

## THIRTY MYTHS ABOUT NICARAGUA

by

W. Bruce Weinrod

I am pleased to have the opportunity today to discuss the U.S. and Nicaragua. Whatever one's policy conclusions concerning the U.S. role, it seems to me that it is important to reach those conclusions with a clear understanding of the facts.

It is with this in mind that I would like to review the current policy debate on the U.S. role in Nicaragua and present to you my thoughts on a number of arguments made by critics of current U.S. policies. One may indeed call at least some of these arguments myths, since they have continued to be believed long after there was even a remote basis of factual justification.

Critics of U.S. policy raise three different kinds of arguments: the first set minimizes the problems in Nicaragua and the challenge they present not only to the U.S., but to Nicaragua's neighbors and its own people. In the second cluster of arguments, the critics cast aspersions on the nature and competence of the people in the resistance forces, often referred to as the "contras." Lastly, many of these critics focus on U.S. involvement and argue that it is in fact the U.S. itself that is responsible for many problems related to Nicaragua.

Let me now examine each set of arguments in some detail.

### PART I: THE NATURE OF THE SITUATION IN NICARAGUA

#### Myth #1: Nicaragua is not a security threat to the United States.

The argument has been repeated countless times that a nation of 3 million can hardly be a threat to the security interests of a great power such as the United States. Of course, no one is arguing that San Diego can be taken by the Nicaraguan military; nonetheless, Nicaragua

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does pose a military and a geopolitical challenge to U.S. security interests as well as a direct threat to the pro-U.S. and anti-Communist democracies on its borders.

### Militarily

o Nicaragua can potentially provide a base for Soviet military operations. An airstrip being constructed at Punta Huete could be used by Soviet Bear and Backfire bombers and other aircraft. Such planes could be used for intelligence and reconnaissance activities against the U.S.; they would also exert a psychological influence by demonstrating to Latin America a growing Soviet presence in the Western hemisphere. The deep port under construction at El Bluff on Nicaragua's east coast could also provide the same kind of submarine base of operations as now provided to Moscow at Cienfuegos in Cuba.

In addition to the shift in the normal peacetime military balance that this would represent, such a Soviet presence would have serious implications at a time of crisis or conflict. Combined with Cuba, already the largest non-U.S. military force in the Western hemisphere, a Soviet-Cuban military presence in Nicaragua would present a real military challenge to U.S. efforts to resupply its forces in Europe or to shift forces from the Pacific to the European theatre. It should be recalled that in the first five months of World War II, the U.S. lost 153 ships to German submarines in the Caribbean; today Soviet submarines are much more capable and less easy to detect than those German subs. U.S. defense officials say that the Soviet-Cuban military capability in Cuba already is sufficient to cause problems for the U.S. If Nicaragua were added to this capability, then at a time of crisis or conflict the U.S. might have to divert significant military resources that otherwise could be directly employed in the protection of our allies in Europe or elsewhere.

o One further implication of this situation should be noted: should the USSR ever attack Western Europe, it is the agreed strategy of the U.S. and its fellow NATO democracies that the employment of nuclear weapons should be avoided if at all possible, and at the least, delayed until the last possible moment. To the extent that the U.S. cannot reinforce its forces, NATO is less likely to be able to delay or block a Soviet conventional thrust into Western Europe. In this situation, the U.S. would be forced to consider utilizing tactical nuclear weapons at perhaps a significantly earlier point than would otherwise be the case. Delays in reinforcing U.S. forces in Europe caused by Western Hemisphere military problems could be significant. Critics of U.S. aid to the democratic resistance, who are in some cases also critics of nuclear weapons, should consider this potentially important factor.

o Interestingly, many critics of U.S. policy toward Nicaragua suggest that if the Soviets were to establish bases or supply advanced

weaponry to Nicaragua this would, in the words of Arthur Schlesinger, "produce the same U.S. response as in 1962," referring of course to the Cuban missile crisis. For some reason, such critics seem perfectly willing to calmly contemplate a repeat of the most serious nuclear crisis in history rather than see the U.S. provide small amounts of funds preventing this possibility from ever developing by aiding Nicaraguans who wish to fight for their own freedom. Such critics ignore the fact the nuclear balance has shifted significantly from 1962 when the U.S. had a decisive nuclear superiority over the Soviet Union. A similar confrontation today would not necessarily be resolved so neatly. Further, given past behavior, many of these critics would find ways to rationalize each modest increment of Soviet military involvement and would urge acceptance of the new status quo, as the U.S. has done with Soviet involvement in Cuba.

### Geopolitically

o Nicaragua, with a military larger than all its Central American neighbors combined, can militarily intimidate bordering nations, all of which are developing nations with fragile democracies that can be easily destabilized. It can also destabilize emerging fragile democracies throughout Latin America, thereby causing polarization and chaos--conditions in which small, disciplined Communist factions can possibly seize power. (As will be noted in the discussion on Nicaraguan expansionism, this is no mere hypothesis; Nicaragua has been doing and is doing exactly this today.)

o Nicaragua could cause particular problems with respect to the Panama Canal and Mexico--both very important to U.S. security. One-half of U.S. foreign trade goes through the Panama Canal or the Gulf of Mexico; two-thirds of U.S. imported oil and one-half of its strategic minerals pass through the Panama Canal. In addition, many of our allies in Europe, Asia, and Latin America depend even more heavily than the U.S. on the Canal for their external commercial activities. Further, the ability of the U.S. to resupply its forces in Europe, or to quickly shift forces from the Pacific to Europe in time of conflict or crisis, would be substantially hampered if the Canal were to be inoperable.

o For decades, the U.S. has been able to fulfill its security-related obligations to its allies without having to be greatly concerned about its own borders. If this were to change, the U.S. might well need more military forces in this hemisphere. A reassessment of our military deployments in Europe, Asia, and elsewhere could result in a pullback of some of our forces to this region.

### Myth #2: The Sandinistas are not Communists.

The Sandinistas, it is said, are not primarily ideologically motivated. Rather they are intense nationalists with an understandable antipathy towards the U.S. given the past U.S. role in

Nicaragua. This is an interesting theory, but unfortunately for its proponents it is overwhelmingly contradicted by the facts. Evidence of the Sandinista leadership's fealty to Communism can be found in the statements of those who knew them best, members of the U.S. Congress, their own statements, and the general language they use.

o There are now numerous individuals who, having fought with the Sandinistas against Somoza or worked with the Sandinistas once they were in power, decided to abandon the Sandinista cause. There is not one of them who does not unhesitatingly say that the Sandinistas are Communists. To give only two examples: Eden Pastora, perhaps the most inspirational of the anti-Somoza military leaders, states that the Sandinistas are "the leaders of Marxist orthodoxy" and carry out policies of "subservience to the Soviet Union." Arturo Cruz, who served as a high official of the Sandinistas, now says that they "are dominated by Marxist-Leninist influences."

o Although it took some years for the truth to finally get through, there is probably not a single member of Congress today who would disagree with Senator William Cohen's assertion that the Sandinistas "are indeed committed Marxist-Leninists." Thus, although there are important differences among members of Congress concerning U.S. policy, there is almost total agreement on the nature of the Sandinista regime.<sup>2</sup>

o The Sandinistas have themselves made clear for some time to all who care to listen that they are Communists. In 1981, Minister of Defense Humberto Ortega stated, "Marxism-Leninism is the scientific doctrine which guides our revolution, the instrument of analysis of our vanguard to understand the historical process and to create the revolution...without Sandinismo we cannot be Marxist-Leninist and Sandinismo without Marxism-Leninism cannot be revolutionary and because of that they are indissolubly united and because of that...our doctrine is Marxism-Leninism." In September 1983, Thomas Borge, Minister of Interior, stated that he was a Communist and later stated that one cannot be a true revolutionary in Latin America without being Marxist-Leninist.

o Interestingly, many of the statements and documents, especially those captured and unintended for Western audiences, illustrate the use of pure Marxian language and analysis by the Sandinista leadership. For example, Humberto Ortega on August 25, 1981, argued that "On July 19, 1979, world society was polarized into two major camps...the camp of capitalism, headed by the United States, and the rest of the capitalist countries in Europe and throughout the world...and the socialist camp made up of various countries...with the

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1. Indeed, shortly after these remarks were delivered, even House Speaker Tip O'Neill acknowledged that the Sandinistas are "Marxist-Leninist."

Soviet Union in the vanguard." This statement, quite typical of Sandinista analysis, indicates that Sandinistas think politically in Marxian terms. This fact takes on added significance when considered in the context of the Grenada documents captured after the U.S. military action there. These documents, which confirmed beyond any doubt that the Grenadian leadership was indeed Communist, showed their leaders using exactly the same Marxian analysis. Although some critics of U.S. policy have difficulty appreciating it, the Sandinistas, as did the Grenadians, take ideas seriously and act upon them. In their case, the ideas are those of Marx, Lenin, and Castro.

o Finally, the Sandinistas' close ties to the Soviet Union and its allies and proxies (which are covered in detail in the section on Nicaraguan "non-alignment")<sup>3</sup> undermines the suggestion that the Sandinistas are simply anti-U.S. nationalists rather than Communists.

### Myth #3: Nicaragua is not expansionist.

Even if Nicaragua is Communist-controlled, so the argument goes, it is in any event not a threat to its neighbors, and therefore the United States need not be overly concerned. In fact, Nicaragua's expansionism is confirmed by opponents of current U.S. policies, journalists, those receiving Nicaraguan assistance, governments being undermined by that assistance, captured documents, and Nicaragua's own statements.

o You as law students are undoubtedly aware that "an admission against interest" is an admission by someone whose case will be hurt by making that admission. You also know that it is an especially interesting factor when weighing conflicting arguments. In line with this principle, it is quite significant that even those who oppose U.S. policies toward Nicaragua by and large acknowledge Nicaraguan expansionism. For example, then U.S. ambassador to El Salvador, Robert White, a strong critic of U.S. Central American policy, cabled the White House in early 1980 stating, "sworn enemies of the U.S. are mounting a tightly orchestrated campaign of propaganda and political manipulation to cover the introduction over the last few months of hundreds of tons of sophisticated military equipment and hundreds of foreign-trained guerrilla fighters into this country." White also told Congress in February 1981, that the Salvadoran guerrillas had "imported massive quantities of arms by way of Nicaragua." Senator Daniel Moynihan, a critic of U.S. policy, has also stated flatly that Nicaragua is providing aid to El Salvador's insurgents. He said in 1984, "It is the judgment of the Senate Intelligence Committee that Nicaragua's involvement in the affairs of El Salvador, and to a lesser degree, its other neighbors, continues." Perhaps most decisive, the Permanent Select Committee on Intelligence, which has opposed U.S.

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2. See page 8.

policy toward Nicaragua and is chaired by Rep. Edward Boland, a close friend of House Speaker Tip O'Neill, the most prominent critic of U.S. policy toward Nicaragua, concluded as early as March 1982 that Nicaragua was "thoroughly involved in the El Salvador insurgency." In its report filed on May 13, 1983, the Committee stated that:

a major portion of the arms and other material sent by Cuba and other Communist countries to the Salvadoran insurgents transit Nicaragua with the permission and assistance of the Sandinistas. The Salvadoran insurgents rely on the use of sites in Nicaragua some of which are located in Managua itself, for communications, command-and-control, and for the logistics to conduct their financial, material and propaganda activities. The Sandinista leadership sanctions and directly facilitates all of the above functions. Nicaragua provides a range of other support activities, including secure transit of insurgents to and from Cuba, and assistance to the insurgents in planning their activities in El Salvador. In addition, Nicaragua and Cuba have provided training to the Salvadoran insurgents.

The conclusions in the report were reaffirmed by Chairman Boland in a 1984 discussion on the floor of the House of Representatives; and as late as August 1985, the entire Congress approved without dissent a statement in the FY 85 Foreign Aid Authorization legislation that "Nicaragua has committed and refuses to cease aggression in the form of armed subversion against its neighbors...."

o Several journalists have reported on their own direct observation of Nicaraguan assistance to anti-government forces in neighboring nations. Washington Post reporter Sam Dillon reported on a September 1983 visit to the Nicaraguan town of La Concha where "a radio-equipped warehouse and boat facility disguised as a fishing cooperative on an island in northwestern Nicaragua, has served for three years as a trans-shipment point for smuggling arms to El Salvador, numerous residents here say." In fact, the evidence of Nicaraguan expansionism is now so overwhelming that even such a strong critic of U.S. policy as Washington Post columnist Steven Rosenfeld acknowledged in a February 1986 column that the Sandinistas "have not left their neighbors alone. The Administration has good claim for concern."

o In unguarded moments, some of those receiving Nicaraguan assistance in other countries have acknowledged this fact. In February 1985, Guillermo Manuel Ungo, leader of the political wing of the anti-government forces in El Salvador, according to The New York Times, "offered tacit confirmation of Nicaraguan assistance when he said that the rebels would be willing to suspend all aid from Nicaragua...if the Salvadoran government stopped accepting aid from the United States." In April 1985, Napoleon Romero, one of the highest-ranking Salvadoran guerrilla leaders ever to turn himself in,

stated flatly, "Nicaragua is a directional center of the [Salvadoran rebels]." He added that "Nicaragua gives many forms of aid and has given us logistics assistance and since 1981 has given us weapons."

o The governments of several democratic Latin American nations have officially charged the Sandinistas with interference in their countries. As early as March 1982, Costa Rican security forces raided a San Jose, Costa Rica house and captured nine terrorists, including two Nicaraguans. El Salvador's President Duarte has charged Nicaragua with subversion many times, such as in a July 1984 statement that "we have a problem of aggression by Nicaragua against El Salvador...they are sending in weapons, training people, transporting bullets and bringing all of that to El Salvador...."

Nicaragua's other neighbor, Honduras, has also officially denounced Nicaraguan expansionism many times, including an official protest to the Organization of American States in August of 1982 outlining a series of specific hostile acts by Nicaragua. In November 1981, captured individuals stated that Nicaragua had provided them with funds and explosives and that they had been trained in Nicaragua and infiltrated into Honduras from Nicaragua. In November 1983, a guerrilla unit was captured by Honduran military forces and acknowledged that it had infiltrated from Nicaragua. The Sandinistas have also spread their destabilization efforts beyond their immediate neighbors. In late 1985, M-19 guerrillas in Colombia occupied the courthouse in Bogota; after they were overwhelmed, weapons traceable to Nicaragua were found with the guerrillas. Colombia sent an official protest to Nicaragua but that did not stop Tomas Borge from attending a memorial service for the guerrillas.

o Finally, statements by Nicaraguan leaders have both explicitly and implicitly acknowledged Nicaraguan involvement in such activities. Congressman James Sensenbrenner recounted a visit with Daniel Ortega in which the Congressman asked Ortega to publicly reject the doctrine of "revolution without borders." According to Sensenbrenner, Ortega refused to do so; rather, "he said that Nicaraguans would talk about stopping their exportation of revolution if the U.S. would cut off aid to the Contras...." In a June 1985 a New York Times interviewer reported that Ortega "conceded that Nicaragua had once been used to ship weapons to guerrillas in El Salvador...." This is a particularly interesting admission since during that period Nicaragua consistently denied that it was providing such assistance. Thus, any claims it makes now or in the future that it is not providing such assistance should be viewed in the context of earlier denials.

Since coming to power in 1979, the Sandinistas have been provided bases, training, weapons, and logistical support for numerous Latin American revolutionaries and have been working with such international terrorists as the Palestine Liberation Organization and Libyan dictator Muammar Qadhafi. The Sandinistas also work closely with Cuba in supporting terrorism and smuggling narcotics into the U.S. Drug

trafficking is used not only to addict and undermine American society, but to provide operational funds for terrorism.

Myth #4: Nicaragua is non-aligned.

Nicaragua, it is said, has not joined the Soviet bloc but rather is merely exercising the prerogative of any nation to conduct an independent foreign policy. This was a popular argument several years ago, but very few now care to present a position so difficult to defend. The Nicaraguan political and military alliance with the Soviet bloc is made clear by the Sandinistas' own statements as well as their actions.

o On numerous occasions over the years Sandinista leaders have forthrightly stated their sympathies for the Soviet bloc. As recently as February 1986, Daniel Ortega attended the Third Party Congress of the Cuban Communist Party and stated that Nicaragua's relationship with Cuba was "unalterable, nonnegotiable and sealed with the blood of Cuban internationalists fallen on Nicaraguan soil...." Ortega also praised "the extraordinary effort that the Soviet Union carries out in favor of peace...."

o Sandinista actions over the years have also made their sympathies clear. Shortly after the Sandinista takeover, Nicaragua was one of the few nations to abstain on a U.N. vote to condemn the Soviet invasion of Afghanistan. The Sandinistas have also welcomed the key sectors in the "international totalitarian consolidation force" from East Germany, Czechoslovakia, Libya and elsewhere into their country; and they have also established links between the Sandinista party and Communist parties of those European nations most subservient to the Soviet Union--East Germany, Czechoslovakia, and Bulgaria. Nicaragua is also affiliated with all the major international Communist front organizations, such as the World Peace Council and the World Federation of Trade Unions.

Myth #5: The situation in Nicaragua isn't that bad.

It is true that Nicaragua is not yet a fully consolidated Communist state. However, it is clearly moving rapidly in that direction and the result is that: human rights are abused, civil liberties are denied, and religious sentiment is repressed.

o Numerous defectors from the Sandinistas, along with independent human rights observers, have revealed extensive human rights abuses by the Nicaraguan government. The Nicaraguan Permanent Commission on Human Rights, which had also exposed abuses by the Somoza regime, has reported that in the first year of the Sandinista government there were over 2,500 human rights complaints, including 520 "disappeared persons" and around 200 alleged summary executions along with the establishment of secret detention centers. The Sandinistas also have severely suppressed the Miskito Indians of Nicaragua.



Quite recently, Sandinista defector Alvaro Baldizon has estimated that 2,000 Nicaraguans have been kidnapped, tortured, or executed by the Sandinistas since the revolution. Baldizon, who had worked for Interior Minister Tomas Borge, has said that Borge approved a secret plan for assassinations to be carried out against low and mid-level opposition activists, peasants judged sympathetic to the rebels, captured prisoners, and Miskito Indians. The free trade union publication has been banned.

It is also worth noting that, unlike the El Salvador government and the democratic resistance in Nicaragua, there are no self-imposed independent human rights commissions operating inside Nicaragua authorized by the government. Further, while there exists outside pressure on the democratic resistance from the United States government as well as U.S. and Western independent human rights groups, there is certainly no equivalent pressure on the Nicaraguan government from its allies such as the Soviet Union, Cuba, and Libya.

o The Sandinistas also hold an estimated 4,000 political prisoners which is more than Somoza jails held at their most full point. They have also forcibly evacuated upwards of 80,000 peasants against their will in their effort to remove popular support for the resistance forces. The published reports of the independent Permanent Commission on Human Rights have been banned.

o Sandinista harassment of the Catholic Church has increased. In October, 1985, the Church's newspaper was confiscated and its facilities occupied. On January 1, 1986, the Church's radio station was permanently closed.

o Civil liberties have been curtailed almost since the start of the Sandinista regime. As early as 1981, the Sandinistas issued a "state of economic and social emergency" which made strikes illegal and provided for jail sentences of up to three years for the very vague crime of "economic sabotage." The Sandinistas also declared a "state of emergency" in March of 1982, which they used as an excuse for imposing formal censorship. Recently, on October 15, 1985, the Sandinistas issued a new decree suspending the rights of free speech, assembly, personal security and movement, and the right to organize strikes. Throughout the Sandinista years, the Nicaragua government has particularly harassed the one remaining independent newspaper, La Prensa.

As only one example of hundreds, in November 1985, the Sandinistas censored all of the essentially non-political information in La Prensa about the visit of Cardinal Obando y Bravo to the city of Camuapa where the Cardinal said that the first thing a Christian must do is obey God. It also censored a note sent to all Catholics who were going to receive Confirmation on Sunday.

The former director of the Permanent Commission on Human Rights, Jose Esteban Gonzalez, has said, "The official Sandinista press regulations permit less freedom of the press in Nicaragua today than under the 'black code' of the Somoza dictatorship." Violetta Chamorro, the widow of Pedro Chamorro whose assassination triggered the downfall of Somoza, has called, the Somoza era the "bloodiest dynasty this hemisphere has had" but that "I feel now that I am reliving that horrible nightmare." In addition, since 1979, 20 radio news programs have stopped broadcasting and both TV stations are controlled by the Sandinistas.

The Sandinistas have also suppressed opposition political activities which could threaten their power. In March 1981, the Sandinistas blocked a political rally and a mob sacked the houses of supporters of Alfonso Robelo, then a leader of one of the political parties aligned with the Sandinistas. In 1984, the supporters of Arturo Cruz were harassed when they sought to have a rally in support of his potential candidacy for president of Nicaragua.

Myth #6: Nicaragua still has a private sector.

This is factually correct but:

o Key leaders of the private sector have been harassed and intimidated since the Sandinistas took control. Shortly after the Sandinista takeover, for example, Jorge Salazar, a key leader of the business community, was assassinated by government agents.

o Because of the declining economy, the strength of the private sector has weakened considerably. While there is some business community support for the government, it comes only from a few who have made their own bargains with the Sandinistas in which they are allowed to keep their enterprises in return for support of the Sandinista government. The Sandinistas find this is a useful arrangement for the time being since it allows them to seduce the naive with claims of a mixed economy. In any event, the key sectors of the economy such as the banks, foreign and internal trade, and currency exchange rates are in the hands of the Sandinistas. Only 29 percent of the land in Nicaragua now remains in private hands.

Myth #7: The "People's Church" is the authentic avenue of popular religious expression.

This is in fact what the Sandinistas would like outsiders to believe but the facts are that:

o The Sandinistas have forbidden outdoor masses and banned the Catholic radio station precisely because they understand how deep the wellsprings of popular affection for the traditional church are among the people of Nicaragua.

o In fact, the leader of the Church in Nicaragua has been consistently critical of the suppression of human rights under both Somoza and the Sandinistas. Bishop Obando y Bravo acted as an intermediary to arrange the release of Sandinista political prisoners from Somoza's jails and issued statements in effect legitimizing armed revolt against Somoza. He has preached "unity and national reconciliation" in his homilies to the Nicaraguan people. Another top church official, Bishop Pablo Vega, was attacked by Somoza as "the red Bishop." Ironically, both have been harshly denounced by the Sandinistas and Obando y Bravo has been called "an imperialist agent." And Somoza reserved particular venom for Obando y Bravo in his memoirs.

o The real situation with respect to the popular church was summed up by Peruvian writer Mario Vargas Llosa who said that "the efforts of the leaders of the 'People's Church' to combine politics and religion have only found a response in the intellectually militant members of the middle class, most of whom were already converts." The popular church "is largely composed of members of the religious elite -- priests and layman whose intellectual dispositions and socio-political work lie beyond the scope of most of the Catholic poor."

o As reporter Edward Sheehan noted in February 1986, "...after travelling throughout Nicaragua, after observing the multitudes who flock to the traditional church, after entering so many hovels with pictures of Obando and the pope, I am convinced the traditional church commands the loyalty of most Nicaraguans and that the popular church attracts only a small minority. John Paul II and Miguel Obando, in that order, are the most popular men in Nicaragua."

Myth #8: The Nicaragua government is highly popular.

Some Sandinista excesses can be accepted at least temporarily, it is argued, since the government retains the support of the great mass of the Nicaraguan people. There is definitely a hard core of Sandinista support, especially among members of the urban youth and the intelligentsia, but much of Nicaragua's population is increasingly disaffected.

o It is difficult for organized opposition to develop and express itself simply because of the Sandinista mechanisms of intimidation, particularly such institutions as the "block committees," similar to those in Cuba, in which fanatical supporters of the Sandinistas report on those who actively oppose the regime or even voice criticisms. As an official of the Independent Permanent Commission for Human Rights, which attacked Somoza as well, has observed, "The fact is that we are constantly hearing of members of political parties and independent labor unions who are being arrested or pressured to become informers for the security police. The government allows these groups to exist only as long as they remain small and pose no threat." Further, as Alfonso Robelo, a former Sandinista official now a leader of the democratic resistance has observed, "In a totalitarian regime where

you have block committees, where you have such control you have rationing cards if you want to eat rice and beans, you do not get internal fronts working very easily. You do get it in authoritarian regimes...so, it's a huge difference between fighting an authoritarian regime than if you are fighting a totalitarian regime that has controls of all the goods and besides that controls the cities very tightly."

o In the countryside many peasants and farmers are increasingly sympathetic to the resistance. As early as May 1983, Charles Lane, who had visited Nicaragua, wrote in The New Republic that few people supported the government and most blamed the Sandinistas, not the United States, for their problems. As Robert Leiken concluded after a visit to Nicaragua in late 1984, "Sympathy with the Contras is becoming more open and more pervasive. I was stunned to hear peasants refer to the Contras as "los muchachos," the boys--the admiring term used to describe the Sandinistas when they were battling the National Guard." Leiken observed a political rally and concluded that, "These thousands of demonstrators were hardly "bourgeoisie" as the Sandinistas claimed. They were overwhelmingly workers, peasants and young people...They chanted slogans like "El Frente y Somoza son la misma cosa." (The Sandinistas and Somoza are the same thing.) Reporter Edward Sheehan wrote in February 1986 that "The regime--except for the few who benefit from it--has become vastly unpopular." Reflective of all this is the fact that over 200,000 people have fled Nicaragua since the Sandinistas took control.

o In a recent interview, the newly elected president of Costa Rica, who opposes U.S. military assistance to the democratic resistance, has himself said that the Sandinistas would get only 12 percent to 15 percent of the vote if honest elections were held.

Myth #9: Whatever else may be wrong or bad, at least the peoples' lives are better.

This argument is the last refuge of those intellectually honest enough to concede that other arguments in defense of the Sandinistas are basically invalid. It is possibly correct that for a portion of the very worst off people in Nicaragua, some aspects of their living conditions, particularly relating to health care, are better. Nonetheless, for most Nicaraguans things are no better and in many ways worse than in the past.

o The economy itself is in extremely bad shape (and this was already true, as discussed later, much before the U.S. economic boycott.) The general economic level is that of the early 1960s and thus all except the privileged few must struggle within this economic reality. As Boston Globe reporter Edward Sheehan noted in February 1986 after a visit, "In Somoza's time the Nicaraguan cordoba sold seven to the dollar. When I arrived in Managua in mid-December, it sold on the black market 800 to the dollar. When I left in late January, it was

selling for 1220 to the dollar. The cordoba has become essentially worthless--today in Nicaragua, paradoxically, only dollars count. The poor--whom the revolution was supposed to redeem--suffer most of all." He added that, "The streets swarm with begging children, unemployment is high, and most of the population lives in squalor. The Sandinistas have built housing, but by most accounts it is reserved for the party faithful."

o The massive economic problems and growing corruption have cancelled out a good deal of whatever modest advances in attention for the very poor had actually occurred. Robert Leiken observes that "during the winter of 1984 and 1985, many of the public clinics were without medicine and equipment, but [medicines]...turned up on the black market." Further, Sandinista policies have caused many health specialists to leave Nicaragua.

o The old Somoza privileged class has been replaced by a Sandinista privileged class, a Nicaraguan version of the Soviet nomenklatura, which has special privileges and access to special stores with imported goods. As Robert Leiken has noted,

The lifestyles of the new rich contrast vividly with that of the rest of the country and with official rhetoric....Party members shop at hard-currency stores, dine at luxury restaurants restricted to Party officials and vacation in the mansions of the Somoza dynasty, labeled as "protocol houses." Vans pull up daily at government and Party offices to deliver ham, lobster, and other delicacies not available elsewhere.

Corruption, which also damages the economy, is widespread. The chief of the Sandinista police has said, "The problem of corruption and economic crime is so great that it could damage Nicaragua as much as counterrevolutionary activities."

o Even if it were true that more Nicaraguans can read and write since the downfall of Somoza, the tragedy is that they have no choice as to what to read. The textbooks are full of Marxist-Leninist indoctrination, the only independent newspaper is heavily censored, the Catholic Church's newsletter has been banned, and only publications from Communist bloc nations are readily available to the general public; and even those who can now write, of course, are not able to write anything that publicly deviates from Sandinista orthodoxy. As Pedro Joaquim Chamorro, the self-exiled former editor of La Prensa has said, the Sandinistas have instituted "the most terrible censorship in the history of Latin American dictatorships."

Myth #10: The Sandinistas have a better human rights record than other nations, particularly Guatemala.

This particular argument has been a longstanding favorite of critics of U.S. policy. Of course, today Guatemala is a democracy. It was certainly true in the past that on a given day the excesses of the Guatemalan military may have exceeded those of the Sandinistas, and those excesses should have been and were vigorously denounced, and pressure exerted to halt them.

o Even in those awful past days, however, there was still an important difference between a totalitarian regime such as the Sandinistas and an authoritarian regime such as that of Guatemala at that time. As Michael Novak has noted, "The totalitarian regime claims, as the authoritarian regime does not, to embody right and wrong in its own will. It allows for no gap between the claims of state and the claims of morality. What it says, what it does, that is moral. Neither in principle nor in practice does it allow for any other justification. That is what makes totalitarianism novel. That is what makes totalitarianism monstrous." Finally, as Novak observed, "Totalitarian regimes do not measure their success by the number of corpses they keep up but by the degree to which they render all citizens living corpses; and, "Authoritarian regimes--like democratic regimes--derive legitimacy by reference to values outside the will of the rulers and the state. It is this gap between the claims of the state and the moral principles from which it derives its legitimacy that makes the progress of liberty and individual rights possible."

o Further, unlike the Sandinistas' totalitarian system, there existed in Guatemala at that earlier time the seeds of a potential evolution toward more humane and more democratic structures and systems. That is because Guatemala, as an authoritarian regime, permitted to exist and even allowed to be strengthened many of the key infrastructures of democratic evolution. Thus, while it was certainly not inevitable, it is also not surprising that Guatemala has now joined the ranks of those nations consolidating fragile democracies, much as I and many other observers had long predicted could happen. The result is to take away one of the very last props used by critics of U.S. policy toward Nicaragua.

o Another key difference is that it is usually easier to moderate or end the excesses of authoritarian regimes such as Guatemala's previous government, and indeed even end that regime entirely, than it is to do the same for a totalitarian regime. In fact, while there are numerous examples of improvement or evolution of authoritarian regimes into systems which institutionalize human rights and civil liberties, there is not a single such example for such changes among Communist systems. One reason was suggested by Alfonso Robelo, whom I quoted earlier, based on his own experiences. Let me repeat what he said, "...so, it's a huge difference between fighting an authoritarian

regime than if you are fighting a totalitarian regime that has controls of all the goods and besides that controls the cities very tightly."

Myth #11: Elections have legitimized Sandinista power.

It is contended that the U.S. should not be supporting forces struggling against the Sandinista government because it has subjected itself to elections and is now the legitimate government of Nicaragua. For the moment, the Sandinistas clearly are the effective governing force in Nicaragua but their raw power was in no way legitimized by the elections of 1985.

o The test for a free and fair election has two parts: first, whether the campaign itself was free and fair, and second, whether the election day balloting was free and fair. On the first point alone, the elections were not free and fair. In fact, the Sandinistas controlled every aspect of the election process, including the electoral machinery, the police, the army, the courts, and mass organizations such as neighborhood watch committees. Precisely because of the unfairness of the electoral process, Arturo Cruz, the only real threat to the Sandinistas, declined to become a presidential candidate.

o The elections themselves were not run fairly. Two-thirds of the precincts did not have a single observer from any party except the Sandinistas to monitor the conduct of voting operations and report on irregularities.

o Outside observers have also questioned the legitimacy of the elections. Carlos Andres Perez, who was President of Venezuela at the time the Sandinistas took power and who played an important role in supporting them at that time and subsequently, stated that "sufficient guarantees were not provided." Perez refused to attend the inaugural ceremony and stated that he felt "cheated." Arturo Cruz called the proceedings an "electoral charade." The Washington Post stated that the Sandinistas' "Marxist-Leninist side showed through, and the democratic opposition, faced with a measure of harassment that prevented fair campaigning, withdrew." And The New York Times stated, "Only the naive believe that Sunday's election was democratic or legitimizing proof of the Sandinistas' popularity."

o None of this should come as a surprise to those who have reviewed statements made by the Sandinistas themselves about elections. In August of 1981, Humberto Ortega stated that elections "will in no way decide who is going to hold power...power belongs to the Sandinistas, our directorate. In the spring of 1984, Bayardo Arce called elections a "nuisance," and said that the Sandinista goal was to build "dictatorship of a proletariat."

o Some might respond that it is unfair to hold Nicaragua to a high standard of free elections at a time of conflict. That contention was dealt with astutely by Mexican writer Octavio Paz, who wrote that, "In the midst of a bloody civil war El Salvador held free elections...if political freedom is not a luxury for El Salvador but a vital concern of its people, why is it not an equally vital concern of the people of Nicaragua?" In fact, in El Salvador all factions were offered the opportunity to participate in the elections and make their views known, and all non-Communist observers have agreed that the election day proceedings were free and fair.

o The legitimacy of the elections can also be judged by the fact that not a single leader of a Latin American democracy, or for that matter any democracy in the world, attended the inaugural ceremonies after the elections.

#### Myth #12: The Sandinistas represent the "Wave of the Future."

Some critics, taken in by the misappropriation of the rhetoric of compassion by the Sandinistas, conclude that "radical social change" is the wave of the future and that it is not only wrong but futile for the U.S. to oppose it. But they are wrong.

o Given the historical record beginning with the Soviet revolution and continuing through Cuba and now Nicaragua, it is clear that social and economic conditions do not improve markedly and in many ways remain stagnant or decline under Communist rule. The real wave of the future are market-oriented countries such as South Korea and the Republic of China, whose living conditions have improved dramatically, and the newly-emerging democracies around the world.

o These same critics have been proved wrong in the past. It is possible to block the so-called wave of the future. In 1983, for example, Robert White, a strong critic of U.S. Central American policy stated flatly that "the brutal and corrupt Salvadoran government is falling apart and no amount of military assistance will enable it to contain the revolutionaries." That has proved to be just plain wrong. U.S. action played a key role in preserving the possibility of democratic pluralism there.

#### PART II: THE NATURE OF THE RESISTANCE

By now, a number of critics have essentially conceded that most if not all of the above arguments are indeed myths. Nonetheless, they cling to the basic essential of their position, which is that U.S. should not be involved in aiding the democratic resistance. Much of their fallback argument is addressed to the alleged failings and weaknesses of the democratic resistance.



Myth #13: The resistance is a "creature" of the CIA."

This argument is made in a way that implies that CIA involvement in the creation or growth of a resistance movement automatically disqualifies it for our sympathy. But this is not necessarily the case.

o For example, suppose that the CIA or its predecessor the OSS, were to have been involved in the creation of a resistance to Adolf Hitler. Would the fact of U.S. intelligence involvement automatically discredit it? Of course not. Or what about similar resistance against Muammar Qadhafi? Again, of course not. Many forget that CIA operations played important roles in stabilizing democracy in Europe after World War II. At its inception, the resistance did have a considerable CIA assistance. There is no way the resistance could have grown to upwards of 20,000 active fighters just on CIA involvement alone. Interestingly, the same critics who have argued for years that a guerrilla force of 6 to 10 thousand among El Salvador's population of 5 million represents a genuine popular uprising absolutely refuse to accept that a resistance force of upwards toward 20,000 among Nicaragua's population of 3 million indicates a genuine resistance. In any event, the real issue is not the resistance's origins, but what it represents today; and today it a force whose strength lies in the allegiance of a sizable percentage of the Nicaraguan population.

Myth #14: The resistance is dominated by Somocistas.

It is argued that the most important elements of the resistance are in reality dominated by former supporters of Somoza and members of his national guard. The further implication is that their objective would be to restore a Somoza-like regime if they were in control. Nobody of course knows exactly what would happen if the Sandinistas had to yield power but there are very strong reasons to discount the arguments based on the supposed Somocista mentality of the resistance.

o The resistance political leadership is composed exclusively of people who were actively opposed to Somoza as, for example, Adolfo Calero and Arturo Cruz, individuals who were actually jailed by Somoza. Further, a number of leaders, including Arturo Cruz and Alfonso Robelo having been a part of the original Sandinista government, can hardly be accused of being Somocistas.

o In terms of the military leadership of the resistance, approximately 48 percent of the leaders are actually former Sandinistas, whereas roughly only 23 percent are former national guardsmen under Somoza. Such individuals make up less than 2 percent of the total military force. In fact, the great bulk of the resistance is composed of peasants and farmers, most of whom are under 22 years of age. By simple arithmetic one can see that these people were only 12 years old

or younger during the last part of the Somoza era and obviously in no way actively involved in supporting Somoza. In fact, some high-ranking Sandinista military officials, such as Bernadino Larios, the first Sandinista Defense Minister, as well as political and block committee activists, are ex-Somocistas. That, unfortunately, has not seemed to discredit them or the Sandinistas in the eyes of last-ditch Sandinista defenders.

o Most of the resistance forces are paid \$23 a month or less, which is about 1/5 of the average monthly wage for a worker in Nicaragua. Others receive no pay at all. To call them "mercenaries" is the height of absurdity.

o It is true that Colonel Enrique Bermudez, the leader of the military wing of the resistance, was in the national guard under Somoza. However, it is also true that he was "exiled" to Washington during the last years of the Somoza regime and therefore was in no way involved in the excesses perpetrated by some members of the guard during that time. In addition, it is worth noting that Bermudez was in fact the choice of the Carter Administration as a transition figure during the negotiations for the possible removal of Somoza from office. If even the Carter White House found him acceptable, one can assume that Bermudez is not a Somoza henchman itching to restore a Somoza-style regime.

o In any event, Bermudez and the other military leaders have all publicly pledged their dedication to democratic values and to the establishment of a democratic political structure in Nicaragua in the future. Arturo Cruz recently stated, "I assure you that [ex-Guardsmen] are aware of the need for democracy and to forget about the past."

o Some critics have made a more sophisticated argument which should not be dismissed out of hand. They contend that even if the great bulk of the resistance is democratic, those who have the leadership and guns may not be and could "steal" the revolution. What I find most interesting about this argument is that it is now being made by some of the same critics who have never apprehended or appreciated this problem when it comes to rebel forces that include hard-core Communists. In fact, one of the reasons the Sandinistas are in control today is precisely because of the failure of U.S. officials in power at the time to take this reality into account.

In the current situation, however, I think that this legitimate concern should not invalidate a policy of support for the resistance because: 1) all the democratic forces are aware of how their earlier revolution was stolen; this awareness alone makes repetition less likely since the democratic forces would act with the past in mind; 2) there is simply no reason at this point to discount the pledges of democratic orientation by the military wing of the resistance; 3) in a transition period, all Latin American democracies, the OAS, and other

Western democracies would mobilize to assist the democratic resistance in institutionalizing democracy; and 4) unlike the mistakes of 1979, when the U.S. essentially refused to involve itself in the transition, the U.S., at least under the current Administration, would no doubt take a most active role in the process of democratic consolidation.

Interestingly, this exact argument was made by the same critics in opposition to U.S. policy in El Salvador. It was said that U.S. military aid would only strengthen anti-democratic forces; and the same argument has been raised with respect to Honduras. In both cases, the critics have been proved dramatically wrong; both nations now have functioning democracies.

Myth #15: The Contras are not popularly based and have little popular support.

If the resistance has little popular support, that would certainly raise legitimate questions as to the wisdom of U.S. support.

o The resistance itself, however, is now composed primarily of peasants and farmers who are disaffected with Sandinista economic policies and with treatment of the Roman Catholic church. As The New York Times reported in 1986, "The rebels appear to have more support than their harshest critics concede. They have been described as little more than mercenaries, but in fact most combatants are conservative Roman Catholic peasants from northern Nicaragua who reject the Sandinistas leftist program and have volunteered to fight against it. They have been able to win enough support in the countryside to lead the Sandinistas to forcibly relocate tens of thousands of peasants in the last year...to keep them from aiding the guerrillas." And Newsweek reporter James LeMoyne reported as early as spring 1983 that northern peasants "seem to welcome the insurgents."

Myth #16: The resistance violates human rights and commits atrocities.

There is no doubt that certain elements of the resistance have on some occasions engaged in human rights violations. But to cut off all support for the resistance on this basis ignores a number of very important points.

o Actual human rights violations are scattered and there have been no significant violations in recent months. In other words, the situation is already improving. Further, as Alfonso Robelo has observed, "It is the government that is relocating campesinos in the war zones. If the resistance is committing atrocities they should be fleeing from our zones, but it is the government that is moving them. And it is the government that has the draft and it is the resistance that has volunteers coming to our side."

o There is also a difference between the isolated acts of the resistance and a systematic policy of human rights violations. The Nicaraguan government's policies, modeled on those of the Soviet Union and Cuba, are of total and systematic repression of human rights. The resistance, on the other hand, has now established its own independent human rights commission to monitor and condemn human rights abuses and in fact has already punished some of those involved in such excesses. It is currently training 60 officers to monitor human rights abuses. Similarly, the resistance receives continual scrutiny and pressure from human rights groups, the media, the Congress of the United States and other Western institutions, to check and eventually get rid of all such abuses. In contrast, there is obviously no similar pressure and checks being placed on the Sandinistas by their allies in the Soviet bloc, Libya, and elsewhere. When was the last time you heard about Soviet or Cuban or Libyan governments urging Nicaragua or the El Salvador rebels, for that matter, to improve their human rights record?

o If one had followed the logic of the critics' position, then aid to the Salvadoran government should have been cut off in the early 1980s as well since human rights abuses were certainly evident at that time. Rather, the U.S. sought to pressure the Salvadoran government and the elements in the Salvadoran government which were involved in such abuses, and also instituted training programs with the intent of ending this problem. While the situation in El Salvador today is not perfect it is substantially better in the human rights and civil liberties areas than in the early 1980s when the critics would have had us cut off aid, and it is certainly better than in Soviet-style nations. As Joanne Omang of The Washington Post reported in September 1985, "To an extent unthinkable even a year ago, leftist groups are visible now in El Salvador declaring in the streets what they once dared to say only in whispers for fear of death squad retaliation." And she added that "the death squads no longer make public threats or publicly claim responsibility for killings. None of the estimates of the number of persons killed this week equals the total number of killings in a two week period in 1981. Many more people are speaking out openly." Thus, the better policy is to actually work with the resistance and train their people so that they are sensitive to human rights concerns and subject to penalties for such abuses.

o Further, if human rights abuses should be the deciding criteria in providing assistance to resistance forces, then presumably the critics of U.S. policy, to be consistent, should oppose the aid to the Afghan resistance. For a long period of time, the Afghans have dealt quite ruthlessly and brutally with their opponents. If the opponents are consistent, let them also actively oppose such aid to the Afghans.

Myth #17: The resistance cannot win.

The final fallback position of critics of U.S. policy is that the resistance really does not have the capability to "win." It is true that as we meet today the resistance probably would not be able to defeat the Sandinistas in a classic set-piece battle for the control of Nicaragua and indeed it may never be able to do so. But this is not, I must emphasize, the same thing as saying that the resistance cannot achieve its objectives, which by and large are our objectives as well, in Nicaragua.

o On a purely military level, the resistance already has roughly four times as many fighters as the Sandinistas had at their maximum point. At an early point, two to three years ago, when the resistance was receiving military assistance from the U.S., it demonstrated in a variety of actions that it was capable of moving deep inside the country and creating considerable concern for the Sandinistas. Let us not forget that there is a resistance movement not only in the north, but in the south and in the east in the Indian areas as well.

o The Sandinistas were clearly very nervous about the resistance capabilities at that earlier point, and even now it does not take much for them to become concerned. For example, in January of 1986, Victor Tirado Lopez, a member of the Sandinista leadership, conceded, after a single Sandinista helicopter was shot down by a SAM-7 missile, that "There has been a great change in the balance of military forces."

o Of course, it is understandable that the resistance forces have not scored significant military successes in the past two years, since this is precisely the time period in which the Congress has cut off military assistance. It is a very reasonable assumption that they can only get better if they are provided with the necessary equipment and appropriate training in its use. The resistance could clearly utilize long-range mortars and artillery which could hold off the Sandinista military if the rebels ever took control of some territory, and also enable it to take delivery of supplies without dependence upon a third country. The resistance could also use more anti-tank weapons, particularly RPG-7's, and better surface-to-air missiles for use against the Sandinistas' Soviet attack helicopters.

o The most fundamental and important response to this argument, however, is simply that the resistance can "win" not through one decisive military battle but rather through a gradual process which contains important political and psychological, as well as military, dimensions. The Sandinistas did not actually militarily triumph against the Somoza regime. Rather, the Somoza regime gradually unravelled under pressure from the U.S, other Latin American countries, the Organization of American States, and elsewhere, in addition to popular antipathy.

A roughly similar scenario could emerge again in Nicaragua in the future. The Sandinista regime is not yet a fully consolidated Communist totalitarian state. Further, there are not only divisions within the leadership, but there is no reason to believe all of the military forces fighting under the Sandinista flag are totally loyal to the Sandinistas and their objectives.

Significant military pressure by the resistance would encourage forces within Nicaragua, including those in urban areas that have thus far been reluctant to take a high profile, to become more involved in the resistance. This can only increase the repressive response of the Sandinistas, thus creating even more dissatisfaction and dissent even among some forces now aligned with the Sandinistas. At the same time neighboring nations in particular will be emboldened to take a more forthright stance in condemnation of the Sandinistas and their policies. The Organization of American States could also be reconvened to pursue the question of the legitimacy of the Sandinista government. All of this and other actions as well, could lead to an undermining of the Sandinistas' ability to govern and an eventual flight to their natural homelands of Cuba or the Soviet Union. I must stress, however, that all of this is a speculative scenario since except for the 1920 unseating of Bela Kun's regime in Hungary by a conventional attack, there is thus far no historical precedent for the dissolution of a Communist regime once it is in power.

### PART III: THE U.S. ROLE IN NICARAGUA

To the extent that critics of U.S. policy concede the above points, they then present an entirely different series of arguments based on concerns about the U.S. role in Nicaraguan developments. As you know, there is a legal doctrine known as "Clean Hands." If a party to a case has itself done something questionable with respect to the issues in controversy, then it is said in legal jargon that that particular party does not come into the case with "clean hands." In this situation, the argument is that the U.S. does not have "clean hands" with respect to Nicaragua and has been at fault in numerous ways with respect to the current situation in Nicaragua. Therefore, the critics argue, the U.S. must be very circumspect in its own involvement.

Because the role and attitude of the U.S. is crucial to several of the myths that I will discuss shortly, I think it is important to first give you a quick overview of the U.S. role in the late 1970s and early 1980s. Let me make the following points:

o U.S. policy essentially abandoned Somoza by mid-1978. From that point on, our government worked in various ways to get Somoza out.

Eventually it cut off all military assistance to Somoza and made clear in every way possible, including direct public statements, that Somoza should leave. It also supported and encouraged the Organization of American States, neighboring Central American nations, and other nations around the world to withdraw legitimacy from the Somoza regime.

o When the new government took power, the U.S. immediately welcomed it with praise and open arms. It supplied short-term emergency food and medical assistance and over a longer period provided very substantial amounts of financial aid. It did so with direct financial aid of \$118 million for the first two years, and encouragement of international financial institutions to provide \$260 million of aid, and of U.S. banks to refinance Nicaraguan debts at very favorable terms. Total aid from democratic nations was \$1.4 billion. It was only in March of 1982 that the U.S. began actively supporting the resistance forces and there were no significant forces until 1983. Therefore, keep in mind as I continue with this discussion that any statements or actions of the Sandinistas prior to that point cannot legitimately be attributed to U.S. hostility.

With this in mind, let us review the arguments made about the U.S. role in Nicaragua:

Myth #18: The U.S. caused the Sandinistas to become Marxist-Leninists.

This argument holds that U.S. policies of antagonism towards the Sandinistas somehow caused them to become Communists. This argument is also trotted out with respect to Castro and other similar types and, as with Castro, it is without merit.

o In their earliest statements after taking power, the Sandinistas, particularly in a document subsequently labeled the "72 Hour Document" clearly identified themselves as Communists. The document defines "democracy" in Marxist-Leninist terms; that is, with the Sandinistas as the "vanguard" of the people with a historic right to power. As New York Times reporter Shirley Christian has written: "The Sandinistas were gradually putting into place a Leninist structure--the vast network of defense committees, youth and children's groups, militia, internal security police and army created as an extension of the Sandinista Front."

o Even before taking power, key leaders of the Sandinistas had long been Communists. Tomas Borge now Minister of the Interior was a Communist in college. Bayardo Arce also has made clear his commitment to Marxism-Leninism.

At an early point in the Sandinista control, school children began to be taught to sing an anthem which included the line "We shall fight against the Yankee, enemy of humanity."

o The fact that the Sandinistas were Communists much before the U.S. aid to the resistance began is confirmed by the dozens of former Sandinista supporters who left the government or fled Nicaragua prior to that point. Among the most prominent were Arturo Cruz, Alfonso Robelo, Alfredo Cesar, Eden Pastora, Pedro Joaquim Chamorro, Jaime Montealegre, Jose Cardenal, and Miguel Bolanos.

Myth #19: The U.S. drove the Sandinistas into an alliance with the Soviet bloc.

With this argument, critics implicitly acknowledge that in fact Nicaragua has become a de facto member of the Soviet bloc alliance. Again, however, the chronology of events clearly indicates that the Sandinistas had made their decision to become a part of this bloc much prior to any U.S. hostility.

o In the "72 Hour Document" prepared in 1979, the Sandinistas repeatedly denounced the United States as "the rabid enemy of all peoples."

o Literally within weeks of gaining power, the Sandinistas were already providing direct material assistance to the Marxist forces in neighboring El Salvador. Even the Carter Administration, during its final days, was forced to acknowledge the fact of Sandinista expansionism and subversion and announced formal suspension of aid to Nicaragua. In an attempt to give the Sandinistas more than the benefit of the doubt, such aid was subsequently resumed.

o The Sandinistas invited Cuban security advisors into the country immediately upon taking power. Former junta member Alfonso Robelo has observed that at that early point Nicaragua was "an occupied country [with] eight thousand Cubans...the national decisions are...in the hands of the Cubans."

o Soon after taking power, the Sandinistas were one of the very few nations to abstain on a vote condemning the Soviet invasion of Afghanistan. Sandinista leaders also travelled to the Soviet Union to establish party to party relations with the Communist Party and to sign an agreement for Soviet use of Nicaragua's Pacific port. Tomas Borge travelled to Stalinist North Korea and there denounced the U.S. presence in South Korea. At the Sixth Summit of Non-Aligned Nations, Daniel Ortega endorsed the Vietnamese occupation of Cambodia and denounced the Camp David Accords and U.S. support for South Korea. Soon after taking power, thousands of Soviet bloc, Libyan, and PLO advisers were invited to Nicaragua. The Sandinistas Party song included the phrase "We shall fight against the Yankee, enemy of humanity." Daniel Ortega endorsed the PLO and Vietnam's actions in Cambodia at a non-aligned nations conference in 1981.

Once more, all of these actions and statements took place prior to U.S. aid to the resistance.



Myth #20: The U.S. caused Nicaragua's military build-up.

o The Sandinistas planned from the outset to create a large military establishment on the Cuban model. Long before any serious armed opposition arose, the Sandinista Peoples' Army (controlled at all levels by the FSLN party) developed plans for increasing its manpower, building numerous bases, and training personnel in the use of sophisticated military hardware. The current growth in the Sandinista Army reflect the decisions made by 1980.

o The military equipment in the Sandinista arsenal is not of the type that would be useful against a U.S. military intervention. Nicaragua understands the obvious fact that it simply could not engage one of the world's superpowers and thus has not been motivated in its military build-up by such concerns. Rather, its forces are structured in a way that has the effect of intimidating neighboring nations and it now has the largest military force in Central America--even larger than that of Guatemala which has three times the population. On a proportional basis, its troop strength is six times as large as the U.S.

Myth #21: The U.S. caused Nicaragua's economic mess.

The U.S. is also blamed for just about everything else wrong in Nicaragua, including its economic mess. But in fact, Nicaraguan economic performance is consistent with other nations that have chosen the Marxist-Leninist path to development, including the Soviet Union itself. Nor did the U.S. economic boycott cause Nicaragua's economic problems as it did not begin until May 1985. Prior to that point, as I already noted, the U.S. had directly and indirectly been most generous with financial assistance to Managua, providing even more aid than to democratic Costa Rica, but the Sandinistas' disastrous policies were already having negative results:

o When Somoza left, there was a foreign debt of \$1.1 billion; by 1985, it had ballooned to around \$5 billion despite a declining economy.

o Other symptoms of the economic problems include: a 1982 International Monetary Fund Report concluded that real wages had declined 72 percent since 1979; United Nations statistics indicted a 24 percent decline in average income. Another analysis indicated that in 1983 an average peasant's purchasing power had declined two and half times between 1982 and 1985 and that it was then at a 1960 level. Prior to 1979, Nicaragua exported foodstuffs; now it is a net importer.

o The U.S. did not cause this situation. As Robert Leiken has noted "...the economic situation had been worsening since the end of 1981 before the war with the rebels became a major factor and after the

U.S. and other Western governments contributed \$1.6 billion to aid the Nicaraguan government."

Myth #22: The U.S. caused the Nicaraguan repression of human rights and civil liberties.

This defense of the Sandinistas simply does not hold water. A look at the chronology shows that even before 1982 the following (and many other events) had occurred:

- o In November 1980, Sandinista security forces assassinated Jorge Salazar, the vice president of the private sector umbrella group, Supreme Council of Private Enterprise (COSEP).
- o In November 1980 and again in March 1981, the Sandinistas prevented the Nicaraguan Democratic Movement party headed by former junta member Alfonso Robelo from holding peaceful rallies.
- o In early 1981, the Sandinistas arrested the President of the Permanent Commission on Human Rights (CPDH), Jose Esteban Gonzalez, occupied the Commission's office, and then condemned him to prison.
- o In February 1981, the Sandinistas arrested numerous Miskito Indian leaders for protesting Sandinista mistreatment of the indigenous population of the Atlantic Coast region. In late 1981-early 1982, the Sandinistas forced approximately 10,000 Miskitos to move to distant camps.
- o Since 1981, the independent daily La Prensa was shut down several times and its owners threatened.
- o In October 1981, five private sector leaders were imprisoned for signing a letter protesting the Sandinistas' actions to implant Marxism-Leninism in Nicaragua.

Myth #23: The U.S. is injecting an East-West dimension.

Some critics have argued that U.S. policy has made Nicaragua into an East-West battleground and has militarized the conflict. This argument only makes sense if one ignores the chronology of outside involvement or if one by definition excludes Soviet bloc involvement as outside interventions.

- o At a time when the U.S. and other democratic nations were providing generous assistance, the Sandinistas invited in Soviet bloc and Cuban security and military forces.
- o Even to this day, the U.S. has only 55 military advisers in El Salvador while the Cubans have several thousand military personnel in Nicaragua along with hundreds of others from Soviet bloc nations. Soviet bloc military advisers in Nicaragua and Cuba outnumber U.S.

advisers in the Caribbean by 20 to 1. Moscow has transferred some \$500 million in arms to Managua over the last 5 years while the U.S. has not even given any military aid to the resistance for two years.

o Moscow is giving ten times more military aid to Nicaragua and Cuba than the U.S. is giving to all of Latin America. Libya has provided over \$400 million in aid.

o A doctrine of non-intervention in Central America, to be even theoretically appropriate for U.S. policy, would only be appropriate if others also did not intervene. As John Stuart Mill observed over a century ago, "The doctrine of non-intervention, to be a legitimate principle of morality, must be accepted by all governments. The despots must consent to be bound by it as well as the free states. Unless they do, the profession of it by free countries comes but to this miserable issue, that the wrong side may help the wrong, but the right must not help the right."

Myth #24: U.S. involvement is counterproductive.

U.S. involvement, it is suggested, causes many Nicaraguans who are not Sandinista sympathizers to make common cause with them against "Yankee intervention," thereby actually strengthening Sandinista control. This is a serious argument which should not be dismissed out of hand, but ultimately it is not persuasive.

o This analysis assumes that an obsessive anti-U.S. animus operates among most Nicaraguans at all times regardless of historical circumstances. While Nicaraguans clearly would not like a repeat of the 1930s U.S. occupation, there is every reason to believe a great many Nicaraguans welcome U.S. aid to the resistance and have no objection to U.S. efforts to help implement the original democratic objectives of the 1979 revolution.

o As a matter of record, the size of the resistance has increased at those times when U.S. involvement has increased.

o Many of the same critics made the same analysis of the Grenada situation but no one today denies that U.S. involvement did not cause Grenada to rally to the Communist side but rather caused positive feelings towards the U.S.

Myth #25: The U.S. should permit Nicaraguans to determine their own destiny.

Critics argue that the U.S. is somehow preventing the Nicaraguan people from deciding their own destiny. This argument makes no sense in the current historical context. After all:

o The U.S. welcomed the new government and gave it extensive aid; it also encouraged early and fair elections.

o It was the Soviet bloc that "intervened" militarily first; any U.S. involvement was in response.

o The critics always avoid the question of how the Nicaraguan people can determine their own destiny when one particular faction inside Nicaragua is using Leninist techniques of power consolidation and is actively abetted by extensive Soviet bloc involvement. The end result is that the Nicaraguan people will be able to determine their own destiny in exactly the way the people of Cuba and the USSR are able to--that is to say, not at all.

o Certainly, the U.S. does not have any divine mission to take an activist role everywhere regardless of historical circumstances. But in areas of importance to our security, where our adversaries are actively involved, and especially where there is a critical mass of indigenous resistance, the U.S. has a responsibility to be involved. This is reinforced by the fact that there is not one single historical example of a people being able to end Marxist-Leninist rule once it has been firmly consolidated. Only outside aid might prevent that consolidation.

#### Myth #26: U.S. past role precludes Nicaraguan involvement.

This argument is the real hidden agenda of many opponents of U.S. policy. They are so indignant about perceived past failures of U.S. Nicaraguan policy, particularly the U.S. military presence and its role in the Somoza era, that they automatically reject any current involvement. This analysis rests on an assessment of past U.S. policies that is not necessarily accurate. Latin America experts Mark Falcoff and Shirley Christian have pointed out that the U.S. did not always have the ability to influence Nicaraguan events that critics of U.S. policy give it credit for. However, even assuming for the moment that the U.S. did some things wrong with respect to Nicaragua in the past, this does not preclude current U.S. policies.

o Due to proximity and the great disparities in size, wealth and security concerns, the U.S. inevitably is "involved" in Central America one way or another. It can either be consciously involved or merely take unfocused actions which will inevitably have significant impact in the region. There is really no possibility for the critics' preferred policy of non-involvement; and other nations will also continue to actively intervene regardless of what the U.S. does.

o The foreign policy of a great power cannot be a foreign policy based on historical guilt. The U.S. would simply be paralyzed and unable to act if it could not take actions anywhere where at some point in the past it had made some kind of policy mistake, or at least a mistake as perceived by critics of U.S. policy.

o Even on the level of moral analysis, the critics' argument fails. For example, at the time the U.S. fought the Nazis during World War II, the U.S. had a morally objectionable system of racial segregation in place. Did that make us morally unqualified to take on the Nazis? Of course not. Nazism, as is communism, is a greater evil than the imperfections of U.S. policy.

o Whatever historical "sins" the U.S. may have committed in Central America have more than been atoned for by recent U.S. policies. In the late 1970s, the U.S. played a key role in ending the Somoza regime and then welcomed the successor government with open arms; and the U.S. has in the last several years played an important role in establishing or strengthening democratic pluralism in El Salvador, Honduras and Guatemala. The purpose of current U.S. policy is precisely to encourage that process in Nicaragua as well, not to install another dictatorship.

Myth #27: The U.S. is isolated diplomatically.

Diplomatic considerations are important. But, and this is where the critics' view differs from that of the Administration, diplomatic factors cannot be the exclusive deciding criteria for U.S. policy where its vital interests are involved. Nonetheless, while it is correct that there is not a great deal of active public support for U.S. policies at this time, the following should be kept in mind:

o All Latin American democracies have denounced, some in rather harsh terms, the policies of the Sandinistas; in other words, support for the U.S. analysis of the anti-democratic and expansionist nature of the Sandinista regime is rather solid.

o Some nations have gone further. El Salvador and Honduras are in various ways playing important roles in the implementation of current U.S. policies; democratic Ecuador has broken relations with the Sandinistas.<sup>1</sup> There are subtle shifts elsewhere which indicate concern about Nicaragua. As Latin American expert Susan Kaufman Purcell observed in Foreign Affairs, "Mexico no longer supplies petroleum to Nicaragua on more favorable terms than to other clients...." Argentina's Foreign Minister Dante Caputo has recently said that the prospects for peace in Central America were non-existent, "if Nicaragua is or continues being in one form or another, a beachhead or a political base of the East or its allies in Latin America....It is indispensable that a Nicaragua be Latin American and enjoy full democracy. We shall never raise high the flag of a Marxist-Leninist regime."

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3. Then-President of Costa Rica Monge said in 1983 that "in 40 years of Somocismo, we never had the threat that we have in 4 years of Sandinistas."

o Even the Contadora nations' official position is that U.S. aid to the resistance should end simultaneously with Sandinista implementation of democratic pluralism and an end of expansionism.

o There is strong evidence from public opinion polls that a majority of people in Central America see the Sandinistas as a threat and accept an active U.S. role.

o It is unrealistic to expect the small nations of Central America, threatened by the Sandinista military build-up, to get out in front of the U.S. If the leader of the free world will not commit to a consistent, sustained policy, the leaders of these small, fragile nations are not likely to do so.

o While an active diplomatic role by Latin American nations, and indeed the OAS, is to be welcomed, these nations are not in a position to enforce any agreements which may be reached. Ultimately, it is the U.S. which would have to do so, and thus it cannot defer completely to those who have a very legitimate interest but cannot enforce that interest.

o The critics' argument is reminiscent of the U.S. and El Salvador several years ago. The same critics argued that the U.S. was diplomatically isolated in its involvement there. Supporters of U.S. policy argued that the U.S. should persevere and that such consistency and eventual improvement in this situation would lead to more diplomatic support. This is in fact what has happened, and the result is general Latin American and U.S. public acceptance of U.S. policy in El Salvador, a significant shift from 1981. Ironically, some of the same critics who argue so adamantly that the U.S. must not go beyond what the public pronouncements of Latin American governments will allow, are in the forefront of those calling for a vigorous U.S. response to terrorism even if our European allies are not willing to publicly endorse such action.

Myth #28: The U.S. should pursue the negotiating track.

This is a favorite argument in recent months. Of course, diplomacy should be a part of U.S. policy but what the critics overlook is that:

o The U.S. has been negotiating for several years. Over the years, it has made dozens of direct and indirect approaches to the Nicaraguan government; and the internal opposition as well as the democratic resistance have also offered to negotiate. Unfortunately, the Sandinistas have constantly rejected any attempt at meaningful negotiations on the issues of most concern not only to the U.S. but to neighboring nations. Further, Managua has reneged on its 1979 pledge to establish democratic pluralism. Why is it any likelier to abide by a pledge of non-aggression? While El Salvador's democratically

elected President Duarte has nonetheless expressed willingness to talk with the Marxist insurgents, the Sandinistas have made clear, in the words of Daniel Ortega, that: "We are not willing to enter into a dialogue with the instruments of aggression used by the U.S. government; with those it likes to characterize as the leaders of the counterrevolution. We will never enter into talks with those people."

o The U.S. made clear its good will by its initial policies after the Sandinistas took power. The U.S. really has nothing to prove in this regard.

o Force, or the threat of force, is an essential element in much of diplomacy. The only time when there were even hints of flexibility by the Sandinistas was when the resistance was scoring military gains at the time of earlier U.S. assistance. Critics have yet to satisfactorily explain why they think the Sandinistas will voluntarily change their policies just because others ask them to nicely. While it is not certain that the Sandinistas will ever negotiate in earnest, the only possibility that this will happen is if they are under real pressure.

Myth #29: U.S. policy will lead to another Vietnam.

When you explore below the surface, this is one of the fundamental concerns of many critics. The first problem is that different people define the meaning and implications of Vietnam differently. No one can, of course, state with absolute certainty what will not happen in the future. But there is considerable reason to conclude that U.S. policy in Nicaragua will not be another Vietnam because:

o This Administration has shown itself quite prudent and calculating in the application of military force. If the U.S. uses military force in a major way, it is likely to be a Grenada-type action where overwhelming force is applied in order to make a conflict as short as possible, rather than a Vietnam-type slow and agonizing gradualism.

o The same argument was used by critics of our support for El Salvador. They claimed that if the U.S. got involved, it would be a "slippery slope" leading to a major U.S. military involvement. But that, of course, has not happened; nor is there any more reason to think it will in Nicaragua.

Myth #30: The U.S. is violating international law.

The objectives of international law are noble indeed. The real issues here are two: the relationship between international law and current world realities, and the legal issues concerning U.S. policies.

o U.S. long-term policy should be to strive for a world where the rule of law is followed, and it should do whatever it can to gradually build up those institutions and legal approaches which can serve that goal.

o At the same time, U.S. policy must take into account the fact that any legal system can only be fully effective if there are either or both shared values by participants or effective enforcement mechanisms. In the world today, neither of these conditions exists. Therefore, the utility of international law must be evaluated with this in mind, especially if vital U.S. security interests are at stake. If we accept and observe international norms, while our adversaries do not, as was the case with Hitler for example, then the entire structure of Western institutions painfully built up over centuries is at risk.

o Having said all this, I would nonetheless assert strongly that the U.S. is in a strong position to contend that its actions are perfectly legitimate under current treaties and norms of international law. For example, as international law expert John Norton Moore has pointed out,

Article 51 of the U.N. Charter says that countries have the right to individual and collective defense.

Given Nicaragua's subversion of El Salvador, the United States is entitled to respond with whatever action is necessary and proportional in order to create and sustain an effective defense. Article 51 of the United Nations Charter and Article 3 of the Rio Treaty, and Articles 21, 22, 27, and 28 of the OAS Charter, make it clear that such actions in response to an armed attack are permissible...

[O]ne point which is often ignored is that under Article 3 of the Rio Treaty such a defensive response is obligatory. That is, if there is an armed attack on an American state, there is an obligation of the United States to go to the assistance of that state. This obligation is virtually identical to the same obligation of the United States under Article 5 of the NATO Treaty....

Such assistance, whether it consists of U.S. combat forces, whether it is assistance that takes the form of aid to the contras, or whether it is assistance that takes the form of mining of harbors, it is lawful under Article 51 of the United Nations Charter and Article 3 of the OAS Charter.

Further, the Congress has concluded in legislation that,

...by providing military support (including arms, training, and logistical, command and control, and communications



facilities) to groups seeking to overthrow the Government of El Salvador and other Central American governments, the Government...of Nicaragua has violated article 18 of the Charter of the [OAS] which declares that no state has the right to intervene, directly or indirectly, for any reason whatsoever, in the internal or external affairs of any other state....

## CONCLUSION

What I have tried to do here today is pierce the shroud of mythology which has gradually built up around the current situation in Nicaragua.

As you know, courts will often take "judicial notice" of certain facts which are so well-established that there is no point in wasting the court's time on litigating them. In the case of Nicaragua, it seems to me that we are at this point entitled to take "judicial notice" of at least the following: first, Nicaragua is controlled by a small Communist faction; second, the government has increasingly suppressed civil liberties and is inexorably moving towards a Cuban-style society; third, a significant sector of the population is already in open rebellion and many others harbor the same grievances; fourth, Nicaragua is a de facto member of the Soviet bloc of nations; and fifth, Nicaragua has actively sought to destabilize emerging democracies in Latin America.

These facts are, I think, now beyond dispute. What the appropriate policy response should be may still be debated, but it seems to me that once these facts are recognized, along with many of the other points I have discussed, there is no alternative but for the U.S. to actively support the democratic resistance to the Sandinistas.

It does seem to me that we are beginning to move towards a consensus that U.S. action is justified. It was not that far in the past that U.S. policy towards El Salvador was as contentious as that towards Nicaragua today. But now we find that a consensus has formed behind the general thrust of current U.S. policy. I suggest the same may well happen with respect to Nicaragua.

Underlying much of the other specific criticisms of U.S.-Nicaraguan policy, I believe, is a general distrust of the current Administration's motives and intentions. But surely at this point, after the support that this Administration has given to democratic evolution and consolidation not only in Latin America, but elsewhere, including most recently the Philippines, it does seem to me that it is about time that these critics, who have been proved wrong about U.S. policy in El Salvador, give the Administration the benefit

of the doubt when it says that its objective is to see democratic pluralism established in Nicaragua.

A remarkable trend of transition toward democratic pluralism has been underway in Latin America and elsewhere. In the case of Nicaragua, U.S. geostrategic, political, and moral interests all converge to support a policy of assistance to the democratic resistance. With such a policy there is a genuine possibility that before too long we may see a Nicaragua no longer a threat to its neighbors and whose people have been liberated from the yoke of oppression.