

REAGAN AND CONGRESS: CONSENSUS AND CONFLICT IN CENTRAL AMERICAN POLICY

By Richard A. Nuccio*

In the early 1960s, John F. Kennedy offered his now classic characterization of the options for U.S. policy in developing regions undergoing rapid social change:

We have three choices in descending order of acceptability — a decent democratic regime, another dictatorship, a communist government. We should strive for the first but we can't reject the second until we're sure we can prevent the third.¹

While John Kennedy may not have been expressing the full range of possible choices of regime for Latin America, he was describing the landscape of political possibilities as it appears from Washington. Striving for decent democratic governments has at times had greater and lesser priority in the United States, but it has almost always been the required goal of high visibility, politically popular, and sustainable policy initiatives toward Latin America.

Writing nearly two decades later, another architect of U.S. foreign policy, Ambassador Jeane Kirkpatrick, faced JFK's dilemma and placed her emphasis on the dichotomy in his original formulation between authoritarian and totalitarian regimes:

Only intellectual fashion and the tyranny of Right/Left thinking prevent intelligent men of good will from perceiving the *facts* that traditional authoritarian governments are less repressive than revolutionary autocracies, that they are more susceptible of liberalization, and that they are more compatible with U.S. interests.

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Although most governments in the world are, as they always have been, autocracies of one kind or another, no idea holds greater sway in the mind of educated Americans than the belief that it is possible to democratize governments, anytime, anywhere, under any circumstances. . . . Many of the wisest political scientists of this and previous centuries agree that democratic institutions are especially difficult to establish and maintain. . . .²

She did not dismiss democracy as irrelevant but expressed a more than robust skepticism for the ability of the United States to protect its interests *and* achieve decent democracies among its autocratic allies. She also worried that in the naive assumptions about democratic possibilities she saw as characterizing the policies of the Carter administration in Nicaragua, lay the seeds of totalitarian disaster outlined by Kennedy.

The debate over U.S. policy toward Latin America in the 1980s is focused almost exclusively on a region that does not contain many more people than the capital city of Mexico. This debate over Central America is marked by limited public understanding on the one hand and by partisan recrimination among experts on the other. It is easy to understand why. Central America has emerged again as a preoccupation of the United States at that precise moment when the consensus

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¹Lester D. Langley, *Central America: The Real Stakes* (New York: Crown Publishers, 1985), p.24.

²Jeane Kirkpatrick, "Dictatorships and Double Standards," *Commentary*, vol. 68 (November 1979), pp. 34-45.

guiding U.S. foreign policy after the Second World War fractured. The loss of the war in Vietnam caused many to question whether the United States should try to determine events in the Third World. The fall of the Shah in Iran and the long ordeal of the hostages indicated to some that the United States would pay dearly for its unwillingness to stand by its friends. Afghanistan undermined the hope of others that detente with the Soviet Union would lead to its restraint in regional conflicts. For these reasons and others, Central America is the place where a new consensus about how the United States should deal with revolutionary change in Third World countries will be forged (or not forged) in the post-Vietnam, post-Iran, post-Afghanistan era.

Whatever the merits of any approach to the problems of Central America, no policy will be successful if it is not sustainable over the long run. This paper is an argument that emphasizes certain aspects of recent U.S. policy in Central America to make the case that "success" in Central America has come, even in the midst of our foreign policy "crisis of consensus," when strong congressional initiatives have produced compromise by the Executive branch. It focuses on the "success" of policy toward El Salvador and draws lessons for the current failures of policy in Nicaragua that require a change in the objectives the administration hopes to achieve in that country. Finally, it draws on an analogy with the Middle East peace negotiations to outline the parameters of a possible Nicaraguan settlement.

Consensus on El Salvador

In the perceived emergency of the guerrilla offensive in El Salvador in late 1980 and early 1981 and perhaps flush with November victory, the Reagan administration forgot for a time the fundamental lesson of North American politics identified by JFK: "decent democracies" must be the goal of a sustainable U.S. policy toward Latin America. It allowed its ideological distaste for a reformist politician like Napoleon Duarte and its preoccupation with the Soviet specter to reduce its options to the Kirkpatrick dichotomy. But the unprecedented slaughter conducted by the military-civilian junta during 1981, including that of North American churchwomen, galvanized the human rights lobby in the United States sufficiently to exert pressure through the congress on the conduct of policy toward El Salvador. El Salvador's was an overt, not covert, war. Congressional approval for funding of the war effort was crucial to administration policy. And so, over time, the administration made many of the goals of congress its own for El Salvador: support for the reformist Duarte and reform policies including such ideologically unpalatable measures as land reform and the nationalization of the banking sector and foreign trade; attention to massive human rights abuses by the Salvadoran armed forces called for by aid contingency legislation; and the promotion of democracy as the ultimate objective of U.S. policy. In the process it advanced from the Kirkpatrick dichotomy to return to the Kennedy dilemma.

The consequence of this merging of the administration's agenda for El Salvador with that of the congress's was "success." Duarte survived the military-civilian junta with his reformist credentials somewhat intact. He could still not be elected president in 1982, but neither could the administration allow Roberto D'Aubuisson to hold the office. Duarte's election in 1984 was desirable and achievable. By the legislative elections of 1985, after a "dialogue" with the guerrillas had been initiated, Duarte and the Christian Democrats were so powerful that they created a new concern that they aspired to the single-party state model once tried by the military and the PCN.

With Duarte came congressional funding for the war effort, virtually without restrictions. The military situation stabilized for the government and even appeared to have turned in its favor. Human rights abuses decreased and the serial bombardment that was essential to the counter-insurgency strategy produced civilian deaths in guerrilla controlled areas far from cameras and

news stories. The military seemed increasingly comfortable and convincing in its new role as defender of the constitutional order.

At this precise moment of its greatest advance in El Salvador, the administration set in motion the policies that may ultimately snatch defeat from these hands of victory. Instead of using its position of strength to sue for peace, the administration raised its objectives in El Salvador. Military defeat of the guerrillas became the goal of U.S. policy, not their elimination as a political threat. That might have been achieved by encouraging Duarte to make a proposal so generous and accommodating to the guerrillas and their civilian allies that it would have undercut all but the most fanatical adherents. However, diplomatic accommodation was undesirable; it would send a message to other guerrilla movements that they could wage war until stalemate and then negotiate at the table what they could not achieve on the battlefield.

For a time in 1985 it looked as if military victory might be at hand. The army's tactics were more effective and prevented the guerrillas from mounting a dry season offensive or even operating regularly in large-scale units. Official estimates of their strength decreased to roughly half of what they had been a year earlier. U.S. military trainers spoke of reducing the guerrillas to bandits and extending government control to 90 percent of the country in three to five years. The dialogue begun with the guerrillas by President Duarte in October 1985 and suspended after the hardline positions of each side became clear during the second meeting at Ayagualo, seemed unimportant. Like El Salvador's own conservatives, the United States believed it could win a whole loaf on the battlefield; why negotiate for half a loaf?

By the beginning of 1986 the optimism that had prevailed just six months earlier seemed misplaced. Changes in guerrilla tactics brought their operations back to the front pages. Attacks on U.S. marines and Salvadoran training bases and the kidnapping of local Christian Democratic mayors and the daughter of President Duarte demonstrated the guerrillas' ability to hold out for the long run and to conduct successfully the "low intensity conflict" that is the new buzzword of military thinkers. The guerrillas extended operations to virtually all parts of El Salvador and, through greater coordination of their factions, became more adept at simultaneous sabotage that can cut off electricity or disrupt transport to major parts of the country.

The Salvadoran economy, never healthy, is now reeling. Five hundred million dollars in U.S. aid annually is no longer even able to keep the economy limping along. Massive austerity measures have had to be taken at a time when Duarte's political strength is noticeably weaker. Destruction of the Brazilian coffee crop may help El Salvador squeak through in the short run by raising prices for the country's primary export product but is unlikely to resolve President Duarte's fundamental political difficulties.

The decline in Duarte's political fortunes can be traced to several causes. Distrusted by the military and the civilian right, Duarte has waged a campaign of accommodation with the interests of the right. He had been quite successful with the military until his negotiations with the FMLN to obtain the release of his daughter undermined his standing with them. The civilian right had never trusted the Christian Democrat who nationalized the banks and the coffee export sector. Less seduced by Duarte's ability to produce U.S. aid, they are ready to desert the President the first time he seriously threatens their interests. As Duarte moved toward accommodation with the right, his traditional source of political support in the Christian Democratic labor unions became more tenuous. Expressing the nub of Duarte's political dilemma, one labor leader commented after the recent austerity measures that, "Now we will not only die because of the war. They're also condemning us to die of hunger." In the political space opened up by Duarte's election, the FMLN intended to move back into the cities to organize political support in the universities, labor unions, and other "popular organizations." Amidst the economic downturn it could expect to find more fertile ground for protest than at any time since the late 1970s.

Pessimists, especially on the left, have not proven to be correct about El Salvador in the recent past. Pointing accurately to potential problems, they have underestimated Duarte's own personal capabilities as well as the pragmatism displayed at key junctures by the Reagan administration. Countervailing trends to the negative developments cited above are also in evidence in 1986. Splits have emerged more publicly than ever before between the FDR and the FMLN over tactics, and some middle-level FDR supporters have returned to El Salvador to test the waters for overt political activity.

However, another pessimistic judgment will be offered here: that the high point of administration policy was reached in El Salvador in 1985 both militarily and politically. Because of the negative developments of 1985 and early 1986, both a military *and* a political solution will be more difficult to achieve in the future. An opportunity to cut a deal with the more moderate elements of the left in El Salvador that would have preserved essential U.S. interests while reducing direct U.S. involvement was passed over in 1985 for the ideologically more desirable goal of total victory. It may be some time before such an opportunity to bargain from strength returns again.

Conflict Over Nicaragua

Nicaraguan policy has never displayed the agility on the part of the administration that was demonstrated in El Salvador. A fundamental reason for this is that the administration has never been confronted with an alternative policy by congress. Because the war against Nicaragua was "covert," congressional funding has, until recently, not been as crucial, as public, or as massive as it was for El Salvador. In the case of Nicaragua the administration has consistently been on the offense and congress on the defense. Supporters of official policy could more accurately and effectively than in El Salvador threaten to charge those in opposition to administration policy with having "lost" Nicaragua. The human rights abuses by the U.S. backed government in El Salvador embarrassed the administration and emboldened the opposition. In Nicaragua, the administration can rely on a "secret" speech by Arce here or a Moscow trip by Ortega there to do their work for them with congress. Human rights violations by the "contras" were never as massive or as embarrassing as those by the "death squads" in El Salvador. And the Sandinistas themselves have moved to decrease progressively political space within Nicaragua.

Still, administration policy in Nicaragua has not ultimately been as "successful" as it was in El Salvador. A congressional consensus for pressure on Nicaragua has been established after intensive lobbying by the administration (and gaffes by the Sandinistas), but it is quite fragile. It is true that there are no longer any friends of the Sandinistas in congress. (Perhaps there is literally one, Ron Dellums.) Thanks to President Ortega's trip to Moscow and earlier spade work by the administration, the congress has approved "humanitarian" assistance to the "contras." Yet it is possible to imagine a "contra" atrocity, a blown CIA operation, or other embarrassment that will threaten the support which exists for "humanitarian" — i.e., overt but politically clean — assistance to the "contras" and prevent military aid from being voted in the future.

If the essence of the compromise wrought by congressional opposition in the case of El Salvador was the pursuit by the administration of "decent democracy" in El Salvador, the equivalent for Nicaragua would be the acceptance by the administration of a political solution to the Nicaraguan conflict that would not remove the Sandinistas from power as a prior condition. This is because of the other pole of sustainable policy initiatives toward Latin America: the United States can not be overtly engaged in the overthrow of a legally constituted government that does not appear to be an immediate threat to the security of the United States.

Some may argue that the administration is, in fact, not pursuing the overthrow of the Sandinistas. Ignoring for the moment the inhibitions on frankness about overthrowing the legal government of a

country with which the United States maintains full diplomatic relations and the "Say Uncle" remark by President Reagan in his news conference of February 21, 1985, it is still possible to demonstrate that current policy toward the Sandinistas is either duplicitous or contradictory in its intentions.

The syllogism of official current policy goes something like this:

The Sandinistas are Marxist-Leninists.

Marxist-Leninists will only make concessions to democracy if forced to by pressure.

With current levels of U.S. pressure the Sandinistas have become ever more totalitarian.

Therefore, congress needs to approve funding for much higher levels of pressure.

Most students of international affairs will recognize in this characterization of current policy the familiar restatement of a great policy principle: an ineffective policy can be made more effective by increasing the amount of pressure with which it is applied.

A more accurate statement of actual policy toward Nicaragua would probably be as follows:

The Sandinistas are Marxists-Leninists.

Marxists-Leninists will never willingly surrender power; it must be taken from them.

Current measures are not sufficient to remove the Sandinistas from power, but public support does not yet exist for the direct U.S. role that would be required to remove them.

Therefore, interim measures must be adopted to preoccupy the Sandinistas until public support for their removal becomes manifest.

The dilemma of U.S. policy toward Nicaragua in 1986 is that if this second rendition of administration thinking is accurate, it cannot be publicly supported by a majority in congress. Many U.S. citizens and a significant number of their representatives in congress have difficulty with an attempt by the United States to overthrow a legal government that is not a direct threat to the security of the United States. The result of this dilemma is a series of very elaborate dances around the real issues:

1. Everyone supports Contadora. But the goal of Contadora is to reach a negotiated settlement between the conflicting parties in Central America that would accommodate the Sandinistas. This goal is unacceptable to the administration, but the administration cannot openly reject Contadora so it works within Contadora to oppose any treaty that would leave the Sandinistas in power.

2. The administration opposes the Sandinistas because they are undemocratic. But it pays only the most superficial attention to the issue of democratization within the Nicaraguan opposition.

3. The administration promotes a prominent role for civilian leadership of the *contras* with democratic credentials. Yet, taking a page from the great democrat, Fidel Castro, it discourages pluralism among *contra* groups in the interest of greater military effectiveness. By emphasizing a military approach it sets up the potential for a repeat of the 1979 experience — should the *contras* ever come to power — when the FSLN literally outgunned its civilian allies. By increasing the opposition's reliance on U.S. aid it encourages the historical pattern in Nicaragua of dissidents looking more to the United States to solve their political disputes than to their own political resources.

Facing the Real Issues

There are various ways to resolve this dilemma of U.S. policy toward Nicaragua. The congress could decide to accept the administration's view of the Sandinistas, override public concern about a direct U.S. military involvement in Central America, and vote much higher levels of United States aid to the *contras* and whatever other assistance is necessary — including U.S. air cover and/or

troops to overthrow the Sandinistas. This would "remove" the communist threat in Central America in at least as effective a manner as it was "removed" in Guatemala in 1954. Such an action would also have certain costs.

Some analysts, such as the Rand Corporation's David Ronfeldt, have argued that a reassertion of U.S. hegemony in the Caribbean Basin would be welcomed by many in Latin America. Others, however, assume that much of the rest of Latin America would be horrified by such an action on the part of the United States. The Sandinistas have vowed that, if invaded, they would retaliate, Qaddafi-like, by sending terrorist "hit-teams" throughout Latin America and to the United States itself. In addition, there are the actual costs of the invasion itself which were estimated, before the recent acquisition of a great deal more military equipment by the Sandinistas, to require 61,000 men and result in 2,000 to 5,000 American dead and between 9,000 to 19,000 American wounded.³

Another solution would be that suggested by the evolution of U.S. policy toward El Salvador: the presentation by congress of a strong alternative to administration policy. This alternative would place enforceable limits on U.S. tolerance of Sandinista practices, but not actively seek their overthrow unless those limits are violated. Such a congressional alternative would not be taken seriously by the administration unless it were backed by a consistent refusal to grant administration aid requests for the *contras* until the administration signaled its willingness to reject overthrow of the Sandinistas unless they take specific aggressive steps. Such steps might include *massive* levels of support for the export of revolution; installation of Soviet bases; acquisition, with proximate intent to use, of large amounts of *purely* offensive weapons etc.

This alternative, if successful in deterring the administration from pursuit of the overthrow of the Sandinistas, would also have its costs. It would alarm the right in the rest of Central America, though it would be warmly received by the governments of virtually the rest of Latin America (Chile and Paraguay excepted).⁴

It would hearten the Sandinistas and perhaps encourage a spirit of triumphalism that they had tweaked the *yanqui's* nose twice in a decade and lived to tell about it. However, more moderate elements of the Sandinistas would gain ground if they were inclined to battle with more doctrinaire members of the ruling group. The perverse cycle of the ideological right in Washington feeding on the ideological left in Managua and vice versa might thus be broken.

Some parts of the Nicaraguan opposition would feel disillusioned, others, betrayed and abandoned. The contra fighters in particular would become a massive problem for the United States, Honduras, and the surrounding Central American countries if provision were not made for the return of some to Nicaragua and the migration of others to the United States or other third countries. An emphasis on political rather than military opposition would, however, be encouraged and a tradition of elite reliance on Uncle Sam to "fix" Nicaraguan internal disputes broken.

Negotiating Solutions to Intractable Dilemmas

Because Central America is a quagmire, a conundrum, and an apple of discord, a solution to the Central American policy dilemma will have to be similar to that adopted in other intractable policy

³Theodore Moran, "The Cost of Alternative U.S. Policies Toward El Salvador 1984-1989," in Robert S. Leiken, ed., *Central America, Anatomy of Conflict* (New York: Pergamon Press, 1984), p. 156.

⁴Official statements by administration spokespersons that most Latin American governments really want the United States to overthrow the Sandinistas, but that they cannot say so publicly, is no basis on which to build U.S. policy in the region. Many of the same Latin officials cited by the United States as secret adherents to administration policy say exactly the opposite to Western European officials who disagree with U.S. policy. This leads one to the conclusion that Central Americans continue their historic and entirely understandable tendency to act as all small powers must and tell big powers whatever they want to hear.

arenas such as the Middle East. A la Kissinger, a diplomatic accord over Nicaragua will be one that is consciously misperceived by all parties to the dispute. Just as in the Mid-East peace agreement between Israel and Egypt, each side will have to assume that the final agreement is ambiguous enough to be interpreted as favoring them over their opponents. In the case of the United States and Nicaragua the formulation of a negotiated solution would be as follows:

The Sandinistas would make concessions to the opposition and to the United States that they believed could possibly remove them from power, but probably would not.

The United States and the Nicaraguan opposition would make concessions to the Sandinistas that they believed could possibly leave the Sandinistas in power, but probably would not.

As in the case of the Middle East, such a simultaneously misinterpreted treaty would lead to a great deal of maneuvering on the part of the parties involved to increase their leverage against their adversaries and to potential stalemate. It would have the advantage of emphasizing political over military competition.

This type of agreement in the Middle East was possible because significant actors in the conflict recognized that their maximum objectives were either no longer achievable or too costly to national survival to continue to pursue. All parties to the Nicaraguan conflict now appear to believe that their maximum objectives are within grasp without significant compromise. Until these perceptions (or realities) change, a negotiated outcome is unlikely. However, Congress is an institution uniquely qualified to evaluate the costs of the pursuit of maximum objectives in Nicaragua and to impose a negotiation alternative that could preserve essential U.S. interests at reduced costs.