozote decision, however, ruled such atrocities are not subject to "amnesty," because they are internationally recognized crimes against humanity. In August the Supreme Court distributed copies of the decision to every judge in the country. In September, the Court announced it will consider a challenge to the constitutionality of the amnesty law, led by an office of the local Jesuit university.

In a parallel development, the Court is charging the Attorney General's office with dragging its feet in the case of another massacre, at San Francisco Angulo in 1981, when troops killed 45 persons, mostly women, some pregnant. If purposeful delay in the case is proven, it will be the first time the state recognizes a violation of the "right to the truth" for massacre victims and survivors.

"It is a crime against humanity, in which no amnesty is applicable," Claudia Interiano, attorney for the Angulo victims, told the national daily, *La Prensa Grafica*. A successful outcome will "be an important opening" for other cases, she said.

Lawyers working on behalf of victims suffered a set back Sept. 30 when the archbishop of San Salvador, closed the church's legal aid office, which has archived contain thousands of pages of photos, testimony and other evidence in cases going back decades, including that of the assassination of Archbishop Oscar Romero in 1980, and the 1989 murders of six Jesuit priests, their housekeeper and her daughter. (See **related story**.)

The 12-year war between the U.S.-supported government and leftist guerrillas ended in a negotiated settlement in 1992. A U.N. Truth Commission reported 75,000 died, mostly civilians at hands of the armed forces,

In the cramped offices of Tutela Legal, which represented the victims of El Mozote, director Ovidio Mauricio reviewed the IAHRC decision at his desk the week before the archbishop closed the office. "The El Mozote decision creates jurisprudence," he said. In a criminal case charging wartime atrocities, a judge now may reference the decision. Tutela Legal counsel including former office sub-director Wilfredo Medrano legally may continue to pursue the El Mozote case, as their names appear as counsel; nevertheless, they now have no salary, infrastructure support or transportation to do so since Archbishop Escobar dissolved the aid office.

International jurists say the "Amnesty Law" never should have been applied in the first place.

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"In the case of grave crimes such as that of the massacre of El Mozote, crimes of an international character, amnesties do not apply," said Ramón Cadena, a Guatemalan who directs the Office of the International Commission of Jurists for Central America.

The village of El Mozote feels a world away from discussion in the capital. After a three-hour drive, the road narrows and enters piney forest, where small boys hold up writhing, tasty iguanas to tempt motorists, and an occasional ox-driven cart vies for the right-of-way. On a cool afternoon farmers came in from their fields, students from school. "Those who did this, who are still alive, must be judged," said young Marquez, who studies at the nearby community of Segundo Montes, named for one of the slain Jesuits.

Marquez led me to the house of Israel Marquez, a relative who also died, where soldiers had taken women in small groups to be shot. Empty, the house stands at the edge of town like an accidental memorial, with charred spots visible on the floor "soldiers burned bodies" and light falling eerily through holes made in walls by bullets from high-caliber weapons. Outside still grows the apple tree surrounded by pineapple

plants where witness Rufina Amaya, whose husband and four children died, hid to survive and tell the story of that day. The gentle-looking hills nearby screamed all day with the cries of the young girls being raped, Amaya told U.S. reporters who had arrived two weeks later.

In a contemporary report to the U.S. Congress, then considering a renewal of aid, the State Department denied the massacre happened and aid doubled.

San Salvador, too, denied the killings for years. The biggest military installation in the region continues to carry the name of the commander of the unit that led the massacre, Col. Domingo Monterroso, who trained at the U.S. School of the Americas, then in Panama. As tiny bones appeared during the first exhumation at the El Mozote convent in 1992, where the remains of the murdered children eventually were identified, a local authority present to witness the chain of evidence told me, "Those have to be dog bones."

About half an hour by a rough, red clay road from El Mozote, in a town called Arambala, Sr. Griffin, who has accompanied local residents for more than a decade, and others track the way the IAHRC sentence is being fulfilled. Griffin, who is also a professional nurse, spoke of another kind of denial, born of trauma and fear. When a psychologist was brought in to work with residents twelve years ago some locals insisted the massacre never happened, she said. More recently, Griffin worked on interviews with 230 survivors, the first time, she said, that many could bring themselves to talk about the event.

"I can truthfully say, every single one cried as if it happened yesterday," she said.

For many who welcome the IAHRC decision, its implementation "or the failure to implement it" along with the precipitous closure of Tutela Legal with its archives of thousands of documents attesting to war crimes, highlights the struggle in El Salvador today over who shall own the past. Either the facts of the violence of the 1980s will be accepted to become part of the national memory, they suggest, or the facts will be denied and fade, with all the threat that implies for future violence.

"We want to see a course of studies established by the Ministry of Education so youth know what happened, not to foment hate, but so as not to repeat the past," said González, sitting before a large, fading photograph of Romero. .

Most important, he said, is "justice," in the form of a criminal case that investigates and punishes the guilty. That thought resonates in El Mozote.

"We are not political. What happened, happened, but we must *know* what happened," said Maria Crescencia Chica Amaya, who with eight other women formed a volunteer association that offers the history of the place to visitors and accepts donations. "We want justice, for a court to find the responsible guilty." Chica, who was eleven on the day of the massacre, said she escaped death because she and three younger siblings, recent orphans, had been wandering in nearby mountains, searching for a hamlet where an older sister lived.

The IAHRC decision mandates dissemination of its El Mozote decision by the government, along with production of a documentary, the establishment of a National Victims' Day of Remembrance and other public education. None is in the works. Only Tutela Legal has published a full report on the massacre, and since the judgment produced 1000 copies of a 55-page "popular version," including drawings, excerpts from survivors' testimony, a summation of the obligations of the state resulting from the decision and encouragement to organize locally in its support.

"The best proof was what they found in the convent, the children," said Jose Maria Guevara, 68, of the local Association of Human Rights Promoters, a victims' group. Sitting outside his small grocery shop, Guevara said he fled El Mozote in 1980 after guerrillas pressured him to collaborate. Sixty relatives "on both sides" of his family were killed in the army massacre, he said. For Guevara, reparations should include a home for the elderly, because children who traditionally care for aged parents died. Four hundred and seventy-seven names are carved into wooden slabs on a monument across from the town church, but Guevara says a more permanent memorial is required. "We want all the names there, in bronze or marble, so they will not disintegrate."

Expectations in El Mozote seem to be outrunning social and material reparations the government can or will provide quickly, although survivors acknowledge President Mauricio Funes' plea for pardon delivered last year in an emotional speech in the town center. Through Funes, whose own brother was disappeared during the war and who, as a journalist, visited one of the killing sites before he became president, the government declared responsibility, and appreciation to surviving victims "who in a brave and exemplary manner, permanently testified in their own communities, before the human rights organizations, before the courts, and before the national and international press, finally allowing the truth to prevail about these tragic events that the Salvadoran State had regrettably denied in the past." He called El Mozote "the biggest contemporary massacre in Latin American history."

The Attorney General's office recently established a unit to investigate war crimes, and this month its medical forensic division requested the National Assembly to assign \$3 million to improve capacity for exhumations. (Far-right legislators say they will block money for exhumations.) On Sept. 17, ministries met at the Foreign Office to lay out plans for the El Mozote area, including paved roads, electricity, housing, an ambulance.

Wilfredo Medrano, who attended the meeting, said the proposals amount to "a new face of development for El Mozote." Nevertheless, budget discussions that begin soon in the National Assembly will determine the extent to which proposals are fulfilled. The leftist FMLN government faces national elections next year, and a victory by the right may throw the ministries' plans into limbo, or worse.

Near El Mozote, over bumping roads and a swollen river lies a settlement called La Joya, where 150 persons died. Maria Rosario Lopez Sanchez, 66, ran up a hill that day when helicopters arrived with troops. She heard shooting, and watched columns of smoke rise from the town. Later, she descended to discover the dead. Fearing the soldiers' return, she and other survivors hurriedly interred family and neighbors in two communal plots, about 300 feet apart.

From the dirt road we walked through pasture amid grazing cows and feral fruit trees to stand at the grave holding the remains of Lopez' mother and father, Francisca Sanchez, then 50, and Ismael Lopez, 55, who died with the others. Faded plastic flowers and a low, cement cross mark a mound grown round with wild grass. "I don't feel hate, because God wouldn't forgive that," Lopez said. "But I ask, why did they do this?" Her brother Vidal died from "grief," she said, a year after he found his pregnant wife among the dead.

Lopez took a plane for the first time in her life to testify as a witness in Ecuador, amazed but not afraid to see clouds below. Her grandchildren, ages 16 and 10, accompanied us through the fields; she cares for them since their mother, her daughter, died in April of leukemia. Like other survivors, Lopez became impoverished after the massacre, bereft of household goods, animals and tools, without a roof. At El Mozote, witness Rufina Amaya reported, soldiers took anything of value they found on residents. Amaya died in 2007.

You cannot replace human beings, but some kind of reparation is needed, Lopez said.

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