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Making Peace Perform in War-Transition Countries: El Salvador, Guatemala, and Nicaragua

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The governments of El Salvador, Guatemala, and Nicaragua can all be classified as poorly performing, although according to different indicators, to different degrees, and demonstrating important differences in their obstacles to development. A major cause of poor performance in each case is the residual costs of devastating civil wars—civil wars in which the United States directly or indirectly participated. While the horrors of civil war are over, the legacies of political polarization, civil violence, injustice, and public insecurity still impede good governance. Effective governance (defined broadly to encompass provision of citizen security, delivery of basic social services, nonviolent maintenance of public order, and management of public finance and the economy) is severely hampered in all three countries by two areas of institutional dysfunction. First, the political leaderships are dominated by former civil war adversaries, contributing to electoral systems that are highly fragmented, polarized, unwilling to accommodate, and either are poorly integrated into the community or penetrate the community through patronage networks. Second, the public security and justice sectors that, in many instances, engaged in abusive activities during the conflicts are now infiltrated by organized crime; are directed by elites seeking to preserve privilege and impunity; or are too poorly resourced, trained, monitored, coordinated, and managed to respond to current security needs.

It should be noted at the outset that only one of these three countries, Nicaragua, qualifies as a low-income state according to the indicator used by the World Bank (having a per capita gross national income [GNI] of US\$825 or under). El Salvador and Guatemala are ranked as lower-middle-income economies, despite the desperate poverty of their rural populations.¹ Even given the variation in economic performance, the three states are examined together because of the light they collectively shed both on the effects of civil conflict on democratic institutions and on the role that the United States can play in postconflict states.

U.S. foreign policy vis-à-vis these states is affected by their civil wars in three ways. First are the important implications for major national U.S. interests, such as bilateral, regional, and multilateral counternarcotics efforts, involvement by corrupt agencies of these states in cross-border contraband and money laundering, and transnational organized crime. Second, the civil wars created refugee flows into U.S. cities that continue unabated in the postconflict period owing to economic contractions, unemployment, and skyrocketing crime and public insecurity. Indeed, in 2002 remittances from emigrants working in the United States accounted for 14 percent of gross domestic product (GDP) per capita in El Salvador, 15 percent in Nicaragua, and over 11 percent in Guatemala.²

Third are the political and moral obligations on the part of the United States, which played a role as a “friendly nation” in the Salvadoran and Guatemalan peace processes and had an active role in brokering the end of the Nicaraguan civil war. This involvement carries political and financial commitments to help implement the resulting peace agreements. The U.S. government has in fact been deeply involved in the domestic politics of these states for over a century. It has at various periods built and trained their militaries and continues to provide them with military assistance. It was allied with one side or another in all three civil wars, to the extent of being the major financial support of the Salvadoran military and the Nicaraguan armed opposition. Having been so involved in the civil wars, the marked decrease in U.S. financial commitments during the postwar reconstruction period has led many Central Americans to voice their growing resentment. However, despite the perception that the United States has lost interest, Central American countries do continue to receive U.S. foreign assistance, and the need for such assistance has grown significantly since the late 1990s, as the region has been further devastated by hurricane, drought, and earthquake.³ The programs and budgets allocated to each country differ, but in all three countries U.S. Agency for International Development (USAID) missions are engaged in following through with the implicit promises of peace.

In the case studies that follow, I focus on government performance as indicated by how well the institutional channels for political representation and the state's public security institutions function. The reason for the focus on the institutions of justice, security, and representation is that their poor functioning was a key source of grievance in the past and in large part set the conditions for violent civil conflict; improved performance in these areas is essential for future development. Following a general overview, I review the conditions that led to civil war in each of the three war-transition countries, examine the postconflict obstacles to government performance, and discuss the impact of U.S. foreign policy on these developments. The concluding section discusses how foreign assistance can help overcome these obstacles.

Overview of Postconflict Central America

The civil wars in El Salvador, Nicaragua, and Guatemala generated a great deal of international attention in the 1980s, owing to publicity from human rights organizations and to the direct involvement of the United States. In terms of human loss alone, these conflicts resulted in around 75,000 dead and over a million displaced in El Salvador (population about 6 million); an estimated 200,000 dead and more than 1.5 million displaced in Guatemala (population about 10 million); and 80,000–110,000 dead and 300,000 displaced in Nicaragua (population about 4 million). The conflicts were settled through internationally mediated talks, beginning with Nicaragua in 1990, followed by El Salvador in 1992, and finally Guatemala in 1996. Peace has proved durable in all three countries, and all three are now governed by elected civilian administrations (all are constitutional republics, presidential systems with unicameral legislatures), which are engaged in promoting sustainable development, with the advice and assistance of international financial institutions and a consultative group of donor states.

El Salvador is the furthest along by World Bank measures, having diversified its economy away from underperforming agricultural exports (primarily coffee) to service industries and maquiladora manufacturing. The peacetime governments have also achieved improvements in social conditions. Between 1990 and 2002, extreme poverty decreased from 31 percent to 15 percent, while overall poverty was reduced more than 27 percent. Malnutrition among children under five was cut from 23 percent in 1993 to 20 percent in 2002, infant mortality dropped from 60 to 39 per 1,000 live births between 1990 and 2002, and access to improved sources of water increased from 66 percent in 1990 to 77 percent in 2002. During that period, income

inequality decreased slightly, with improvements mainly in urban centers.⁴ Ironically, however, El Salvador also has the highest rates of civil violence in the region and one of the highest homicide rates in the world, which is bound to have a depressing effect on investment, despite modest but fairly steady growth, successful dollarization of its economy, and a mobile workforce.

Postconflict Guatemala is another story. Despite the fact that Guatemala is ranked as a lower-middle-income country, it is second only to Haiti in the Latin American and Caribbean region in inequality of income distribution. GDP growth averaged 4 percent during the 1990s, then stagnated to somewhat over 2 percent between 2001 and 2003, and has not yet recovered. Inflation declined to 7.5 percent in 2004, and external debt is low. However, 56 percent of the overall population (76 percent of the indigenous population) lives in poverty; 16 percent lives in extreme poverty. Inequality in land distribution, a chief and enduring source of violent conflict in Guatemala, has not been alleviated in peacetime even though the problem was directly addressed in the peace accords. With 30 percent adult illiteracy, Guatemala has one of the lowest literacy rate in the region.⁵ The vast majority of poor households are in the agricultural sector, producing corn for private consumption and coffee for export. Despite efforts spanning at least two decades to diversify production, especially in textile manufacturing and nontraditional agricultural exports, the economy remains dependent on coffee and therefore vulnerable to a deterioration in world prices. Not surprisingly, the government of this land of extreme inequality is often paralyzed by internal factionalism and corruption scandals.

As noted earlier, Nicaragua is the only one of these three countries ranked as low income, largely owing to the complete economic collapse of the 1980s. The country's governments of the 1990s focused their efforts on economic recovery and privatizing assets that had been nationalized under the previous regime. Nicaragua managed to achieve real GDP growth of 4 percent in 1995 and has maintained a declining but positive growth rate. Between 1993 and 2001, overall poverty fell slightly, from 50 percent to 46 percent nationally (to 68 percent in rural areas), with 15 percent in extreme poverty. Nicaragua is overall the second poorest country in the region, but despite having a higher degree of absolute poverty its income inequality does not exceed the Latin American average.⁶ The economy is still based in agricultural production (mainly cotton, sugar, and coffee) and therefore is highly vulnerable to world price fluctuations and, worse, to natural disasters such as 1998 Hurricane Mitch.

The war-transition countries of Central America differ considerably in their economic and political history, but they do share broad similarities. First, they are all within the U.S. sphere of influence. The governments of all three countries during most of the twentieth century could be characterized as military-dominated dictatorships that generally hewed to the U.S. geopolitical strategy. Second, they are small states traditionally dependent on primary agricultural production. In simple terms, oligarchic elites—coffee, cattle, and cotton growers—maintained landownership, control of resources, and political control from independence through the end of the twentieth century and, arguably, to the present. In Guatemala, economic and social inequality coincides with ethnicity: indigenous peoples comprise 49 percent of the population and are concentrated in the areas with the highest levels of poverty and exclusion; 62 percent of indigenous Guatemalan women are illiterate, and 76 percent of indigenous Guatemalans are poor.⁷ The problem of racial discrimination in Guatemala is so severe that an entire peace agreement was dedicated to the rights of indigenous peoples.

The causes of civil conflict were broadly similar in each of these countries: perceived extremes of economic and social injustice, the virtual absence of meaningful channels for nonviolent political change, and the use of government security forces to repress opposition. In El Salvador and Guatemala, these conditions led to “unsuccessful” insurgencies (insofar as the armed opposition was unable to capture control of the state). In Nicaragua, guerrilla forces were successful in overthrowing a repressive, corrupt government. These forces formed a socialist government, which then faced an armed opposition—incited by widespread land expropriations that were perceived to be unjust—and harsh dislocations caused by government mismanagement of the economy. They also faced U.S. military support for this antisocialist insurgency.

The twentieth-century political histories of these Central American states differ markedly. Whereas the Nicaraguan political system before the civil war is best characterized as a personalist dictatorship, politics in El Salvador and Guatemala were more institutionalized, in that the military ruled as an institution. This had important implications for how change of government could take place: in Nicaragua, it was a matter of removing a family dynasty from power. In Guatemala and El Salvador, when factionalism within the armed forces and corruption or incompetence in the high command reached an egregious level, the military would enact a self-correction through reformist officer coups, which adjusted the undesirable behavior and allowed

the military to retain power. In these cases, the military relinquished the reins of government only through tightly controlled elite pacts.

The postconflict democracies that evolved from this background in El Salvador and Guatemala share at least two similarities: the electoral institutions are polarized and rent by factionalism, and their public security and justice systems are overburdened and corrupt. The result is that public confidence in their democracies has suffered, disenchantment is growing, as are abstention rates. The process of institutional consolidation is further hampered in all three cases by ongoing government corruption.⁸

El Salvador, Guatemala, and Nicaragua share a trait with all postconflict states: they are awash in arms and unemployed young males who are trained to use them. Violent crime has many causes, from inequality and unemployment to posttraumatic stress disorder, but the availability of firearms is a critical factor. Despite this similarity, however, rates of civil violence vary among the three countries. Violent crime is much worse, and therefore more of an impediment to growth and human development, in El Salvador and Guatemala than it is in Nicaragua, although the former states are relatively better economic performers than Nicaragua. As noted above, Nicaragua is ranked on the World Bank's list of lowest income states, while Guatemala and El Salvador are in the middle-income category. However, the latter two governments have much worse performance records in the most fundamental service the state provides: public security. According to statistics for 1998, the homicide rate in El Salvador was 83 violent deaths per 100,000, Guatemala 77, and Nicaragua 13.⁹ The economic costs of violent crime are staggering; one analyst estimated that in 1995 the costs directly associated with crime in El Salvador (not counting the opportunity costs of lost revenues and investment) amounted to 13 percent of GDP. In 2001 the costs of crime were on a par with the costs of the earthquake damage.¹⁰

A factor that distinguishes the Nicaraguan security sector from those in El Salvador and Guatemala is that during the civil war years of the 1980s the Sandinista police and armed forces were creatures of the ruling party but were not used by the state as agents of repression. Despite low rates of public confidence and reports of police abuse, the Nicaraguan National Police developed better community relations and community policing projects than the civilian police forces in El Salvador and Guatemala, which were designed under UN auspices and according to U.S. and European models.¹¹ All three forces are subject to corrupting pressures, but there is increasing evidence that the Salvadoran and Guatemalan security forces in particular are infiltrated by organized crime up through the highest ranks.

Concerning the role of the United States in these countries, Central America policy during the 1980s was dominated by cold war security concerns to the detriment of other foreign policy goals, such as promoting human and civil rights, democracy, and free trade and assisting lesser developed states to achieve economic growth.¹² The perceived threat of communist incursion in the region led the U.S. government to take sides in the Central American civil conflicts. In both El Salvador and Guatemala, the United States sided with the military-dominated governments against leftist insurgent forces, whereas in Nicaragua it supported an armed insurgency seeking to overthrow the socialist Sandinista government. The wars in El Salvador and Nicaragua held a higher priority on the administration's agenda, received considerably more in military assistance (in the case of Nicaragua, authorized and unauthorized covert lethal assistance), and therefore generated greater controversy in Congress and the interested public than did Guatemala. Foreign aid to the region nearly doubled between 1984 and 1985, with the bulk of the increase going toward military and security assistance in El Salvador.¹³

As the cold war cooled and with the transition from the Reagan administration to that of George H. W. Bush, U.S. strategic interests in Central America took on a more pragmatic posture, and policy priorities in the region shifted from counterinsurgency to democratic consolidation and economic recovery. The Bush administration ended the policy of opposing negotiations with Marxist insurgents and gave its support to the regional and UN mediation efforts. Overall assistance to Central America dropped sharply between 1991 and 1995. El Salvador was in time to benefit greatly from U.S. support for the peace process and accords implementation at the outset, but funding for Guatemala's peace process has suffered doubly from U.S. budgetary pressure on the United Nations, which resulted in a severely limited General Assembly budget for the UN operation, and from the reduced amounts of U.S. foreign aid available to assist with peace accords implementation and reconstruction (although this continues to be a special objective of U.S. development assistance in Guatemala).

The Clinton administration's regional policy priorities in Central America were sustainable development, including environmental protection programs; building democracy, including support for the peace accords implementation; humanitarian assistance, especially the food for peace programs; and assistance for counternarcotics programs.¹⁴ After 1993 direct lethal assistance to the region from the U.S. Defense Department budget had virtually dried up and was replaced at lower spending levels by narcotics control, military

(IMET) and police (ICITAP) training, joint exercises, and joint military civic aid projects (road building and other development assistance).

Relations between the United States and Central American governments are now dominated by an overarching concern with counterterrorism, which partially subsumes and is pursued in tandem with the other pillar of U.S. policy in Central America, interdiction of drug trafficking and other forms of organized crime. Another key issue, albeit one that has received decreasing amounts of policymakers' attention since the September 11 attacks, is immigration, in particular the legal status of Salvadoran immigrants to the United States, whose remittances are the single largest source of foreign income in El Salvador and account for a significant percentage of that country's GDP.¹⁵ Recent diplomatic concerns emphasize trade integration through the Central America Free Trade Agreement (CAFTA) and cooperation on anticorruption measures.

Along with a variety of European Union and UN programs, U.S. government and nongovernmental agencies are deeply involved in peace building in these countries, funding police training through the ICITAP program, judicial and electoral reform through a number of USAID projects, and working directly with communities to overcome years of conflict through projects like the USAID Human Rights and Reconciliation Program in Guatemala. Foreign assistance, primarily through USAID, has become increasingly focused on technical assistance to strengthen democratic institutions and, more recently, to professionalizing civil society organizations, especially in their capacity to advocate for and monitor policy reforms. The effort to build the skills and professional capacity of civil society organizations is now recognized as key to increasing democratic participation. The results of this effort vary with factors such as literacy rates, societal divisiveness, and ultimately the civil organizations' ability to access and influence decisionmaking elites.

Given this snapshot of the postconflict political and socioeconomic context in the region, this chapter examines each country in greater detail with respect to the repercussions of civil war on political and rule of law institutions and the influence of U.S. policy in the region on these developments.

Political Institutions in El Salvador

In El Salvador before 1979 the official party of the military ordinarily won presidential elections; if an opposition party or coalition unexpectedly gained a majority, as happened in 1972, the official party simply won by fraud. During a period of mild opening in the 1960s the military permitted popular

unrest, debate over industrial development projects, and demands for agrarian reform to be expressed through partisan politics.¹⁶ Channels for nonviolent citizen participation outside of elections, whether in the form of labor and peasant unions or political parties that represented popular interests, were notably absent.

By the late 1970s gross socioeconomic inequities and blatant electoral fraud had resulted in civil protest. Given the restrictive nature of the Salvadoran electoral system, civil protest became violent protest; meanwhile, guerrilla forces were mobilizing in the countryside. To control the increasingly unstable political situation, a group of reformist junior officers staged a successful coup in October 1979 and formed a ruling junta that initially included members of the civilian left opposition.¹⁷ Opposition members were squeezed out, and the junta became increasingly repressive over the next year, leading most of the remaining center-left civilian opposition to either join the armed resistance or regroup in exile. Confrontation escalated to open civil war in early 1980, when five guerrilla organizations joined forces to form the Farabundo Martí National Liberation Front (FMLN) and initiated a large-scale military offensive.

Under pressure from the Reagan administration, on whose support the Salvadoran military depended, the junta scheduled presidential elections for 1984 and selected two interim civilian presidents to oversee the transition. In the 1984 elections the United States promoted and financed the campaign of the centrist Christian Democratic Party (PDC) candidate, José Napoleón Duarte, who narrowly won against the right-wing candidate of the National Republican Alliance (ARENA) party. It is frequently noted but bears repeating that the elections held in El Salvador during the civil war were not the result of a democratic compromise among domestic actors but were imposed by the Reagan administration in order to overcome congressional reluctance to finance the Salvadoran military's counterinsurgency efforts. Following the restrictive electoral politics of the 1970s, this has contributed to a legacy of sharp partisanship and factionalism and weak popular access to or participation in the Salvadoran political system.

In August 1987, the Central American regional peace process (the Contadora process) produced an accord, referred to as Esquipulas II, which served as the basis for ending the civil wars in all three countries, beginning with Nicaragua. Esquipulas II required the Salvadoran government to permit opposition leaders to return from exile and participate in elections.¹⁸ Several of the returned center-left politicians formed a legal party and registered for the 1988 elections. The 1989 presidential election was won by Alfredo Cristiani,

leader of a center-right, modernizing faction of ARENA. By the end of 1989 both the government and the FMLN had requested UN mediation. Negotiations lasted from April 1990 to December 1991, and final peace accords were signed in January 1992.¹⁹

A number of electoral reforms were mandated by the terms of the Salvadoran peace accords.²⁰ These provisions were aimed at providing a level field for political campaigns, at increasing participation, and at ensuring the security of campaign workers and candidates. Parties from across the political spectrum were given a greater voice in electoral organization and voter registration. The FMLN registered as a national political party for the March 20, 1994, elections, came in second in the presidential race, and won twenty-one of eighty-four seats in the National Assembly.²¹ The accords established a national electoral tribunal and a special commission to review draft amendments to the electoral code. Although these amendments were incorporated into the code in time for the March 1994 elections, fairly serious irregularities in the registration process cast doubt on the tribunal's impartiality and ultimately threatened to disrupt the election.

Technical reforms in registration and voting procedures have been much more gradual. One worrying development is the growing abstention rate, which reached 63 percent in the 2000 elections. Some of this could be attributable to the sheer difficulty of voting for most Salvadorans. Registration, a process that can require several visits, and balloting are located in the largest urban center of each municipality, which often entails a long and arduous trip by bus or on foot for those who live in the countryside. The physical and bureaucratic obstacles are slowly being addressed. However, a 1999 University of Central America poll indicates that at least a third of those who abstained did so because they lacked confidence in their parties and in the political system.²² The cynicism or lack of confidence is easy to understand. A series of government corruption scandals have roiled the ARENA administrations of Armando Calderón Sol (1994–99) and Francisco Flores (1999–2004). A code of ethics for civil servants was introduced in December 2000 with USAID sponsorship, but there appears to be no political will to enforce it.²³

Salvadorans have also had to suffer ugly public internal battles, which have come close to disintegrating the major parties, especially ARENA and the FMLN. Electoral politics have become more transparent and stable since the "Elections of the Century" (as the 1994 elections were called), but the parties themselves remain poorly institutionalized. ARENA saw its majority in the National Assembly and at the municipal level decline steadily in the 1997, 2000, and 2003 elections, although it has retained the presidency since

1989. The FMLN, truncated in the mid-1990s by the defection of two original components, picked up a plurality in the assembly and most of the major municipalities in the March 2000 elections and maintained that lead in 2003 (assembly elections are held every three years). In the 2003–06 legislature, the FMLN and ARENA combined held slightly more than two-thirds of the eighty-four-seat total. Three smaller parties—the Christian democratic PDC, the social democratic CDU, and the right-wing PCN—combined carried twenty-six seats, or just under one-third. Taking advantage of the internal fragmentation within the two major parties, the smaller parties on occasion were able to play a useful role in forming balancing coalitions.²⁴ Nonetheless, inflexibility and retaliatory politics on the part of the FMLN and ARENA leadership and the extreme polarization of legislative politics in El Salvador frequently result in gridlock on important items that require a majority, such as international loan agreements (short-term loans require a simple majority, medium- and long-term loans require a two-thirds majority) and the national budget (which requires a simple majority).²⁵

Protecting the Rule of Law in El Salvador

The mandate to separate policing from the armed forces was a major achievement of the Salvadoran peace process, after decades of political violence perpetrated by the state security forces. The peace accords outlined a plan to civilianize public security by disbanding the existing military police units and replacing them with a single institution, the National Civilian Police, which integrated equal numbers (in theory) of demobilized combatants from both the FMLN and the Salvadoran armed forces (the armed forces were downsized by nearly 50 percent) with new recruits who had never served in any security force. The new force was to operate under the Ministry of the Interior, rather than the Defense Ministry. A new security doctrine was developed that emphasized rule of law and human rights standards, to be instilled during training at a newly created national police academy overseen by the UN Observer Mission in El Salvador (ONUSAL).²⁶

ONUSAL also undertook what is now known to have been a barely effective weapons collection from demobilized FMLN combatants. Worse yet, weapons collection from demobilized military personnel was a complete failure. Safe reintegration of the roughly 7,500 demobilized FMLN combatants received a great deal of attention following the demobilization period, but there were severe problems with the retraining and land transfer programs designed for this purpose. There were equally serious problems with compensation programs for the 28,000 demobilized soldiers. With high

unemployment and underemployment rates, the Salvadoran economy could not absorb the influx of young males trained to do battle. Armed ex-combatants from both sides contributed to the postwar wave of violent crime.

The new civilian police force has not been able to control rising crime, which includes gang violence (gang membership is rising across Central America but continues to be highest by far in El Salvador), kidnappings, and homicides. Nor have they been free from accusations of human rights violations—although nothing comparable to the forces they replaced. The police force is severely underfunded, has a high rate of casualties due to the numbers of firearms available to criminals, and is infiltrated by organized crime. In May 2000, the chief of police publicly admitted that officers had been involved in kidnappings and robberies and instigated an investigation that led to over 1,500 dismissals (nearly 10 percent of the force). Internal oversight mechanisms such as the inspector general's office, although improving, continue to be weak and politicized.²⁷

The reforms to the justice administration system mandated by the Salvadoran peace accords focused on judicial independence and legal safeguards for civil and political rights. The National Council of the Judiciary was restructured, a judicial training school was created, and the mechanisms for selecting Supreme Court justices were restructured to make the court less partisan. ONUSAL, in conjunction with the National Council, organized training courses in human rights and due process for justices and magistrates. The mission also assisted in the process of evaluating justices and sending to the Supreme Court lists of those recommended for purgation based on findings of corruption or unprofessional conduct.

Unfortunately, most of the justice sector reforms mandated by the peace accords required constitutional amendment and were held up for most of the decade by the divisive, partisan legislative process. Corruption continues to be a serious obstacle to judicial reform. Beginning in 2000, the attorney general conducted a purge of corrupt officials in the public prosecutor's office that resulted in the indictment of sixty prosecutors, the investigation of sixty judges, and the dismissal of fifty staff members, but the effort did not result in convictions.²⁸

International organizations, especially USAID, the United Nations Development Program (UNDP), the Inter-American Development Bank (IDB), and the World Bank, have worked steadily to improve the Salvadoran justice system in the postconflict period. In August 2002, the World Bank approved a US\$18 million loan to increase efficiency at the lower court level and public access by reorganizing jurisdictions for better geographic and demographic

distribution.²⁹ The justice system in postconflict El Salvador is more independent of political influence than it was before, and justices and staff are better trained and more professional. But public access to justice is still low, and the perception of class bias and corruption in the judiciary continues.³⁰

U.S. Foreign Policy in El Salvador

During the 1980s the U.S. government spent over US\$1 billion in direct military assistance and perhaps an even greater amount in economic support funds and security supporting assistance to finance, equip, and train the Salvadoran armed forces. For at least the first half of the decade, El Salvador was the object of intensely polarized battles between the Reagan administration and members of Congress who opposed U.S. intervention in Central American civil wars.³¹ Officials who criticized Reagan's Central America policy were accused of being soft on communism, and once a civilian, José Napoleón Duarte, was elected president of El Salvador in 1984, the majority found it convenient to forge a bipartisan policy consensus on the issue and release withheld military funds.

With the end of the Salvadoran civil war in 1992, U.S. assistance shifted rapidly from lethal aid to promoting democratic institutions and implementing the peace accords. A major factor contributing to the relative success of the Salvadoran accords was that international donors, including the United States, placed "peace conditions" on assistance.³² Congressional priorities for U.S. support during the 1990s were the training and deployment of the National Civilian Police and the demobilization of former security forces, expedition of land transfers to demobilized combatants, and judicial and electoral reforms.³³

The bulk of international development and emergency assistance funds to El Salvador from 1998 through 2002 was absorbed by recovery from Hurricane Mitch (October 1998) and the January and February 2001 earthquakes. As crucial as hurricane recovery aid is, this has had the adverse effect of redirecting funds away from parts of the country that were less affected by natural disasters but are equally in need of development assistance. International donors committed US\$1.3 billion to long-term earthquake recovery (US\$1 billion in "soft loans," US\$300 million in grants; this amount includes pre-earthquake commitments), of which the United States committed approximately US\$168 million.³⁴ The USAID mission in El Salvador is pursuing current policy priorities through programs to improve access to justice, citizen participation in local government, public service management, government transparency, citizen election oversight, community policing (through

special authorization and Economic Support Funds), education, maternal and child health, public health, and environmental protection. The effort to strengthen civil society organizations through grants and skills training has seen results in advocacy for water rights and services, legislation against domestic violence, and anticorruption campaigns.

To conclude, despite external assistance that has been generous in comparison with its neighbors, El Salvador has not yet overcome the legacies of civil war. Democratic consolidation has progressed in El Salvador; the mandated constitutional reforms have largely been enacted, and the former armed opposition has successfully transformed into a political party with a strong electoral and legislative voice. Social policy and economic development efforts have achieved measurable, albeit meager, success, and the process of societal reconciliation appears to be more advanced than in other war-transition countries. But the freely elected administrations of the postconflict period have been led by members of the traditional, and often corrupt, elite. Since the mid-1990s these administrations have been confronted by a legislature that is increasingly dominated by a fractious opposition. The political leadership as a whole has yet to adapt to democratic norms of behavior. Further, the comparatively large numbers of demobilized combatants from both the armed forces and the FMLN, whose reintegration into productive life was partial at best, contribute to the high degree of public insecurity and extremely high rates of homicide.

Political Institutions in Guatemala

Guatemala's electoral institutions were even more constricted than those of El Salvador. From 1966 to 1985, Guatemala had a multiparty system in which the candidates of all major parties were either military officers or civilians nominated with military approval.³⁵ Military control of electoral politics was institutionalized in the mid-1960s through party registration criteria that forced all legal parties to cooperate with the military on the substance of their programs. The party of the military was not the sole vehicle for the official government candidate, as it was in El Salvador. Instead, the Guatemalan military was able to select an appropriate vehicle from among several parties or coalitions of parties. Economic elites for the most part acquiesced in the military's preponderant political role. The agriculture export oligarchy exercised considerable political influence but did not actively attempt to wrest authority from the armed forces.

In 1979, facing a resurgence of guerrilla warfare in the countryside and popular unrest in urban centers, the government initiated a radical increase in state-sponsored violence targeting opposition politicians. The result was decimation of the incipient political center and moderate democratic left. The worst years of political violence, 1979–84, also saw a fragmentation of the official party system and increasing internal dissent within the military ranks over the threat to institutional integrity from the corrupting influence of government power and over the threat to the military's prestige through mismanagement of the economy. Economic elites began to agitate for a greater role in government. This, combined with growing U.S. pressure to hold elections, caused the military to engineer a carefully controlled transition to civilian rule in 1984—so carefully controlled that significant domains of governmental authority remain in the military's hands to this day.³⁶

The Esquipulas peace agreement set the stage for a negotiated settlement between the government and the guerrilla opposition (Guatemalan National Revolutionary Unity, URNG), which, as in El Salvador, was mediated by the United Nations. This process took several years longer than the Salvadoran negotiations (March 1990 to December 1996), owing to a lack of real or perceived military stalemate (the army had virtually won the war in 1983) and the continued dominance of the military over civilians in government. Nonetheless, the peace process itself promoted a degree of liberalization; a coalition party of civilian opposition groups, the New Guatemala Democratic Front (FDNG), formed for the November 1995 elections, a full year before the final accords were signed. Six FDNG candidates were elected to Congress, including high-profile indigenous and victims' rights leaders.

The Guatemalan peace accords were far more ambitious than the Salvadoran accords in the types of reform they proposed although less specific in mechanisms to verify compliance and sanction noncompliance.³⁷ The electoral reforms mandated by the accords are aimed at reinforcing the independence of the Supreme Electoral Tribunal, increasing the level of citizen participation, and decreasing the rate of abstention. Toward these goals, the Electoral Reform Commission was created to report to the Supreme Electoral Tribunal with recommendations to modernize identification documents, electoral registries, and voting procedures; to improve transparency in party publicity and nomination procedures, campaign financing, and media access; to improve public education and information, especially for indigenous communities; and to strengthen the institutional system by professionalizing personnel and increasing the tribunal's budget.³⁸

Unfortunately, all of the reforms mandated by the peace accords that required constitutional amendment fell victim to a tragic demonstration of political obstructionism in May 1999. After being held up for nearly two years in Congress, an unwieldy package of fifty proposed amendments (the accords only required twelve) was passed through Congress in October 1998 and submitted to a national referendum for ratification. The parties and reform advocates did little to educate the public about the proposed reforms, and a right-wing, race-based attack campaign was launched two weeks before the referendum linking the reforms to urban middle-class fears of ceding political power to indigenous peasants.³⁹ The confused and disenchanting population by and large did not vote on the referendum: 81 percent abstained; of the 19 percent of registered voters who placed ballots, 44 percent voted for the reforms and 56 percent voted against. The outcome highlights the rural-urban and ethnic cleavages. Indigenous majority municipalities, almost invariably rural, voted for the reforms; major urban centers voted against.⁴⁰ After the referendum, draft legislation for a law on elections and political parties, mandated by the accords and designed to expand opportunities for participation in the electoral process especially among indigenous groups, was presented in Congress but failed to acquire the necessary majority for passage.⁴¹ The measures required by the terms of the accords on constitutional reforms should increase political participation, but they cannot be enacted until the constitutional amendments have been ratified.

Voter abstention historically has been very high in Guatemala, and this relates to an even prior problem, that voter registration has always been very low. Poor registration rates reflect not only apathy and disenfranchisement but also illiteracy and lack of public information among the poor and indigenous; they also reflect the exclusion of much of the population from the body politic. As of January 2002, roughly 10 percent of the rural adult population lacked identity documentation.⁴² As in El Salvador, both registration and voting are difficult for those in the countryside because they only take place in the municipal centers. These difficulties only compound the distrust of governmental institutions and the disenfranchisement of indigenous communities, discouraging voter participation.

Despite the comprehensive nature of the negotiated reforms and careful attention to electoral institutions, postconflict Guatemala remained arguably the worst case of an underinstitutionalized party system. Not to mince words, this was because important areas of political authority were retained by antidemocratic forces seeking to enrich themselves and undermine the

reform process. The Guatemalan Republican Front (FRG) held both the executive and legislative branches from January 2000 to January 2004. During this period a steady stream of high-level government corruption scandals linked the president, Alfonso Portillo, the president of Congress (and FRG's founder) General Efraín Ríos Montt, members of the presidential security staff, and former and current members of the military high command to organized crime.⁴³ Despite being under investigation for malfeasance and prohibited by the constitution from serving as president, Ríos Montt (a former military dictator who took power in a 1982 coup) manipulated a Constitutional Court decision permitting his candidacy for the November 2003 presidential elections. He came in a distant third in the first round and was placed under house arrest in early 2004. Meanwhile, no institutionalized political party won the December 2003 presidential runoff. The winning candidate, Óscar Berger, led a coalition of center-right forces (GANA) that won a bare five-seat lead over the FRG in Congress. No single party won enough seats to hold a majority; the centrist PAN and center-left UNE formed a coalition that gave them one seat more than GANA, leaving the FRG in a position to hold the legislature hostage by demanding guarantees that Ríos Montt would not be prosecuted for corrupt practices or for crimes against humanity. Of the leading parties, only the FRG maintained an internally cohesive structure and a national presence.⁴⁴ This is not a promising basis for consolidating democracy.

Protecting the Rule of Law in Guatemala

As in El Salvador, the terms of the Guatemalan peace accords restructured, downsized, and constrained the political autonomy of the armed forces. In Guatemala, the army agreed to reduce its force size by one-third (which it did in June 2004, although it only eliminated 2,000 positions, leaving open the possibility of restaffing approximately 10,000), to dissolve its mobile military police force within one year, and to remove itself from internal security functions.⁴⁵ A civilian intelligence agency was to be created under the Ministry of the Interior, and the Defense Ministry's intelligence department, associated with many of the worst offenses of the civil conflict, was required to restrict its operations to constitutionally defined military matters. Language concerning the supervision of private security businesses and national arms control—especially important in the long term to civilian security—was included in the accords. Unfortunately, most of these reforms require constitutional

amendments and were postponed indefinitely by the May 1999 referendum result. A restructured National Civil Police was also created under the Interior Ministry with a target of expanding force levels from 12,000 to 20,000, with professionally recruited agents to be trained at a new police academy.

The restructured civil police were fully deployed in all regions of the country by August 1999. The target of 20,000 civil police was reached, but this was accomplished by not properly training recruits or vetting and retraining former force members. The government opted for rapid deployment at the expense of quality assurance, because decisionmakers believed that the lengthy delays in deploying the new civilian police force in El Salvador had created a window of opportunity for criminal organization. The new civilian police force was also deficient in recruiting indigenous members; as of early 2005 only around 15 percent of all officers were indigenous, and the force is often criticized as unrepresentative of the greater community. Internal oversight and disciplinary mechanisms lack transparency and independence and are incapable of controlling corruption in the force; external oversight is virtually nonexistent.⁴⁶ A police Disciplinary Tribunal was established in January 2004 to address police corruption and abuse. It had resolved a number of the most serious cases by the end of its first year, but the situation continued to worsen.⁴⁷

Despite the relatively efficient deployment schedule, the Guatemalan police have been unable to deal with the postconflict wave of public insecurity. The army uses police inadequacy to justify its continued involvement in internal security, in violation of the peace accord on civil-military relations. Civilian control of the Interior Ministry is also uncertain, as high-level positions are held by former military officials. As of early 2005, Congress has yet to pass the legislation on arms control or private security agencies required by the accords.⁴⁸ With a police force and court system incapable of guaranteeing public security, local disputes are often resolved, and criminal justice dispensed, by extralegal means. For example, eighty-eight lynchings or attempted lynchings by vigilante mobs occurred between July 2000 and June 2001, a number that increased the following year.⁴⁹ In light of the severity of the lynching problem, the UN Verification Mission in Guatemala (MINUGUA, closed in December 2004) launched a public information campaign in December 2002 to combat vigilante justice and promote arms control.⁵⁰ The government's response to lynching (forming a committee and roundtable) has been weak and ineffective.

The crime wave brought a proliferation of criminal gangs, often with either direct or tenuous links to military personnel but with no apparent

political motivation behind their activities. More threatening to Guatemala's fragile democracy, since 1998 there have been documented reports of a resurgence of violence with probable political motives, especially against human rights activists, public investigators and defenders, and members of the judiciary. The number of such attacks grew rapidly in 2002 and 2003, as did unrest among former members of rural civil patrols who were demobilized with the peace but began to reorganize to demand payment for the time they spent impressed into military-controlled local militias. Forming a clandestine network (*cadena*), remobilized former civil patrols have halted commerce on the highways and at one of Guatemala's busiest tourist sites to demand compensation. They have frequently been implicated in lynchings and "social cleansing." Ríos Montt on occasion called on these forces to march on Congress when he needed to flex political muscle.⁵¹ The most effective use of these militias to date took place in July 2003. The Supreme Electoral Tribunal and the Supreme Court had barred Ríos Montt from running for president on constitutional grounds. The Constitutional Court overruled the decision and approved his candidacy; the Supreme Court responded by upholding an appeal and suspending the Constitutional Court's ruling. This resulted in the crisis of July 24–25, when several hundred armed and organized FRG supporters were bussed into Guatemala City, surrounded the electoral tribunal, and rioted through the streets, attacking journalists and offices of human rights and opposition political organizations.

Furthermore, the UN mission found evidence that former URNG combatants were also remobilizing and forming roving criminal posses.⁵² The guerrilla demobilization was completed on schedule in May 1997 and pronounced a success—URNG forces numbered under 3,000, so disarming and resettlement took place efficiently and without much difficulty. However, the process of reintegrating former combatants into productive life suffered for lack of a strategy to provide stable employment and housing. Unabsorbed former URNG and civil patrol combatants began taking up their uncollected arms and adding to the spiraling rates of violent crime, and the civilian security institutions grew more militarized in response, with the government deploying joint police-military units for policing operations, creating a vicious cycle of violence.

Guatemala's administration of justice system was addressed in the accord on constitutional reforms, and these reforms were also held up by the referendum debacle. The agreement called for a constitutional amendment to guarantee free and equal access to justice regardless of language or ethnicity, public defense for the poor, judicial independence, prompt resolution of

cases, and public provision of mechanisms for alternative mediation. It also called for greatly improved training, appointment, remuneration, and disciplinary mechanisms through the Career Judicial Service Act. MINUGUA worked with UNDP and USAID on projects to train the public prosecutor's office on legal procedures and penal reform. The mission assisted the office of the human rights ombudsman with investigative and management procedures and the Interior Ministry with police and prison reform. It also assisted in improving coordination between police and public prosecutors in criminal investigations. Most of these institution-building programs were funded through international donations to the Trust Fund for the Guatemalan Peace Process.

There have been real advances in the amount of Guatemalan national territory covered by local courts, although they remain poorly coordinated. Administrative reforms have taken place at the national, district, and municipal levels to promote career standards, judicial independence, protection of justices, and coordination of the courts with police investigators. Improvements have been most evident at the local level: case processing has been streamlined, and local case management has been made more efficient and less corrupt. But reformed criminal procedure and penal codes have not prevented ongoing occurrences of arbitrary arrest and illegal detentions, and prisons continue to be overcrowded and underresourced, conditions that occasionally result in deadly prison uprisings.⁵³ Reforms to the justice system have been woefully ineffective in overcoming corruption and intimidation (including even assassination of members of the judiciary) and have not lessened the impunity of government and military officials. The investigatory system remains inadequate, largely because investigators often work under death threats and systematic obstruction.⁵⁴

U.S. Foreign Policy in Guatemala

Relations between the United States and the Guatemalan government in the 1980s were very different from U.S.-Salvadoran relations during the same period, primarily because the United States appropriated relatively little direct military assistance for Guatemala. Congress had terminated direct military aid to Guatemala in 1978 in response to human rights violations. Because of this, the Guatemalan armed forces did not become dependent on U.S. funding and training in the way that the Salvadoran armed forces did—and it was the dependence on U.S. military aid that eventually led to the Salvadoran military's subordination to civilian authority and cooperation with the peace process, a fact often noted with derision by the Guatemalan military.⁵⁵

Military aid was reinstated in 1986 following the election of a moderate civilian (Vinicio Cerezo, like Duarte a Christian Democrat) but at low levels relative to El Salvador (US\$34 million in direct military aid between 1985 and 1995).⁵⁶ The Guatemalan armed forces were able to resist becoming dependent on U.S. funding because by the time assistance was reinstated, they had established other arms sources and had developed independent financial portfolios in banking, real estate, and other enterprises.

The effect of the post-cold war shift in geopolitical interests on U.S.-Guatemalan relations was less direct than in El Salvador, but there was a marked increase in the level of U.S. State Department scrutiny and criticism of government human rights abuses under the George H. W. Bush administration. Because of human rights concerns, lethal aid to Guatemala was cut back again, and deliveries were temporarily suspended in December 1990. Appropriations legislation for 1993 prohibited all military aid and required that nonmilitary assistance fund only civilian agencies of government and nongovernmental organizations.

The Clinton administration was proactive in helping to reverse a May 1993 attempted executive coup in Guatemala. It demonstrated its support for the reconstituted democratic government by resuming both military and police training and joint military exercises (although direct military assistance remained suspended).⁵⁷ Two years later, in March 1995, a scandal emerged linking the CIA with a military officer suspected of torture and murder, as a result of which remaining military financing, including officer training programs, was terminated.⁵⁸ Military training was resumed in 1997. Antinarcotics assistance was introduced in 1996 and continues to be the major channel for defense-related appropriations to Guatemala.

Following the trend in nonmilitary assistance to postconflict Central America, priorities vis-à-vis Guatemala are improving the legal system; improving the quality of education and access to it; providing health care for women, children, and rural families; increasing earning capacity for the rural poor; and managing natural resources and conserving biodiversity. Special emphasis has been placed on implementing the peace accords (according to the U.S. State Department, U.S. commitments to support the implementation of the peace accords totaled over US\$260 million between 1997 and 2002) through community assistance, including mental health provision, literacy and scholarship programs, financial support for resettlement programs, and security sector training.⁵⁹ The USAID mission in Guatemala has provided technical training in advocacy to anticorruption, human rights, prodemocracy, women's, and indigenous civil society organizations; it also

provided capacity building through a grants project that worked with a network of twenty-five Guatemalan nongovernmental organizations.

Government corruption became a high-profile issue in U.S.-Guatemalan relations during the Portillo administration, to such a degree that the U.S. embassy expressed its concern in a public forum over the influence of organized crime in the Guatemalan armed forces and police.⁶⁰ Guatemala was decertified as a cooperative ally in the war on drugs in January 2003, owing to frequent allegations that government and military officials were involved in drug traffic and organized crime.⁶¹

To conclude, although the peace process in Guatemala created a somewhat less polarized society, it is not a demilitarized one. Recovery and reconciliation have not advanced much; popular confidence in state institutions, especially the security forces still closely associated with years of violent repression, is very low. Democratic consolidation in Guatemala has been badly hindered by peace spoilers in government and an extremely contentious political system. The number of combatants who were demobilized is significantly lower than in El Salvador, but conditions for peaceful and productive reintegration are worse, and the remobilization of former civil servants is adding to widespread violence and lawlessness. There is a ray of hope, however: the mechanisms for civil sector participation—especially of women and indigenous groups—in designing and implementing the accords gave organized civil society a voice for reform that is unprecedented in Guatemalan history. International assistance programs such as that of the USAID mission are seeking to broaden and deepen citizen capacity. This trend holds out promise for reconciliation and potentially for democratic consolidation in Guatemala.

Political Institutions in Nicaragua

Unlike those of El Salvador and Guatemala, the electoral system in Nicaragua was not controlled by the military before the civil war. Rather, the government was monopolized by a dynastic, personalist dictatorship, established in 1936 by Anastasio Somoza García and ruled directly or indirectly by his sons from 1956 through 1979. The Somozas used patronage and crony networks to control a vast amount of national assets. The economic growth period of the 1950s and 1960s created a new middle class, which began to demand a voice in governance, occasionally forming short-lived and mainly unsuccessful political parties.⁶² However, in the 1970s the oil crisis and resulting global recession reversed the gains of the previous decades; the

emerging middle classes suffered and became even more outraged by the depredations of the Somoza family. Armed opposition movements mobilized throughout the country, and most civil sectors and political organizations had declared their support for the armed opposition by the end of 1978.

The guerrilla forces formally united as the Sandinista National Liberation Front (FSLN) in March 1979; in mid-July they entered Managua. Somoza fled, the National Guard collapsed, and a broad-based junta took charge with the open support of several Latin American governments.⁶³ The initial direction of the junta was social democratic and not aligned with international powers. However, deep ideological divisions between the FSLN faction and the center and center-left members of the junta led to the exclusion of moderates (including future president Violeta Chamorro) from decisionmaking and, within a year, to their resignation. The FSLN directorate gained dominance in the ruling coalition and began to impose socialist central planning modeled on Cuba.⁶⁴ The planned economy was not popular among the productive sectors, from business owners to small farmers, and it was very poorly managed. Assaults on state cooperative farms by bands of armed dissidents began in mid-1981. Within months, the U.S. Central Intelligence Agency had, with assistance from Argentine military trainers, organized the dissidents into a full-scale paramilitary force (counterrevolutionaries, or *contras*), which launched attacks from camps on the Honduran and Costa Rican borders.⁶⁵

The contra war was politically very costly for the Sandinistas. The government declared a state of emergency in March 1982; it lasted until January 1988, reinforcing U.S. assertions that the Sandinista government was an antidemocratic communist dictatorship. The civil conflict so polarized Nicaraguan politics that even when elections were scheduled for November 1984, there could be no civil debate, much less accommodation, between the political opposition and the Sandinistas.⁶⁶ And it cost a great deal in foreign relations. Nicaragua's relationship with the Soviet Union had much the same effect as the Salvadoran government's relationship with the United States: it alienated other Latin American governments, internationalized the domestic conflict by inviting outside intervention, and created a dependence on major power assistance that evaporated with the waning of the cold war. The Sandinistas found themselves virtually abandoned by the Soviet Union in 1988, bankrupt, and with no option but to negotiate with the *contras*. In compliance with the Esquipulas agreement, the government lifted the state of emergency in January 1988, met directly with contra leaders, and signed a cease-fire in March. Elections were held in February 1990, which proved to be transitional. The presidency was won by Violeta Chamorro, candidate of the

National Opposition Union (UNO), a coalition of fourteen disparate opposition parties, a coalition that began to disintegrate soon after the elections.

In El Salvador and Guatemala, civil war was settled through mediated peace talks that at least addressed, if they could not resolve, outstanding sources of conflict. There was no similar negotiation agenda in Nicaragua, and the settlement did not produce agreements mandating reforms that could mitigate further civil conflict. The peace agreements failed to commit the government to a feasible reintegration scheme and failed to specify measures to verify implementation and sanction noncompliance. The signatories to the accords, both the government and the contra leaders, failed to consult with their constituents to ensure that the agreements were acceptable. Even the terms of disarmament and demobilization were not resolved until after the elections.⁶⁷ Combined with corrupt leadership, the lack of a negotiated settlement and reintegration plan goes far in explaining why Nicaraguan politics remained intensely polarized and underinstitutionalized through most of the 1990s.

Once the government and the contra command had agreed on a ceasefire, the Sandinistas and the civilian opposition quickly mobilized their supporters for elections. The contra forces did not participate in the elections, nor were they represented by any of the parties running in the elections, and they had already begun to fragment by the time of the transition. They found themselves with few allies in the UNO government, which was primarily composed of elites from the Pacific Coast bourgeoisie, and eventually the three main contra divisions negotiated separate demobilization deals with Chamorro.⁶⁸

To get the contra factions to disarm, Chamorro made promises to distribute land that her government could not deliver, given the condition of property rights and competing interests from those whose land had been expropriated by the Sandinistas—and whose land claims were supported by the U.S. government. The land transfer policy reflected Chamorro's weak political base and the need to balance the demands of former contra combatants, the farmers displaced from now-privatized state cooperative farms, demobilized Sandinista soldiers, and right-wing members of the UNO coalition. Both Sandinista and UNO officials skimmed inordinate amounts off the top when state assets were privatized. This led to an interesting political realignment over the course of the 1990s, with the upper echelons of parties on both sides making deals to retain their power and assets, to the detriment of their own resentful bases.

The UNO government of necessity focused on economic recovery from the start. By the time of the transition, Nicaragua was US\$365 million in debt to the World Bank and the Inter-American Development Bank alone, and total foreign debt was around US\$11 billion. The government was able to secure over US\$750 million in grants and financing for 1992, but this level of debt could not be managed without assistance from international financial institutions. In order to meet International Monetary Fund and World Bank conditions, Chamorro initiated a major restructuring program that entailed privatizing state assets, shrinking the public sector, deregulating prices, reducing social spending and eliminating subsidies, liberalizing trade and banking, and instituting a “shock therapy” financial stabilization program that managed to bring hyperinflation under control, from 30,000 percent in 1990 to 12 percent in 1994.⁶⁹ In a pattern now familiar throughout the developing world, the macroeconomic achievements of structural adjustments were accompanied by a sharp increase in inequality (the GINI index went from 57 in 1993 to 60 in 1998). Unemployment and underemployment rates quickly exceeded 53 percent—rates that did not improve as growth picked up after 1994.⁷⁰ The combination of raised expectations with the transition and rapid deterioration in living standards produced social instability and soaring crime rates, all of which contributed to the remobilization of former combatants.

In addition to the polarizing effects of the economic program, Chamorro’s ability to promote institutional change was limited by the Sandinistas’ majority in the Supreme Court and strength in the National Assembly. A combination of crises over land rights, structural adjustment, and the rearming of demobilized combatants created an extremely unstable situation by mid-decade. Responding to the instability, in 1995 dissident reformist factions in both the UNO and the FSLN pushed through compromise legislation on constitutional revisions that reinforced checks and balances among the branches of government, placed term limits on the executive, and gave the assembly greater powers in economic and taxation policymaking and the power to appoint Supreme Court justices and the comptroller general.⁷¹

Aside from the severe difficulties associated with recovering from economic collapse, the major impediment to democratic consolidation in post-conflict Nicaragua has been government corruption. Attempts at anticorruption legislation have been unsuccessful.⁷² In January 2000, Nicaraguans were treated to a cynical demonstration of corruption when leaderships on both sides joined forces to consolidate political control and protect their rents. The

heads of the two leading parties, the FSLN and the Liberal Constitutionalist Party (PLC), passed a constitutional amendment that established joint party control of the comptroller general, the Supreme Court, and the Supreme Electoral Council. It manipulated the electoral laws in such a way as to impede third-party competition and was followed by an electoral law revision that placed prohibitive obstacles in the way of registering new parties and even of forming party coalitions. The amendment strengthened presidential immunity from prosecution and provided an automatic seat in the assembly (also with immunity from prosecution) for outgoing presidents and the candidates who place second in presidential elections.⁷³ This was not to prevent hypothetical prosecutions. It was well known at the time that the incumbent president, PLC's Arnoldo Alemán, was embezzling money, later calculated at US\$95 million, from the state. The other signatory to this pact, FSLN leader Daniel Ortega, had been protected by his assembly immunity from prosecution on charges of molestation brought by his stepdaughter. Ortega placed second in the 2001 presidential election and therefore retained his immunity.⁷⁴

The PLC candidate who won that election and took office in 2002, Enrique Bolaños, had run on an anticorruption platform and quickly overturned Alemán's immunity, thus alienating the rest of his party. Alemán faced prosecution and was sentenced to twenty years of house arrest, despite which he retained control of the PLC. The "Ortega-Alemán pact" was reenacted in the summer of 2005 in an effort to regain power using the FSLN's lock on the justice and electoral systems and the PLC's strength in the assembly, prompting diplomatic intervention by the OAS secretary-general and the U.S. deputy secretary of state.⁷⁵

Protecting the Rule of Law in Nicaragua

In Nicaragua, following the 1979 coup, the Sandinista government disbanded the former Nicaraguan security forces (principally Somoza's National Guard) and replaced them with the Sandinista Popular Army (EPS), staffed by FSLN loyalists. A new national police was created under the Interior Ministry; Nicaragua had no history of civilian policing or security independent of the military. The FSLN also created party-controlled militia organizations, neighborhood defense committees, and a number of irregular patrol units, all charged with the defense of the Sandinista revolution. As the contra war heated up in 1981–82, the Sandinistas imposed universal conscription of males between the ages of seventeen and twenty-five, exponentially increasing the size of the army and the military budget. Overall, there was a general

militarization of society, as citizens found themselves impressed into local defense organizations.⁷⁶ When the war ended, 72,000 Sandinista soldiers, 22,500 contras, and 5,000 police officers were demobilized. The total number of demobilized combatants exceeded the total number of civilians employed in formal sectors in Nicaragua at the time.⁷⁷

As discussed in earlier sections, implementation of the peace accords in El Salvador and Guatemala was verified by UN missions that deployed before a ceasefire; these missions monitored human rights, oversaw the implementation of institutional reforms, and verified the demobilization of combatants. By contrast, missions to Nicaragua from the UN and the Organization of American States (OAS) were traditional peacekeeping operations in that their mandates, with the exception of a joint election observation unit, were limited to overseeing the ceasefire and demobilization operations.⁷⁸ The UN operation (the UN Observer Group in Central America, or ONUCA, which was deployed from November 1989 to January 1992) oversaw the demobilization of the contra bases in Honduras and monitored the borders. The OAS mission (the International Commission of Support, or CIAV/OAS, which was deployed from November 1989 to July 1997) verified the much more numerous contra demobilizations within Nicaragua's borders, assisted with the reintegration process, and monitored the 1990 elections. Of the estimated 300,000 weapons that had been delivered either to the contras or the Sandinistas during the civil war, only one-third were collected by the international operations.⁷⁹

Given the lack of jobs or resources available for demobilized combatants, it is hardly surprising that approximately 22,000 former contras and Sandinista Army soldiers remobilized within a year, not as an organized opposition force but as disorganized militias with differing objectives. President Chamorro responded to the remobilization with three general amnesties and forty-one ad hoc side agreements promising a variety of concessions in exchange for arms, including the disastrous land transfer programs (above). Most of the recontras, recompas, and revueltos had disarmed by 1995, but the countryside remained chaotic, and the problems of uncollected arms and unintegrated former combatants led to a 112 percent increase in the rate of violent crime between 1990 and 1995.⁸⁰ Violence linked to former combatants has since declined.

Again, the manner of settling the civil war distinguishes postwar Nicaragua from El Salvador and Guatemala. Whereas the peace accords in the other two cases called for the security sectors to be restructured, their doctrines to be redirected, their leaderships to be vetted, their forces to be

retrained, and their agencies to be placed under civilian oversight, in Nicaragua security sector reform was not negotiated. Nor was it addressed in the demobilization agreements, although a number of former contras were incorporated into the police units in areas that had heavy contra presence during the war. Following the transition, Chamorro left the army and national police under the command of FSLN leaders in a compromise settlement that angered the contra command, many UNO coalition members, and the U.S. government. It led to demands for full withdrawal of the Sandinistas from the security services. A new military code was passed in 1994 that helped establish formal presidential authority over the military hierarchy. The police over time have become less identified with the Sandinistas but have not been restructured, modernized, or professionalized to adequately confront the postconflict security environment of economic crisis, severe unemployment, and weapons proliferation. That said, the extent of violent crime in Nicaragua is much lower than in the other two war-transition countries, and, although inadequately trained, the police force has had some success in adopting community policing techniques.

Concerning justice administration, the 1996 constitutional reforms in Nicaragua gave legislators the power to appoint Supreme Court justices and increase the court's budget, reforms that should have contributed to making the courts independent and less susceptible to corruption. However, the assembly continues to be dominated by party leaders, who wield centralized control over their benches, leading to a biased selection of Supreme Court officials, who maintain control of lower court justice appointments. Despite a great deal of international training and assistance and the creation of an internal inspection commission, the justice system has remained inefficient, unprofessional, undertrained, highly politicized, and very corrupt.⁸¹

U.S. Foreign Policy in Nicaragua

Obviously, U.S. relations with Nicaragua during the 1980s were the opposite of its relations with either El Salvador or Guatemala, in that the United States openly supported the antigovernment insurgency. Once the FSLN were clearly in power in late 1980, the Carter administration attempted to influence the new government through increased economic assistance, sending US\$15 million in emergency reconstruction aid shortly after the revolution and pushing a US\$75 million assistance package through Congress that same year.⁸² When Reagan took office in 1981 with a decisively ideological anticommunist foreign agenda, all economic assistance to the Nicaraguan government was cut off. In November 1981, a national security directive

detailed a program of direct aggression against the Sandinistas and authorized another US\$19.5 million to assist the armed opposition.⁸³

In terms of infrastructure and lost production, the devastation caused by a decade of civil war in Nicaragua was much higher than that sustained by either El Salvador or Guatemala.⁸⁴ Scarce resources were diverted to the defense budget, which absorbed 55 percent of the national budget in 1986–88. A significant portion of Nicaragua's economic collapse of the 1980s is attributable to U.S. activities. Economic sanctions and a trade embargo imposed in 1985 cost Nicaragua an estimated US\$254 million. The administration exerted diplomatic pressure to isolate Nicaragua, recruited other governments to cooperate with the embargo, and vetoed—and successfully lobbied against—World Bank and IDB loans to Nicaragua. The U.S. Department of Defense contributed to the spiraling escalation of hostilities by conducting military exercises just off the Pacific Coast. CIA operations (conducted by CIA personnel, not by Nicaraguan contras) included blowing up oil tanks, pipelines, and transportation and storage facilities; launching helicopter assaults from offshore; and mining harbors.⁸⁵ In December 1982, the U.S. Congress passed an amendment that explicitly prohibited the administration from supporting the overthrow of the Sandinista government. The administration violated the prohibition, and after a full ban on U.S. support for the contras was passed in October 1984, the White House resorted to illegal activities to keep the contras in operation, causing a major public scandal that broke in October 1986 (the Iran-contra scandal). Before the illegal operation was exposed, however, Congress reversed the ban and in June 1986 appropriated US\$100 million in military assistance for the contras.

The most marked shift in Central America policy between the Reagan and the Bush administrations was toward Nicaragua. While the former maintained a determined policy of overthrowing the Sandinista government at any cost, under Bush the objective was to get the costly situation off the foreign policy agenda. The administration came to an agreement with Congress to appropriate US\$66 million in nonlethal assistance for the contras in 1989 and to cut off all funding except for repatriation assistance after that. Foreign aid to Nicaragua was rechanneled to promotion of democratic institutions (especially strengthening opposition parties) leading up to the February 1990 elections. Following the 1990 transition, the United States restored normal diplomatic relations with Nicaragua and expressed its support for the Chamorro government with a rapid and significant increase in financial assistance.

However, economic aid was cut back as sharply for fiscal year 1992 in order to pressure the government on two priority items: unresolved private

claims to property that had been expropriated by the Sandinista government, and continued Sandinista dominance of the military and police. US\$104 million of the appropriated economic assistance budget was withheld. It was released in 1994 on four conditions: that a human rights code of conduct be imposed on the military and police forces, that efforts be made to reform the judicial system, that outstanding claims to expropriated land be resolved, and that the USAID monitor the use of all assistance to prevent corruption. During this time members of Congress further complicated relations by making an indirect association between a May 1993 explosion in Managua (of a weapons cache containing false identity documents) and the February 1993 World Trade Center bombing. Members of Congress cited the explosion as evidence that Sandinistas were involved in international terrorism and conditioned economic support funds in the 1994 budget on investigations into Sandinista relations with international terrorist groups.⁸⁶

Current priorities for U.S.-Nicaraguan relations are promotion of human, intellectual, and property rights; civilian control of military and police; interdiction of transborder criminal activity such as narcotics traffic, illegal alien smuggling, and international terrorist and criminal organizations; reforms to the judiciary; and governance issues, especially electoral transparency and anticorruption. Claims to expropriated lands continue to be an issue in U.S.-Nicaraguan relations, although the U.S. State Department annually waives the 1994 legislation, conditioning assistance on resolution of those claims. A total of US\$93 million was appropriated in 1999–2001 for Hurricane Mitch reconstruction.⁸⁷ Between 1990 and 2002, the United States provided Nicaragua with US\$260 million for debt relief and US\$450 million for balance of payments support. Since 2000, U.S. assistance programs have focused on government transparency, sustainable growth, primary education, and food assistance for families. An important thrust of the governance program is increased citizen participation in decisionmaking; in 2001 USAID granted a total of US\$6.2 million to the Supreme Electoral Council to train a consortium of civil society organizations in election monitoring and analysis.⁸⁸

In sum, the crippling legacies of Nicaragua's civil war are not uncontrollable violent crime, ineffective public security systems, and highly polarized electoral politics, as in the other two cases, or residual authoritarian leadership and societal militarization, as in Guatemala. The lack of negotiated reintegration mechanisms and institutional reforms in Nicaragua left the country vulnerable to remobilized political violence during the years following the

end of the civil war, and crime rates rose precipitously during the mid-1990s. However, even given underreporting of crime, violent crime is now considerably lower than in the other two countries. The government has pressed forward with efforts to reform the justice administration system, and civil organizations have mobilized to address the problem of government corruption. The major obstacles to governance in Nicaragua reflect unconsolidated democratic norms and institutions, seen especially in the corruption and the cynical manipulation of power among political elites and in the destruction to the economy and national infrastructure caused by the war.

Conclusion

It is now a decade since the civil wars in Central America have ended, but the sustainability of the peace must remain on the U.S. foreign policy agenda. Spillover issues from poor state performance—unimpeded narcotics traffic, money laundering, and transnational organized crime, often involving corrupt government and military officials; the steady stream of immigrants from Central American countries—all have clear national security ramifications. U.S. Coast Guard, Navy, and Army resources are engaged in protecting U.S. borders from drugs and other contraband transshipped through Central America. The possibility of political instability in the region increases the likelihood that internal violence will cross borders and create a new flood of refugees. Political instability also poses a threat to U.S. commercial and financial interests in the region: we are partners in a regional trade agreement (CAFTA), El Salvador has tied its fiscal policy to that of the United States by dollarizing its economy, and U.S. textile and other product manufacturers have plants throughout the region. If the United States had a vital national interest in stability in Central America during the 1980s, it is even greater now, with increased levels of transnational crime and with the regional integration that has directly or indirectly linked the Central American economies with the U.S. economy.

The postconflict political context in El Salvador, Guatemala, and Nicaragua is less restricted, less violently conflictual, and more plural but—especially in Guatemala—still precarious. Poor government performance plays out in different ways in these countries, but it shares a common source: the democratic institutions have not overcome the legacies of social and political exclusion enforced by a repressive state, even where reforms to those institutions have been enacted through peace accords. The major obstacles to

better governance are extreme political polarization, continued fragmentation of political parties and other systems for representation, corruption and authoritarian tendencies of political leaderships, mismanagement and corruption in the administration of justice and the police forces, and the lack of societal confidence in state institutions.

One obvious lesson from this study is that although negotiated peace accords can facilitate the process of institutional reform, they do not guarantee that the parties will comply with their agreements. International assistance programs for postconflict states that are not under a form of transitional authority (as was the case in Cambodia, Bosnia, Kosovo, and East Timor) must work within the limitations imposed by the country's domestic politics, and donor states should not have inflated expectations of their ability to influence the process. International assistance programs can make inroads but will not be able to unblock obstacles created by resistant and corrupt elites. And while it is often essential to a program's success to have international donors schedule their assistance so that it is conditional on compliance with reforms, this may not be feasible in cases where withholding funds would threaten other important objectives, such as not further destabilizing a shaky government at a critical juncture.

What are the implications of this study for U.S. policy? At the broadest level, should the United States become involved in civil conflict or "regime change" in other countries, the government must plan to stay the course in the postconflict period and focus assistance on strengthening democratic institutions through agencies such as USAID's democracy and governance program and the National Endowment for Democracy. Aid programs should work with the political parties to create internal mechanisms to ensure their accountability to the electorate; work with local nongovernmental organizations on grassroots voter education and programs to encourage participation in the electoral system; strengthen legal training and oversight agencies in justice administration; and work with local police forces on internal and external oversight. More so than in the lower-income but not war-transition poorly performing states, assistance programs must be designed with a very long timeline to account for necessary reconstruction—not only of the physical and economic infrastructure but also of the weakly consolidated public institutions and of the still-disrupted community networks. And special attention in all cases must be given to arms registration and collection.

Public security and rule of law in general is a product of the proper functioning of a system of agencies and institutions, including police who walk neighborhood beats, police investigators, public prosecutors and public

defenders, local courts, the national attorney general, national and constitutional courts, and prisons. Lowering violent crime significantly in poorly performing states requires focused, systemic, long-term assistance to the security sector and justice administration systems plus intervention at the community level to provide mental health and conflict mediation services. Unfortunately, these kinds of programs receive much less public support than the draconian anticrime laws of El Salvador, the vigilante justice of Guatemala, and the death-squad-like social cleansing operations in both countries.

An important consideration when assessing the U.S. foreign policy implications of poor government performance in war-transition states is that U.S. country assistance priorities will vary according to a number of factors not necessarily related to conditions on the ground: at the planning stage priorities will vary with the interests of the current administration; at the mission level priorities will vary with the nature of local partners, the latest mandate from Washington, budgetary considerations, and diplomatic pressure. Even with the best of intentions, U.S. assistance priorities may not reflect local needs. Given budgetary restrictions and political sensitivities, USAID programs should be commended for moving into areas that were not originally part of the development agenda, such as electoral and governance reform. Noteworthy in this regard are USAID/El Salvador's efforts to increase popular access to justice; USAID/Guatemala's program to professionalize civil advocacy organizations; and USAID/Nicaragua's efforts in voter education and mobilization and in political party development. The following recommendations recognize those achievements.

—Justice system reform: experience shows that piecemeal training for individual agencies does not result in improved performance over the long term. Those who design justice administration programs should take a systematic approach to needs assessment that takes the full justice cycle into account: programs should recognize that each phase of the system is an interacting part. One focus should be citizen oversight boards to ensure professional standards and equal access to justice. Another focus should be professional training at each level of the justice system.

—Police reform: this is a very sensitive issue in relations between outside assistance agencies and host governments, but it is vitally important in any postconflict situation to ensure public security. The Department of Justice's ICITAP assistance in training and providing material to transitional police forces should be encouraged in conjunction and cooperation with local civilian oversight groups. Strengthening internal and external police oversight structures should be a focus of USAID's democracy and governance strategy.

—Electoral reform: these programs tend to focus on monitoring the elections themselves, guaranteeing the security of campaign workers, equal access to media and finance during campaigns, assistance with registration, and training election officials in proper administrative practices. But a consistent level of attention to the electoral system should be maintained during the lulls in the electoral cycle. Voter education and the professionalization of citizen oversight organizations are important channels for reform. This includes working with domestic nongovernmental election monitoring teams between campaigns and building mechanisms to keep civil organizations involved in the electoral system, for example by working with the parties to ensure that they are accountable and responsive to their members.

For assistance agencies, the challenge is to create aid programs with built-in incentives that can effectively induce cooperation beyond the time of the administration that negotiated the deal, beyond the short time horizon and faddishness of assistance programs, and beyond changing geopolitical landscapes and shifting congressional attention. To meet this challenge, program designers must be able to answer some fundamental questions: Can points of leverage be found that would provide incentives for government and business leaders to overcome entrenched interests and equally entrenched corrupt behaviors? Are there civil actors with the capacity (in terms of literacy, skills and expertise, cohesion, trust in public agencies) to cooperate and mobilize for development, to work effectively with international project managers, and to engage in democratic participatory politics? Is there sufficient human capital among organized civil actors to provide alternatives to the current set of political elites? In the aftermath of civil war, the answers to these questions will never be solidly positive, but the process of examining them should lead international assistance providers toward imaginative solutions to some of the most contentious and obstinate problems of war-transition states.

Notes

1. See the Country Classification section of the World Bank's website www.worldbank.org/data/countryclass/classgroups.htm. All three countries are ranked by the UN Development Program (UNDP) as being in the "medium human development" category, with Human Development Index—which ranks 177 countries according to life expectancy, literacy, education, and GDP, with the highest rank being 1 (Norway) and the lowest rank 177 (Niger)—rankings of 104 (El Salvador), 112 (Nicaragua), and 117 (Guatemala). See UNDP, *Human Development Report 2005, International Cooperation at a Crossroads: Aid, Trade, and Security in an Unequal World* (Oxford University Press, 2005).

2. From Inter-American Development Bank Office of Evaluation and Oversight, *Country Program Evaluation El Salvador: 1992–2004* (Washington: 2005), p. i; Inter-

American Development Bank, IDB Country Strategy with Nicaragua (Washington: 2002), p. 8; Inter-American Development Bank, IDB Country Strategy with Guatemala: 2004–2007 (Washington: 2004), p. 20.

3. According to the Inter-American Development Bank, Hurricane Mitch (October 28–29, 1998) killed an estimated 9,000 people and caused approximately US\$6.2 billion in damages; 80 percent of damages were sustained by Honduras and Nicaragua. See Janet Garrido and Kahwa Douoguih, *Responding to Natural Disaster: The Role of the Inter-American Development Bank's Lending in Rebuilding Central America after Hurricane Mitch* (Washington: WOLA and InterAction, 2001). Posthurricane restoration of agricultural production was hindered by a severe drought. Two major earthquakes shook El Salvador on January 13 and February 13, 2001, killed nearly 1,200 people, and left damages of approximately US\$1.5 billion, or 12 percent of GDP. See Jack Spence, Mike Lanchin, and Geoff Thale, *From Elections to Earthquakes: Reform and Participation in Post-War El Salvador* (Cambridge, Mass.: Hemisphere Initiatives, 2001).

4. International Bank for Reconstruction and Development and International Finance Corporation, *Country Assistance Strategy for the Republic of El Salvador* (Washington: World Bank, 2005), pp. 2–3.

5. International Bank for Reconstruction and Development, *Country Assistance Strategy for the Republic of Guatemala* (Washington: World Bank, 2005), pp. 3–8.

6. World Bank, “Memorandum of the President of the International Development Association and the International Finance Corporation to the Executive Directors on a Country Assistance Strategy of the World Bank Group for the Republic of Nicaragua” (Washington: 2002), pp. 3–4.

7. Demographic information is from a 1998–99 national survey, cited in United Nations Verification Mission in Guatemala (MINUGUA), “Report of MINUGUA for the Consultative Group Meeting for Guatemala,” January 18, 2002, p. 6.

8. Transparency International's 2003 Corruption Perceptions Index ranks Nicaragua at 88 and Guatemala at 100 (ranked from least corrupt = 1, most corrupt = 133), although if only presidential theft were considered Nicaragua would rank considerably lower. By comparison, the same report ranks Honduras at 106, Panama at 66, El Salvador at 59, and Costa Rica at 50.

9. The statistics are from Charles T. Call, “Sustainable Development in Central America: The Challenges of Violence, Injustice, and Insecurity,” *Centroamérica 2020 Working Paper 8* (Hamburg: Institut für Iberoamerika-Kunde, 2000), p. 9. It should be emphasized that crime statistics in this region are notoriously unreliable, as police units often lack the facilities to collect the data, the central registries fail to properly aggregate them, and an estimated two-thirds of all crimes are unreported.

10. Luis Romano, cited in Spence, Lanchin, and Thale, *From Elections to Earthquakes*, p. 17.

11. Call, “Sustainable Development in Central America,” p. 36. In the same paper, Call also discusses the pros and cons of importing the democratic policing model; for further information on this question, see Rachel Nield, “Democratic Police Reforms in War-Torn Societies,” *Journal of Conflict, Security, and Development* 1, no. 1 (2001): 21–43; George Vickers, “Renegotiating Internal Security: The Lessons of Central America,” in *Comparative Peace Processes in Latin America*, edited by Cynthia Arnson (Washington: Woodrow Wilson Center Press, 1999).

12. For a comprehensive analysis of the politics of Central America policy, see Cynthia Arnson, *Crossroads: Congress, the President, and Central America, 1976–1992* (Pennsylvania State University Press, 1993).

13. Mark P. Sullivan, *Central America and U.S. Foreign Assistance: Congressional Action* (Washington: Congressional Research Service, December 1994), pp. 3–12.

14. *Ibid.*, p. 3.

15. Remittances in 2002 from Salvadorans working in the United States that were transferred through banks and therefore were counted by the central bank totaled US\$1.93 billion, or 13.6 percent of El Salvador's GDP. See U.S. Department of State, Bureau of Western Hemisphere, "Background Note: El Salvador," September 2003.

16. Enrique A. Baloyra, *El Salvador in Transition* (University of North Carolina Press, 1982).

17. The most detailed account of these events is found in Tommie Sue Montgomery, *Revolution in El Salvador: From Civil Strife to Civil Peace* (Boulder, Colo.: Westview Press, 1995).

18. On the Central American peace process, see Jack Child, *The Central American Peace Process, 1983–1991: Sheathing Swords, Building Confidence* (Boulder, Colo.: Lynne Rienner, 1992). On the dynamics of Salvadoran politics of this period, see Joseph Tulchin and Gary Bland, eds., *Is There a Transition to Democracy in El Salvador?* (Boulder, Colo.: Lynne Rienner, 1992).

19. On the Salvadoran peace process, see Susan Burgerman, "Building the Peace by Mandating Reform: United Nations–Mediated Human Rights Agreements in El Salvador and Guatemala," *Latin American Perspectives* 27, no. 3 (2000): 65–70.

20. "Mexico Agreement," reproduced in *The United Nations and El Salvador, 1990–1995*, UN Blue Books Series, vol. 4 (New York: United Nations Publications, 1995), pp. 167–74.

21. For a detailed analysis of the 1994 elections, see Jack Spence, David Dye, and George Vickers, *El Salvador, Elections of the Century: Results, Recommendations, Analysis* (Cambridge, Mass.: Hemisphere Initiatives, 1994); also see Tommie Sue Montgomery, "Good Observers, Bad Leaders, and Ugly Politics: Observing Elections in El Salvador," paper prepared for the conference "Multilateral Approaches to Peacemaking and Democratization in the Hemisphere," Miami, April 1996.

22. Cited in Spence, Lanchin, and Thale, *From Elections to Earthquakes*, p. 6.

23. Miren Gutiérrez, "Central America, the Caribbean, and Mexico," in *Transparency International Global Corruption Report, 2001*, edited by Robin Hodess (Berlin: Transparency International, 2001).

24. Spence, Lanchin, and Thale, *From Elections to Earthquakes*, pp. 4–5.

25. My thanks to Pamela Starr for these clarifications.

26. For details of the training and deployment of the new Salvadoran police force, see Gino Costa, "The United Nations and Reform of the Police in El Salvador," *International Peacekeeping* (Autumn 1995); William Stanley, *Protectors or Perpetrators? The Institutional Crisis of the Salvadoran Civilian Police* (Washington: WOLA and Hemisphere Initiatives, 1996); William Stanley and Charles T. Call, "Building a New Civilian Police Force in El Salvador," in *Rebuilding Societies after Civil War: Critical Roles for International Assistance*, edited by Krishna Kumar (Boulder, Colo.: Lynne Rienner, 1997).

27. Spence, Lanchin, and Thale, *From Elections to Earthquakes*, pp. 17–22.

28. Gutiérrez, "Central America, the Caribbean, and Mexico," pp. 153–54.
29. International Bank for Reconstruction and Development, "El Salvador: World Bank Approves \$18 Million to Support Judicial Modernization," News Release 2003/043/LCR, August 1, 2002.
30. See especially Margaret Popkin, *Peace without Justice: Obstacles to Building the Rule of Law in El Salvador* (Pennsylvania State University Press, 2000); also Margaret Popkin, with Jack Spence and George Vickers, *Justice Delayed: The Slow Pace of Judicial Reform in El Salvador* (Washington: WOLA and Hemisphere Initiatives, December 1994); and Call, "Sustainable Development in Central America."
31. Susan Burgerman, *Moral Victories: How Activists Provoke Multilateral Action* (Cornell University Press, 2001), chap. 4; Arnson, *Crossroads*, chaps. 3–6.
32. James K. Boyce and others, *Adjustment toward Peace: Economic Policy and Post-War Reconstruction in El Salvador* (San Salvador: UN Development Program, 1995).
33. Sullivan, *Central America and U.S. Foreign Assistance*, pp. 6, 9–10.
34. U.S. Department of State, "Background Note: El Salvador" (September 2003); Spence, Lanchin, and Thale, *From Elections to Earthquakes*, pp. 34–37.
35. Héctor Rosada Granados, "Parties, Transitions, and the Political System in Guatemala," in *Political Parties and Democracy in Central America*, edited by Louis Goodman, William LeoGrande, and Johanna Mendelson Forman (Boulder, Colo.: Westview Press, 1990); Thomas P. Anderson, *Politics in Central America* (New York: Praeger, 1988); Robert H. Trudeau, *Guatemalan Politics: The Popular Struggle for Democracy* (Boulder, Colo.: Lynne Rienner, 1993).
36. Jim Handy, "Resurgent Democracy and the Guatemalan Military," *Journal of Latin American Studies* 18, no. 2 (1986): 383–408; Susanne Jonas, *The Battle for Guatemala: Rebels, Death Squads, and U.S. Power* (Boulder, Colo.: Westview Press, 1991).
37. Burgerman, "Building the Peace by Mandating Reform," pp. 72–77.
38. UN General Assembly, "Agreement on Constitutional Reform and the Electoral Regime," A/51/776, December 7, 1996.
39. David Holiday, "Guatemala's Precarious Peace," *Current History* 99, no. 634 (2000): 80–81.
40. MINUGUA, "Report for the Consultative Group," p. 2.
41. UN General Assembly, "United Nations Verification Mission in Guatemala, Report of the Secretary General," A/58/267, August 11, 2003, p. 3.
42. MINUGUA, "Report for the Consultative Group," p. 3.
43. For an exhaustive analysis of these scandals, see Rachel Sieder and others, *Who Governs? Guatemala Five Years after the Peace Accords* (Cambridge, Mass.: Hemisphere Initiatives, 2002), pp. 7–11.
44. See Rogelio Núñez, "Guatemala ante el nuevo gobierno de Oscar Berger," Observatorio Electoral Latinoamericana, January 13, 2004 (www.observatorioelectoral.org/informes/analisis/?country=guatemala).
45. Adriana Beltran, "WOLA Memo on IMET funding for Guatemala" (Washington: WOLA, May 5, 2005).
46. On Guatemalan police reform, see Rachel Garst, *The New Guatemalan National Civilian Police: A Problematic Beginning* (Washington: WOLA, 1997); Jack Spence and others, *Promise and Reality: Implementation of the Guatemalan Peace Accords* (Cambridge, Mass.: Hemisphere Initiatives, 1998), pp. 30–35; Hugh Byrne, William Stanley, and

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47. U.S. Department of State Bureau of Democracy, Human Rights, and Labor, *Country Reports on Human Rights Practices for 2004* (Washington: Department of State, February 28, 2005) (www.state.gov/g/drl/rls/hrrpt/2004/41762.htm).

48. MINUGUA, “Report for the Consultative Group,” p. 18, and reiterated in subsequent reports.

49. UN General Assembly, “Twelfth Report on Human Rights of the United Nations Verification Mission in Guatemala,” A/56/273, August 8, 2001, p. 9; MINUGUA, “Report to the Consultative Group Meeting for Guatemala,” May 8, 2003. For a geographic breakdown of lynchings, see MINUGUA, “Los Linchamientos: Un Flagelo Que Persiste,” Verification Report 16 (July 2002).

50. Scott Hartmann, “MINUGUA Campaign Targets Problem of Lynchings,” UN Wire, December 13, 2002.

51. See especially Angelina Snodgrass Godoy, “Lynchings and the Democratization of Terror in Postwar Guatemala: Implications for Human Rights,” *Human Rights Quarterly* 24, no. 3 (2002): 640–61; David Gonzalez, “Fighters Demands Open Old Wounds in Central America,” *New York Times*, August 19, 2002, p. A1; Danilo Valladares, “FRG es responsable,” *Prensa Libre*, October 4, 2002.

52. MINUGUA, “Report for the Consultative Group,” p. 5; Cynthia Arnsen and Dinorah Azpuru, “From Peace to Democratization: Lessons from Central America,” paper prepared for the Woodrow Wilson Center for International Scholars, Washington, March 2002.

53. Department of State, *Country Reports on Human Rights Practices for 2004*; General Assembly, “United Nations Verification Mission in Guatemala, Eighth Report of the Secretary General,” pp. 6–8; MINUGUA, “Report for the Consultative Group,” pp. 16–18; Sieder and others, *Who Governs?* pp. 32–36.

54. See UN General Assembly, “United Nations Verification Mission in Guatemala, Eighth Report of the Secretary General.”

55. See Burgerman, *Moral Victories*; Lisa Martin and Kathryn Sikkink, “U.S. Policy and Human Rights in Argentina and Guatemala, 1973–1980,” in *Double-Edged Diplomacy: International Bargaining and Domestic Politics*, edited by Peter Evans, Harold K. Jacobson, and Robert D. Putnam (University of California Press, 1993), p. 336.

56. This does not include covert funding through the Central Intelligence Agency or through security supporting assistance and economic support funds, both of which were significant sources of support for the military.

57. Human Rights Watch, *Human Rights in Guatemala during President de León Carpio's First Year* (New York: 1994), p. 114.

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59. U.S. Department of State, Bureau of Western Hemisphere, “Background Note: Guatemala,” May 2002; U.S. Department of State, “Background Note: Guatemala,” September 2003.

60. Julieta Sandoval, “Preocupa influencia de grupos paralelos: Diplomático de EE.UU. se reúne con Efraín Ríos Montt para tartar varios temas,” *Prensa Libre*, August 3, 2002.

61. David Gonzalez, "Graft Aggravates Woes Plaguing Central America: Guatemala's Plight Especially Severe," *New York Times*, February 25, 2003, p. A3; also see UN General Assembly, "United Nations Verification Mission in Guatemala, Eighth Report of the Secretary General," p. 4.

62. Virgilio Godoy Reyes, "Nicaragua, 1944–1984: Political Parties and Electoral Processes," in *Political Parties and Democracy in Central America*, edited by Louis Goodman, William LeoGrande, and Johanna Mendelson Forman (Boulder, Colo.: Westview Press, 1990), pp. 179–81.

63. See Jaime Wheelock Román, "Revolution and Democratic Transition in Nicaragua," in *Democratic Transitions in Central America*, edited by Jorge I. Domínguez and Marc Lindenberg (University Press of Florida, 1997).

64. Silvio de Franco and José Luis Velázquez, "Democratic Transitions in Nicaragua," in *ibid.*, pp. 89–91.

65. The majority of contra rank and file was composed of disgruntled agricultural workers from the interior, although the political and military leadership were predominantly former National Guard officers. For demographic and regional analysis of the contra forces, see Deena I. Abu-Lughod, "Failed Buyout: Land Rights for Contra Veterans in Postwar Nicaragua," *Latin American Perspectives* 27, no. 3 (2000): 32–62.

66. William LeoGrande, "Political Parties and Postrevolutionary Politics in Nicaragua," in *Political Parties and Democracy in Central America*, edited by Louis Goodman, William LeoGrande, and Johanna Mendelson Forman (Boulder, Colo.: Westview Press, 1990).

67. These points are made by Rose Spalding, "From Low-Intensity War to Low-Intensity Peace: The Nicaraguan Peace Process," in *Comparative Peace Processes in Latin America*, edited by Cynthia Arnson (Stanford University Press, 1999), p. 41.

68. Abu-Lughod, "Failed Buyout."

69. De Franco and Velázquez, "Democratic Transitions in Nicaragua," pp. 104–06.

70. Figures are from Roland Paris, "Peacebuilding in Central America: Reproducing Sources of Conflict?" *International Peacekeeping* 9, no. 4 (2002): 44–45.

71. David R. Dye, *Patchwork Democracy: Nicaraguan Politics Ten Years after the Fall* (Cambridge, Mass.: Hemisphere Initiatives, 2000), p. 3.

72. See especially Gutiérrez, "Central America, the Caribbean, and Mexico," pp. 154 and 159.

73. Dye, *Patchwork Democracy*, pp. 7–18.

74. See David Gonzalez, "Nicaraguan President Demands Corruption Trial for Predecessor," *New York Times*, August 8, 2002, p. A5.

75. Joel Brinkley, "U.S. Envoy Goes to Nicaragua to Back Embattled Leader," *New York Times*, October 5, 2005, p. A3.

76. De Franco and Velázquez, "Democratic Transitions in Nicaragua," pp. 93–94.

77. Abu-Lughod, "Failed Buyout," p. 45.

78. On the development of multidimensional peacekeeping operations, see Michael Doyle, Ian Johnstone, and Robert C. Orr, eds., *Keeping the Peace: Multidimensional UN Operations in Cambodia and El Salvador* (Cambridge University Press, 1997); Susan Burgerman, "The Evolution of Compliance: The Human Rights Regime, Transnational Networks, and United Nations Peacebuilding," Ph.D. dissertation, Columbia University, 1997.

79. Spalding, "From Low-Intensity War to Low-Intensity Peace," pp. 46–47.

80. *Ibid.*, p. 51; Vickers, "Renegotiating Internal Security: The Lessons of Central America."

81. Dye, *Patchwork Democracy*, pp. 21–26.

82. Peter Kornbluh, "The U.S. Role in the Counterrevolution," in *Revolution and Counterrevolution in Nicaragua*, edited by Thomas W. Walker (Boulder, Colo.: Westview Press, 1991), p. 325; for a detailed look at U.S. policy in Nicaragua during the Carter administration, see Robert A. Pastor, *Not Condemned to Repetition: The United States and Nicaragua* (Boulder, Colo.: Westview Press, 2002); for the Reagan administration's, see Peter Kornbluh, *Nicaragua, the Price of Intervention: Reagan's Wars against the Sandinistas* (Washington: Institute for Policy Studies, 1987).

83. Arnson, *Crossroads*, pp. 75–81; Kornbluh, "The U.S. Role in the Counterrevolution," p. 330.

84. Spalding, "From Low-Intensity War to Low-Intensity Peace," p. 54.

85. Kornbluh, *Nicaragua, the Price of Intervention*.

86. Sullivan, *Central America and U.S. Foreign Assistance*, pp. 11–13.

87. U.S. Department of State, "Background Note: Nicaragua," January 2002.

88. U.S. Department of State, "Background Note: Nicaragua," July 2002.