



# THE TICO TIMES

---

## Remembering the Jesuits: Seeking justice in El Salvador after a quarter-century



*[Norman Stockwell](#)*

11/17/14

In the early morning hours of Thursday, Nov. 16, 1989, a squad of the elite counter-insurgency unit of the Salvadoran Army, the Atlacatl Battalion, entered the grounds of the Universidad Centroamericana José Simeón Cañas, San Salvador's renowned Jesuit university founded in 1965 and known as UCA. When the soldiers left, six leading Jesuit philosophers and educators [lay dead](#), along with a mother and her daughter who had worked on the campus. The crime is remembered today, 25 years later, as one of the most infamous of the civil war that lasted over a decade and killed over 70,000 Salvadorans.

**That terrible morning**

The incident took place on the fifth day of a major offensive by El Salvador's rebels, the Faribundo Martí National Liberation Front, or FMLN, named for the revolutionary leader killed in 1932. The offensive, which took the Salvadoran government and army – [and the United States](#) – completely by surprise, is today seen as the largest military offensive in the history of Latin America. Even as the Cold War was [ending in Europe](#), the proxy war in El Salvador had heated up like never before.

According to a [United Nations Truth Commission report](#): “On the night of 15 November 1989, then Colonel René Emilio Ponce, in the presence of and in collusion with General Juan Rafael Bustillo, then Colonel Juan Orlando Zepeda, Colonel Inocente Orlando Montano and Colonel Francisco Elena Fuentes, gave Colonel Guillermo Alfredo Benavides the order to kill Father Ignacio Ellacuría [rector of the UCA] and to leave no witnesses. For that purpose, Colonel Benavides was given the use of a unit from the Atlacatl Battalion, which had been sent to search the priests' residence two days previously.”

Col. Benavides, an old-school Salvadoran officer who was known by some as “the rammer,” was director of the Military Academy, located near the Jesuit university. Benavides was considered extreme, even by his colleagues. Lt. Ricardo Espinoza related in an extrajudicial statement that when he had raised a question, Benavides had said, “It's them or us.” Benavides referred to the priests as “the intellectual authors who have directed the guerrillas for a long time,” according to a separate statement by 2nd Lt. Gonzalo Guevara.

Espinoza also reportedly requested a stick of camouflage grease that night to conceal his face, because he had attended the Externado San José Jesuit high school when Father Segundo Montes was its principal.

A commando unit of 47 members, the Atlacatl Battalion – created as a “rapid-response” force in 1980 at the School of the Americas while the school was located in Panama – had been assigned to the academy at the beginning of the offensive, following a training session held on Nov. 10 at their barracks in Sitio del Niño by 13 members of U.S. Special Forces sent from Ft. Bragg, North Carolina. Seven of those later indicted for the murders had attended this training session, and 19 of the 27 officers accused of participating in the killings were graduates of the [School of the Americas](#), now called WHINSEC, located in Ft. Benning, Georgia.

But no one knew these things on the morning of Nov. 16. After a government-imposed curfew lifted at 6 a.m., [Mary Jo McConahay](#) and a group of fellow journalists set out to begin their day of coverage of the military offensive raging throughout El Salvador's capital city. She remembers when they first heard the news: “We went back to the Hotel Camino Real, where the news offices were, to see what was happening elsewhere, and someone from the Jesuit Refugee Service approached me, ... and he said they killed Ellacuría. This Jesuit Refugee Service volunteer had not seen any bodies. He just had the message. So we went [to the priest's residence at the UCA], ... and on the grass were what appeared to be bodies covered with a white sheet, with what appeared to be blood seeping through the sheets.”

McConahay was the only print journalist on the scene; her colleagues were radio reporters, and Father José María Tojeira, who was the provincial of the Jesuits of Central America, took her

inside the residence. “There I saw, in the hall, ... it’s a very small building with bedrooms facing, I saw smears that looked as if something had been dragged that was bleeding on the floor, and I saw one body of a man, and [Tojeira] said to follow him and I saw another. Both looked as if they’d been shot, and they were on the floor. And then he said, ‘There’s more,’ and he took me down to the room where ... Julia Elba and Celina were, and we stopped at the door. The door was open. The women were ... kind of crossed against each other. Elba, the mother, had her legs across. ... They had both fallen, of course, but backward, and the woman looked to me as if she had been protecting the girl. And I wrote in my notebook, ‘Blood to the roof.’”

Even for a veteran journalist who had seen a great deal of fighting and death, McConahay remembers being profoundly affected by the scene: “At that time, my own daughter was 3 years old. And I was looking at this mother who could not protect her daughter. And it ... almost overwhelmed me, and I had to tell myself, ‘You’re here for a reason, you’re the only journalist seeing this.’”

“We walked back up, and right at that moment a Salvadoran photographer [Iván Montecinos] arrived, and I said, ‘Father, you’re going to have to take the sheets off the bodies,’ and he looked at me in what I can only call alarm, and then he said, ‘You have to promise me, these pictures will get to the Jesuits.’ And I said, ‘Father, I can promise you in a few minutes these pictures will be going around the world.’”

News of the massacre spread rapidly around the world. McConahay’s own report was published that afternoon in San Francisco. The news also reached a team of medical experts meeting in nearby San José, Costa Rica. Dr. Robert H. Kirschner, a noted forensic pathologist and co-founder of the University of Chicago Human Rights Program, who died in 2002, Dr. Clyde Snow, the forensic anthropologist who helped identify the remains of Nazi war criminal Josef Mengele and who died on May 16 of this year, and Dr. John J. Fitzpatrick, a diagnostic radiologist, now retired, were giving a lecture on their work with the remains of victims of Argentina’s “dirty war” when they got the news. Dr. Fitzpatrick remembers: “We were lecturing there at the time. I’d gone to town shopping. And Clyde had stayed behind when the news of the murder came through, and he told Sonia Picado [then vice-chair of the Inter-American Court of Human Rights]. Clyde said he’s got the whole team here, we’ll go and look at it.”

In a 1989 interview, Dr. Snow explained, “The mission was not so much to investigate, helping out in the investigation, this is of the El Salvadoran governmental people, judiciary, but to evaluate the conduct of the medical-legal aspect of the investigation. In other words, kind of look ... over their shoulders to see if, you know, to provide the Jesuits with some assurance that the investigations were being carried out in a competent and fair and objective and scientific manner.”

Fitzpatrick continued: “We left Costa Rica in the dark, and that day, they [colleagues at the IACHR] said, ‘It’s dangerous, you don’t have to do this.’ We all volunteered to do it. And our liaison for the AAAS [[American Association for the Advancement of Science](#)] at that time, said, ‘Well, I can’t guarantee you can. ... Who’s going to pay for this? [We said], ‘We’ll pay for it ourselves.’ So we flew to El Salvador and ... the three of us waited at the airport. We were watching the cabs go in and out of town with a white flag, and nobody came to get us. And

Kirschner was happy because he didn't want to take a helicopter, because he was afraid it would get shot down. And I had been in Vietnam and I wasn't exactly excited about being in a convoy. But we took a cab into town and got to the embassy somewhere I think around noon, and [an embassy staffer] said, 'Oh, I was looking all over for you guys!'"

The pathologists only had a day to conduct all of their work. Dr. Fitzpatrick remembers: "We had a couple of embassy people drive us around. We finally found out that the Jesuits had the bodies at a local [medical] school, and they were not refrigerated. So we examined the bodies. And the United States government said, 'Everything, ... all the resources of the United States are at your disposal. ... If you want to fly them up to the States or whatever it takes, we'll help you.' But the head of the Jesuit Order said, 'No, all the people are dying in the streets and it wouldn't be proper if the priests get special treatment.' They wanted to bury them the next day, so there was no way that we could do formal forensic autopsies. The InterAmerican Court of Human Rights had given me a package of X-ray film for radiographing the bodies, but we couldn't get to any facilities, and you couldn't do it at nighttime [because of the ongoing military offensive]."

### **Blaming the left**

As the soldiers left the grounds of the UCA that Thursday morning, they placed a sign blaming the leftist guerrillas for the murders. "The FMLN Carried Out This Execution Against Enemy Spies. Conquer or Die!" read the crude cardboard sign. Later that day, the armed forces issued a press statement [making similar claims](#). Local right-wing radio stations [echoed the accusations](#). But it was the efforts by the right in the United States to assign similar blame that seemed most outrageous.

On Nov. 28, Reed Irvine, founder of the conservative media watch group "Accuracy in Media," lectured in Madison, Wisconsin. Irvine, who died in 2004, told a University of Wisconsin audience that, "Here we've got these priests over at the University of Central America, and they've turned on us [speaking as if he were the FMLN leadership]. Now they're telling us, ... they've gone over to [President Alfredo] Cristiani and they're telling us to lay down our arms. ... But what an opportunity. If we waste these guys, they're going to blame it on the right. ... We'll see, I mean, our friends in the media will see that that's blamed on the right-wing death squads. So, we're going to come out smelling like roses on this thing. Possible scenario. Is it possible? It makes sense. [It would] make sense for them to do it."

Irvine, who previously devoted a special issue of his magazine AIM Report to criticizing New York Times reporter Ray Bonner, went on to cite the work of Dr. Kirschner as evidence for his claim: "So I find this, ... there's a medical examiner, a deputy medical examiner in Cook County, [Chicago] by the name of Kirschner, who was asked by the church to go down and examine these bodies. And he did. He went down and he examined these bodies, and said, 'No torture. No mutilation.'"

When asked in early December 1989 about Irvine's assertions, Dr. Kirschner explained that while he had spoken with Accuracy in Media, he had attempted to make clear that the findings [were still preliminary](#) and not conclusive.

Dr. Snow concurred, saying, “Our report was a preliminary report, and the final report will not be issued until we have received all of the final autopsy reports, seen photographs, ... autopsy photographs, maps and, you know, all of the documents pertaining to the medical-legal aspects of the investigation.”

After viewing photos of the bodies in situ, provided by WORT radio, along with an analysis by University of Wisconsin forensic pathologist Dr. Robert W. Huntington, both doctors provided a nuanced view. Dr. Kirschner said, “The fact is that they all were killed by multiple gunshot wounds and there’s ... no obvious evidence of torture or mutilation, although I guess we should qualify that in consideration of what somebody, ... somebody raised the question that if you keep shooting at a body after it’s dead, isn’t that mutilation? And the answer is yes, you can consider that mutilation.”

Dr. Snow concurred: “I agree with you. ... You know the point that you’re making about the postmortem mutilation. You’re saying the shooting of priests’ brains out is dehumanizing. Well, you know, as far as I’m concerned shooting anyone’s brains out is dehumanizing. And, the point is, ... we’re probably never going to know unless they catch the guys.”

### **Massive funeral**

Joseph Mulligan, S.J., a priest from Michigan who lives and works in Managua, Nicaragua, recalls hearing the news very soon after the murders. “We first heard about the massacre on the morning of the 16th of November, 1989, when a few of us from our Jesuit community were going to take part in a demonstration protesting U.S. military aid to the government of El Salvador. And when we arrived at the embassy, we learned the horrible news that six Jesuit [priests] and two women had been killed. And so we sort of suspended the demonstration. Then, that afternoon, we had a huge demonstration in front of the U.S. Embassy. ... About six of us Jesuits applied for a visa to go to El Salvador to the funeral, and we got the visas and we went, and it was just an overwhelming experience to see first the eight coffins lined up in the chapel – because the six Jesuits and the bodies of the two women were still there. Later on, the family decided to bury the women in their hometown, and then the six bodies of the Jesuits were buried in crypts in the walls of the chapel of the UCA. It was ... just an amazing, horrible scene, and yet there were huge multitudes of people there, and the funeral was really a celebration of their commitment, and of their struggle for justice, and their prophetic stance as modern-day prophets denouncing oppression, denouncing the exploitation of the poor and the violations of human rights by the government.”

Today, 25 years later, Mulligan regularly lectures to students and community groups on what he saw that day. “I also have a picture in my slide show of the U.S. ambassador in there [at the funeral], and that’s very ironic, in a way, because the U.S., of course, was in great part responsible for what had happened, and in large part responsible for all the repression and horrible massacres that had been taking place in El Salvador by training Salvadoran troops at the School of the Americas and other local training programs that the Special Forces conducted in Central America. And of course supplying the money for the bullets and bombs and the tanks and all that. The ambassador was there, and then President Cristiani was also there,” he said.

Mulligan left directly for the States after the funeral to provide information and raise awareness about the massacre. “I remember it was a little iffy there, a little risky at one point when I had about 12 rolls of film. . . . We had to wait for the curfew to be lifted after 6 a.m., and a number of us left from the Jesuit community that we were staying in, and left to go to the airport, and I had these 12 rolls of film in my suitcase.

“Well, the military stopped us, had a routine check, since the whole place was under martial law. And they found all these rolls of film in my bag, and I thought, ‘Well, this could be the end of those films and maybe the end of me.’

“They asked, why did I [have the film], . . . and I said, ‘Well, I’m a tourist, you know, I take a lot of pictures.’ But I didn’t have a camera. They didn’t see any camera in the bag. I guess they didn’t notice that. Fortunately they just let us go. But then the other Jesuits in the vehicle said, ‘Let’s divide up those films so that nobody is seen having 12 rolls of film in his bag.’ So we did that.

“We divided them up and then when we got to the airport, we put them all back in my bag. And when I got to Washington, I got them developed, and I was afraid that whoever did the developing, a commercial shop, would have noticed these and reported it to the police. But we didn’t have that complication. No, they just developed those and then we started circulating them around.”

And, it was in fact from those photos that WORT obtained copies and provided them to the forensic pathologists Kirschner and Snow.

### **Primary witness to the crime**

The Salvadoran military quickly moved to close ranks to protect the identities of the killers. Initial testimony from soldiers stationed near the UCA that they had seen members of the Atlacatl Battalion in the area was changed or forgotten. Logbooks from the military school that documented comings and goings were destroyed.

But the wall of silence cracked when two very different witnesses came forward. The first was a woman who worked at the university cleaning offices, Lucía Barrera de Cerna. Jesuit Provincial José María Tojeira relates in a [newly released book](#) that Lucía had come to his house at 6:40 a.m. on Nov. 16, together with Obdulio Lozano, the husband of slain Elba Ramos, to inform him of the murders. “It was the soldiers, Father. I saw them,” were her words.

Lucía, her husband Jorge and their 4-year-old daughter had spent the night in a small cottage near the Jesuit residence to avoid gunfire in the neighborhood near their home.

Lucía and Jorge testified to the Salvadoran judge investigating the case, and then, in a complicated international effort, they were taken to the United States for further questioning.

Father Paul Tipton, who died in 2008 and was president of the Association of Jesuit Colleges and Universities, explained in a 1989 interview: “She gave her testimony in the court of Salvador

before the prosecuting judge [under Salvadoran law the judge who hears the case is also the investigator], and she had given her sworn testimony to him before leaving Salvador. She agreed to come forward and to give this testimony, and there was no question that the Jesuits realized that she would be a target for death by doing this.

“Instead of going to the American Embassy, they chose to go to the Spanish Embassy. The problem we have down there, it is very, very clear that our embassy is simply not trusted down there. And so, she was put under the auspices of the Spanish government and, because it happened the French minister for humanitarian affairs was in Salvador at the time, a French military aircraft was there. She was flown out on the French military aircraft and into Miami.

“The American Embassy was only informed of this at sort of the last minute, and I think they kind of made a grandstand at the airport. The American ambassador insisted that one of his people go with them. And so she was accompanied by an American officer of the embassy to Miami, Richard Chidester. He’s the legal officer of the embassy in Salvador. They arrived Thanksgiving night. The first we knew they were here was 10 a.m. Friday morning, when the offices were closed and myself and another Jesuit happened to come by and there was a telex from Salvador from the provincial saying she’s on her way, please meet her.”

Accompanying Father Tipton was New York State 1st Assistant Attorney General Scott Greathead, one of the founding members of Lawyers Committee for Human Rights, now called Human Rights First. Greathead, who is now a partner with a law firm in New York, explains: “When the plane landed in Miami there was a delegation of Jesuits there to meet Lucía and her family, and they were told by Richard Chidester that he had plans to take them to the airport hotel where they were going to meet with FBI agents who were going to conduct a security assessment. And, the U.S. Jesuits who were meeting her had no idea what this was about, but they assumed that it was necessary for Lucía’s protection, and so they consented to that. And they did not see Lucía or her family for another three or four days.

“Unknown to the Jesuits, Lucía spent that three- or four-day period in incommunicado interrogations at the hands of Richard Chidester, an embassy officer, two Spanish-speaking FBI agents, and ultimately, a [colonel] from the Salvadoran Army who made efforts to question Lucía and get her to recant her testimony given to the judge in El Salvador that she’d seen Salvadoran troops there that night. And at the end of this, I think it was a three-day period, after they’d succeeded in getting Lucía to say that what she had told the judge wasn’t true, they handed her over to the Jesuits, and the Jesuits were told that she had recanted her testimony.”

Father Tipton, in his 1989 comments, was outraged at the way the witnesses had been treated. “She’s been in the state for eight days at that point [Dec. 2] completely, we found out later, being held almost incommunicado, ... almost incommunicado, with her husband and child,” he said. “They were interviewed as long as 12 hours a day. ... And they would be separated. This is a simple peasant lady from Salvador. They would be separated, and the attempt was to trip her story up.

“After the third day, she panicked. ... She kept asking to see one of the Jesuit fathers [there had been two Jesuits from the Jesuit community in Miami who had visited with them], and she kept

asking, could she talk to Father Barrera or Father Esquivel, and the FBI told them, ‘Oh, we don’t have their telephone number, and they don’t have a telephone, there’s no way to get in touch with them.’ And so she was kept out of touch with them.

“And so finally, basically, as she told us, ‘I told them what they wanted to hear.’ She almost immediately recanted on that story and said, ‘I’m sorry. That is not true. I lied. I saw what I saw, and what I saw was five soldiers.’ They kept pounding her and pounding her and pounding her, sort of pressuring the questions, and finally she said, ‘Look, I didn’t see anything. Just forget it. I didn’t see anything. Let me go. I want to get out of here. Let me go. ...’

“It was an inhuman manner of interrogation. It was not an interview, it was an interrogation. It was conducted apparently by a Colonel Rivas, who is the chief SIU [Special Investigative Unit] investigator of Salvador, in the presence of two different FBI interrogators who participated in this questioning, in the presence of Richard Chidester, the legal officer of the United States Embassy.”

The SIU consisted of Salvadoran soldiers trained by the FBI, so it is likely that the presence of Col. Rivas was intimidating to Lucía and Jorge. Additionally, according to the U.N. Truth Commission report entitled “From Madness to Hope: The 12-Year War in El Salvador,” “Colonel Manuel Antonio Rivas Mejía, Head of the Commission for the Investigation of Criminal Acts (CIHD), learnt the facts and concealed the truth; he also recommended to Colonel Benavides measures for the destruction of incriminating evidence.”

Greathead concurs: “I was of the opinion that the U.S. Embassy was perfectly capable of deciding that this wasn’t in the interest of [U.S. government] policy to support the Salvadoran military, which was very important to the Reagan administration and at that time the Bush administration, ... and that they may have informed or convinced themselves internally that this peasant woman could not be telling the truth, and she must have been put up to it by somebody. And that, in fact, was what the U.S. ambassador was beginning to say off-the-record to reporters who spoke to me in San Salvador – that she was lying and that she was persuaded to say that by various people in the Salvadoran human rights community. So, I had had that kind of experience with U.S. ambassadors and foreign service officers in the embassy before, and I believed Lucía when she told me how she had been treated, and that she had been forced after three days of really intensive, intensive interrogation. ... You know, I’m in law enforcement, and I know how police investigators can do that – sometimes properly and appropriately when it’s required to get information quickly to deal with a situation that might involve risk to other people, and very frequently improperly, when they just want to solve a crime or accomplish getting a statement out of somebody that they need for one purpose or another. And these guys, I believe, and came to be convinced, were directed to get this woman to admit that she was lying.”

“The reason we Jesuits in the United States are very angry is that the mistreatment of the Cernas effectively has neutralized the only witness who has come forward, and it means probably no other witness will come forward,” Father Tipton [told The New York Times](#) at the time. Reports like this [and others](#) brought then-U.S. President George H.W. Bush to actually respond to reporters’ questions on the issue. According to [transcripts made public](#) from the collections of the George Bush Presidential Library and Museum in College Station, Texas, the president,

speaking at 1:50 p.m. on Dec. 11 to a group of editorial page editors in Room 450 at the Old Executive Office Building, said: “When I read that, I looked into that and am assured that is not the case. ... She was accompanied by a person from the U.S. Embassy. I believe the Justice Department has had the custodianship or taken a keen interest in all of this. And I have confidence that our attorney general would not permit the kind of inquisition process that was alluded to in the papers today.”

### **An unlikely witness comes forward**

A second witness was U.S. Army Maj. Eric W. Buckland. Buckland, who was serving in El Salvador in the Fall of 1989 as a Detachment Commander, 4th Psychological Operations Group, approached his commanding officer, Lt. Col. William Hunter, on Jan. 2, 1990 to say that he had received word from his Salvadoran contact, Col. Carlos Armando Avilés Buitrago, commander of psychological operations for the Salvadoran Army, that the Jesuit murders had been conducted under the direction of Col. Benavides. A series of somewhat unorthodox events followed.

Instead of going to the embassy, where U.S. Ambassador William Walker had offered U.S. protection to any witness who could shed light on the crime, Hunter took Buckland to a meeting with the Salvadoran military, members of which he was accusing: “Lt. Col. William Hunter informed the chief of the United States Military Mission, Col. Milton Menjívar, who arranged a meeting in Col. [René Emilio] Ponce’s office where Buckland and Avilés were brought face to face. Avilés denied having given Buckland such information,” according to the U.N. Truth Commission report.

But in fact, Buckland’s revelations do seem to have been the crucial spur to actually begin a serious investigation, because, the report continues: “A few days after Buckland’s statements were reported, the Minister of Defence established a Special Honour Commission, consisting of five officers and two civilians, to investigate the murders.”

Buckland was then quickly taken from El Salvador and flown to the U.S. to be further questioned by the FBI. That interview [was recorded](#). At this point, he made a variety of additional claims, which he later recanted, essentially making his entire testimony suspect.

Buckland, who retired from the military in August 1999 at the rank of Lt. Col., remains in the employment of the U.S. government in the area of drug policy, but spends much of his time [writing](#) and [lecturing](#) on Civil War history. Speaking last week from his home, Buckland was “reluctant to start picking that scab again.” It was, he explained, “such a lousy experience for doing what I thought was right, ... it took me a long time to get over a lot of the anger I felt.”

Buckland readily admits that he made some mistakes, first in not coming forward promptly, and second in the way he conducted himself during the Jan. 12 interviews with the FBI. But he stands by his [initial testimony](#) of Jan. 2: “The first time when I came forward and testified, or wrote my statement and everything, was in El Salvador. That’s what happened, ... what I relayed there. Then I went up and had a couple of days of session with the FBI, and that’s when I kind of fell apart.”

Buckland admits that some of what he told the FBI in those sessions was incorrect, and that he recanted it on his own, not under pressure: “And there was a lot of noise about how the U.S. government made me recant and everything, which wasn’t true. You know, I recanted on my own.”

Buckland initially said nothing because he considered Aviles a friend and felt he had been told something in confidence. “I waited a couple of weeks after I was told because I thought the Salvadoran government would do the right thing. I thought they knew the right stuff and I thought they would handle it. And I finally said something after, I don’t know, about two weeks when I realized that nothing was happening. That’s kind of when the whole house caved in, when I said something.”

Buckland now feels that Col. Aviles may have been using him to further some sort of career-building agenda. “Upon reflection I have absolutely no doubt that he played me. ... And the more I think about it, ... I think he probably knew that I was obligated as a U.S. officer there to say something, and I probably went out on a limb by not saying something for a couple of weeks because I thought I knew better. I knew it would go ugly as soon as I said something. And it did. Immediately the Salvadorans were damned, you know, collectively – not just the knuckleheads who ended up doing the murders. And then, by association, the U.S. military started taking some hits, and you know, I just knew that was the way it would go. Because I know there were enough people against the efforts and stuff down there that this would be another seed [to grow criticism of U.S. efforts in the country].”

### **Resounding shocks**

The murder of the Jesuits sent a resounding shock throughout the world. Demonstrations were held across the United States. Father Joe Mulligan, together with noted antiwar activist Philip Berrigan, took the issue to the gates of the White House: “I felt right at the time of the funeral that my place was in the U.S. I mean, as a Gringo. ... I’d been in Nicaragua since 1986. But I just felt I had to come back to the U.S. and talk to people in Washington. Talk to friends of the peace movement [and the] Catholic workers movement. I remember talking with people, especially at Jonah House, ... Phil Berrigan, Elizabeth McAllister, and just [wanting] to do something to protest and bring this horrible massacre home to Washington, where a lot of the cause of it really was. So, we organized a small action where Phil Berrigan and I poured blood [a mixture of their own blood and blood from the soil in the garden of the UCA] on the outer gatepost by the sidewalk of the White House. And then we just served the night in jail. That was it. But we felt that was important to show that the blood of the Jesuits and the two women and so much blood shed throughout El Salvador during the whole decade of the ’80s was in great part on the hands of the U.S. government.”

Congressional outrage resulted in hearings and a cut in the scheduled [\\$85 million aid package](#) pending a resolution of the case. Dean Brackley, who died in October 2011, went to San Salvador following the death of his Jesuit colleagues to become a professor of philosophy and ethics at the UCA. In a 2009 interview, he recalled: “I remember in the Bronx where I was, I found out just hours after the killings, and I remember very quickly realizing that this would mean an end to U.S. military aid to El Salvador. We were in bi-partisan slumber at the time, the

official version of the war was prevailing and phones in Congress began to ring off the hook. People were very upset and outraged by this – ‘this is the government we are financing, we are prolonging this war’ – and it became an important force for negotiating peace in El Salvador.”



## Annual protests

Since 1990, protests have been held outside the gates of WHINSEC in commemoration of the murders and in an effort to defund the facility, nicknamed by protesters the “[School of Assassins](#).” In a 1999 interview, Roy Bourgeois, a Maryknoll priest who has been “laicized,” or canonically dismissed for his activism, explained the history: “That first anniversary, back in 1990, we had just a handful of people here and it became a tradition of ours, for the movement, as it began to grow, to come here every November and to call for the closing of the school. And the second year we had about 200 people; the third year about 600. Now, last year [1998], 7,000 gathered here at the main gate of Ft. Benning – using their voices for the voiceless, calling for the closing of this school. And 2,319 crossed the line and entered Ft. Benning in a solemn funeral procession, and everyone was detained shortly, though there were no arrests. However, in the past, some 50 of us have gone to prison for these nonviolent protests. ...

“One good thing about this movement, or any movement for peace and justice, we can all do something. And a lot of people have gone to prison, they’ve written letters, they’ve gone to Washington, they’re coming down here to Ft. Benning to put their feet in front of this huge Army post, and we’re using our voices for the voiceless, as Archbishop Óscar Romero said so well before he was assassinated by a graduate of the School of the Americas.”

In subsequent years, over 20,000 participated in the annual protests. Organizers expect [this year’s protests](#) to be large as well.

U.S. Representative Jim McGovern (D-Mass) has tried for many years to close the school, using the power Congress holds over its funding. After a 2009 speech at the UCA in San Salvador, where he received an honorary doctorate in human rights from the Jesuit university, McGovern

said: “For many years I’ve had a bill to try to shut it down, but the votes aren’t there, and President Obama has not agreed to shut it down. So we’re going to keep on trying. But I did get an amendment to the Defense Bill passed that would force the Department of Defense to publicize the names of the people that go there. I believe that school represents everything that the United States does not want to be thought of around the world, and the sooner we close it the better.”

In October 2009, the U.S. Congress passed joint resolutions in the House and Senate (HR 761 and SR 321), authored by McGovern, [honoring the Jesuits](#) and their social justice work in El Salvador.

### **Annual commemorations**

Each year, at the UCA in San Salvador, a commemoration is held. Events are both religious and cultural, and include a Mass at the cathedral of San Salvador as well as musical performances. In recent years, these have always included the creation of *alfombras*, temporary carpets made from colored salt, flowers and wood shavings in the roadway surrounding the grounds of the UCA. They last only a day and are walked over by the thousands who take part in the candlelight vigil and procession that evening. This year’s commemorations also included a delegation from the Center for Justice and Accountability, an international human rights organization dedicated to deterring torture and other severe human rights abuses around the world. U.S. Rep. Jim McGovern attended as well.

### **Trials and tribulations**

Following Maj. Buckland’s revelations and a subsequent investigation by Salvadoran officials, a trial was held in 1991. Nine soldiers were charged in the murders, but one, Pvt. Jorge Alberto Sierra Ascenio, had deserted the military and fled the country before he could be arrested. The verdict was delivered on Sept. 28, 1991 and only two of the defendants – Col. Benavides and Lt. Yussly René Mendoza Vallecillos – were found guilty of murder. All of the other defendants, including those who had confessed, were acquitted.

A 1993 amnesty law, pushed through El Salvador’s Legislative Assembly just days after the release of the U.N. Truth Commission report, meant that both Mendoza and Benavides were released after serving about 15 months of a [30-year sentence](#).

More than 20 years after the murders, there has been some discussion of revisiting or [repealing the amnesty law](#). With a new president, Salvador Sánchez Cerén, from the FMLN, elected this past March, the question may again arise. Additionally, in the United States, moves by the Clinton administration in 1993 to release 12,000 documents along with several other releases stimulated by FOIA requests and congressional inquiries, have created a rich [trove of information](#) about this case and others that can be used in new investigations and prosecutions.

Most of those connected with the 1989 murders are still in El Salvador – free and unaffected – although [a diplomatic cable](#) recently released by WikiLeaks indicates that as recently as 2006,

Salvador military members whose names were associated with the massacre had difficulty participating in “Operation Iraqi Freedom.”

In a 2009 interview, U.S. Rep. McGovern said: “When it comes to upholding human rights in El Salvador, the problem comes that the United States has had a hand in some of the difficulties down here, and it has made the establishment up there [in the U.S.] a little more reluctant to expose the truth. But we are moving. We have a new president who understands the importance of human rights more than the previous one did, and we’re going to keep pushing.”

In November 2008, [a new case was filed](#), this time in Spain, by the Spanish Association for Human Rights (APDHE) and the San Francisco-based Center for Justice and Accountability (CJA). Some of this trove of documents, [together with others](#) gathered by the late congressman Joe Moakley, have been used to build a strong case against 20 high-ranking former Salvadoran officials.

Almudena Bernabeu, international attorney and transitional justice program director for the CJA and lead counsel of the Jesuit’s case for the center, said: “We filed three cases, four cases I guess altogether, including a case in U.S. courts for the assassination of Archbishop Romero. So I had been spending a great deal of time with the communities, the victims [in El Salvador]. It took a little while, because the Jesuits are not really easy to persuade. But I thought it was the right thing to do. The families were in Spain [five of the slain Jesuits were Spanish citizens]. People in El Salvador were taking CJA, this organization, as a serious organization to sort of carry the legacy of this. ...

“You know, this was a very important case to the people of El Salvador. In their minds it really brought an end to the civil war and precipitated changes and a lot of the things that they are still struggling [for]. So, that’s why we did it. ... The case has been evolving. It’s been an interesting process; long, because these cases are always the longest to investigate, but I’m pretty pleased with the results and where we are today with a lot of hope for the next year.”

A 2008 State Department cable [released by WikiLeaks](#) shows how the Salvadoran government initially attempted to block the trial, and particularly the earlier inclusion of former Salvadoran President Alfredo Cristiani for “covering up crimes against humanity.” Then-Salvadoran President Antonio “Tony” Saca, a member of the same ARENA party as Cristiani, told reporters in November 2008 that “reopening wounds of the past is not the best formula for reconciliation.” Similar words came from Salvador’s Archbishop Fernando Sáenz Lacalle, who said, “Opening this case in another country’s courts won’t help the process of domestic reconciliation.” He went on to emphasize that the case had no place in the Spanish court, stating that, “El Salvador’s affairs should be resolved in El Salvador.”

The Spanish Judge Eloy Velasco did not ultimately choose to include Cristiani in the indictments, but [issued arrest warrants](#) in May 2011 and now is seeking [extradition](#) of the accused [participants](#) in the murders and cover-up.

Former Defense Minister René Emilio Ponce was one of those named in the planning and cover-up, but he died [in May 2011](#) before he could face prosecution. However, a former colonel,

Inocente Orlando Montano, now in his 70s and who was vice minister of public security at the time of the murders, was recently arrested in Boston and is being held for immigration fraud and perjury for lying on his visa application. He is being held in a [federal detention center](#) in Butner, North Carolina, on a 21-month sentence that ends in April 2015.

Unlike the others indicted who are still in El Salvador, since Montano is in the U.S., he could be subject to [extradition](#) to Spain.

Attorney Bernabeu explains: “When you indict these guys you have to issue arrest warrants, and after arrest warrants you have to request the extradition. And that has been done in relation to all the defendants, taking into consideration that 95 percent of them are in El Salvador. Some of them we are still trying to find. And we believe that some of them are in the U.S. and some of them are in other places in Latin America. And then we found Montano in Massachusetts.

“So, the U.S. did apply its laws, and they went through this criminal prosecution for immigration fraud. But in the hearing [we] brought up quite a bit about the Jesuits case, and I think the federal judge who handled the criminal case here in the U.S. was very moved and quite agitated by the amount of evidence and how much there was in relation to the crime and the Jesuits’ assassination, and we have a very solid extradition request against Montano at the Department of State and the Department of Justice. [We are] hoping [they] will approve it and then eventually extradite Montano to Spain to face trial.”

Bernabeu [told the Salvadoran press](#) last weekend that she is optimistic the request will go through.

Father Mulligan concurs: “I hope that would happen because at least that would be one way of getting some more information.”

The case in Spain has already received a great deal of testimony from researchers and experts, including Terry Karl, professor of Latin American studies and political science at Stanford University, and Kate Doyle, researcher for the [National Security Archive](#) in Washington, D.C. They also heard testimony from Lucía Cerna and her husband Jorge via videoconference.

They had not, as of this writing, heard testimony from Eric Buckland. Bernabeu explains: “Because this is a criminal prosecution, we named him as a witness, and we did all our due diligence. We found him ... and we provided all of that information to Judge Velasco in Spain, who, due to the fact that this is criminal prosecution, for the testimony or the deposition to be admissible it needed to be ordered by the judge and granted by the U.S. government. So, he filed the petition, and the Department of Justice through the Department of State answered that he [Buckland] was not in physical and mental condition as sufficient or sufficiently well to provide any objective testimony.”

The response came in a letter dated Oct. 15, 2009 from Mary Ellen Warlow, director of the Office of International Affairs at the Justice Department’s Criminal Division. It clearly states: “... Twenty years later he has no accurate recall of the events. His memory today is not recent. Mr. Buckland does not have anything to add to or supplement his prior testimony. Consequently,

Mr. Buckland refuses to submit to questioning by Spanish authorities. Accordingly, we are closing our file on this matter.”

Eric Buckland, speaking last week, had a slightly different version of the conversation: “A year, or two years ago I think it was, Department of Justice reached out because apparently I had been subpoenaed. ... Some feeler was put out to the Department of Justice for me to come over, and I don’t know if our government plays in that or they recognize it or whatever, but really it was some young lawyer calling for whatever reason to find out if that was me or whatever, and really [she] had no idea what it was about. And I said I have no problem going over and talking. I said, ‘I’m not sure people will like what I have to say,’ but, you know, I have no problem going over at all.”

### **New film, new hope**

“Blood in the Backyard,” a new 30-minute documentary film produced by the California-based Jesuit production company [Loyola Productions](#), premiered this past weekend at the [Ignatian Family Teach-In for Justice](#) in Washington, D.C. The film includes interviews with Rep. Jim McGovern, William Walker, former U.S. Ambassador to El Salvador, and Father Jon Sobrino, S.J., who was on the faculty of the UCA, but was away from the country at the time of the massacre.

Joe Mulligan hopes for positive, structural changes in the spirit of the improvements that the murdered Jesuits sought: “The situation in El Salvador remains abominable as far as the social conditions for the people, and as everybody knows, the crime problems that have arisen in that context with the maldistribution of wealth, the lack of employment possibilities for the youth. ... The revolution during the ’80s was all about making some significant structural changes in Salvadoran society, but the whole system remains basically the same. The struggle that the martyrs gave their lives for and their denunciations of injustice and their denunciations of the maldistribution of wealth is still very much on our agenda in El Salvador and many other places.”

Almudena Bernabeu sees possibility for this change: “I think that my [work] really has been very much guided by the people of El Salvador. ... On the one hand, the communities have suffered, the ones that were oppressed, they went through the civil war, and also the new generations that want to see real change. ... I think that the consolidation of the democracy from a political standpoint at least is clear in my mind. ... Some of the old powers and some of the old alliances between power, money and army are completely gone, and that’s what they want. ... [It’s not] that our case [alone] is going to change El Salvador, but I think it is giving the strength for some public debate to be opened.”

U.S. complicity in the killings still remains unaddressed. In 1989, immediately following the murders, the National Security Archive released documents they had received through the Freedom of Information Act showing that the Jesuits of the UCA had been regularly mentioned by U.S. policy makers all the way back to 1977. And [recently released material](#) shows that U.S. officials were initially not considering the Salvadoran military as possible perpetrators of the crime, rather choosing to blame it on “extremists of the left or right.”

In the weeks following the killings, in November 1989, pathologist Robert Kirschner said: “The more pressure that people can put on our government to put pressure on the Salvadoran government, I think the better, because it’s a . . . question of the will to track down these people and actually bring them to justice. And I don’t think the Salvadoran government will do it of course without the pressure of our government. I think . . . the people down there very strongly feel that they have to find the people that did this. I think that it’s good for the public to keep reminding our government and our members of Congress [to make sure it happens.]”

In November 2009, the FMLN’s newly elected President Mauricio Funes bestowed [the nation’s highest honor](#) – la Orden Nacional José Matías Delgado – on the slain Jesuits, saying that this action represents “removing a thick veil of darkness and lies to let in the light of justice and truth.” Later that weekend, in an interview following Sunday’s Mass in the National Cathedral, Father José María Tojeira, then rector of the UCA, said, “Finally, after 20 years and a change in government, the Jesuit martyrs have recovered their dignity; but it is not just the Jesuits, it is all the victims of our country. We can create a country without victims.”

I remember standing in that courtyard at the UCA in San Salvador in the 1990s, having just returned from a visit to a new community radio station in the town of Victoria, near the Honduran border. I looked down and I could see vividly where each body had been that November morning. But I could also see images of everyday Salvadorans rebuilding their country after a brutal civil war, opening new spaces and creating a new, more just society. A new El Salvador, at peace, requires addressing the crimes of the past, and building forward into the future.

<http://www.ticotimes.net/remembering-the-jesuits-seeking-justice-in-el-salvador-after-a-quarter-century>