

# State-Sponsored Terrorism: The U.S.'s Response to the Nicaraguan Revolution

Written by anon

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ANON, SEP 23 2012

### **To What Extent can the U.S.'s Role in Response to the Nicaraguan Revolution be Perceived as State-Sponsored Terrorism?**

Despite the U.S.'s involvement in Nicaragua, particularly with the sponsorship of the 'contras' or 'the counter-revolution', being incontrovertibly documented, the extent to which this apparent support can be described as state-sponsored terrorism remains a contentious issue (Armstrong *et al*, 1987). Indeed, this contention is not limited to academic literature; the argument surrounding the U.S.'s involvement in state-sponsored terrorism intensified to such an extent that in 1984 the International Court of Justice was involved (Gareau, 2004). To provide a sufficient analysis detailing the extent to which the U.S. engaged in state-sponsored terrorism in the response to the Nicaraguan Revolution, it is essential to provide a brief contextualisation of the contras, particularly noting the motivations for the U.S.'s involvement. Furthermore, by initially establishing a definition of 'state-sponsored terrorism' it will be possible to develop a framework within which the U.S.'s actions can be effectively analysed. By establishing a link between the U.S. and the Nicaraguan contras, it will be possible to assess the extent to which the group acted as a catalyst for the apparent 'terrorist' actions.

The term state-sponsored terrorism details an intrinsic relationship maintained between 'terrorists' and a nation state. Naturally, the U.S. sponsorship of a Nicaraguan group displays a transnational paradigm within state sponsored terrorism. The transnationality and utilisation of proxy organisations mean that state-sponsored terrorism is often engaged in the desire to keep the acts invisible (Barker, 2003). The most fundamental reason that motivates nation states to be involved in transnational state-sponsored terrorism is to maintain national or global security. Indeed, legitimisation in sponsoring the terrorism is often sought through focussing on the antagonistic relationship between the sponsored terrorists' opponents and the state that is sponsoring. There are four fundamental types of states-sponsored terrorism, by noting them it will be possible to assess the extent to which any of them are applicable to the U.S.'s actions in response to the Nicaraguan Revolution. The first type of sponsorship is a political or moral support; this is overt political support for a group's ideological stance, tactics or motives. The second is logistical or technical support. This involves the direct provisional support for a group by a state; primarily supplying them with materials such as military hardware. The third is episodic involvement; it involves a state assisting a group in achieving a specific goal. The final type of sponsorship is joint or active operations which involves a state directly engaging with its proxy on operational affairs (Martin, 2010).

The desire the U.S. to engage in these proxy wars was clearly evident during the Cold War. The bi-polarity of the international system meant that, as the realist power balance theory notes, the United States naturally assumed an antagonistic role with the Soviet Union. The zero-sum and all encompassing nature of the potential nuclear war between the powers prevented either in engaging in a direct military conflict (Ryan, 2000). Sponsoring terrorism and engaging in proxy conflicts, therefore, became an instrument of U.S. foreign policy (Martin, 2010). Combined with the desire not to engage in a potentially disastrous military war with the Soviet Union, there are a multitude of factors that make sponsoring terrorism an attractive foreign policy. The most notable benefit of engaging in a proxy war is the ability maintained by the perpetrator to distance themselves from accountability and blame. Similarly, sponsoring terrorism is a relatively cheap way of displaying power. By showing dominance and utilising a terrorist incident to

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display power, fear can be spread (Mullin, 1971).

The U.S. supported 'contras' in Nicaragua were a combination of numerous reactionary groups that opposed the establishment of Nicaragua's FSLN (Sandinista National Liberation Front) government following the overthrow of the Anastasio Somoza Debayle's dictatorship in 1979. U.S. intervention and influence in Nicaragua was a frequent occurrence in the 20<sup>th</sup> century. The governments of Nicaragua enjoyed support from the United States, and the National Guard received training. After the revolution, the overthrow by the apparent 'Cuban-oriented Marxist Guerrillas' (Martin, 2010, p. 59) saw support for the contras grow. Despite originating from a multitude of ideological stances, the combining demographic elements that constituted the contras all maintained a relatively right - wing opposition to the left - wing Sandinista regime (Booth, 1982). The two most prominent motivations for joining the contras were individuals that either opposed the Somoza regime but also opposed the Sandinista government, often due to an apparent increasingly authoritarian regime, or individuals that supported the previous Somoza government. As realist theory dictates, the U.S. support of the contras served a national interest. The Soviet Union's support of the FSLN, combined with the proximity of Nicaragua to the U.S., witnessed the development of a proxy war (Dickinson, 1992). Indeed, the bipolarity of the Cold War and the apparent support that the FSLN displayed for the Soviet Union motivated the U.S. to pursue the unification of the anti-Sandinista groups. Notably, the communist threat that, in the eyes of the U.S., the FSLN exemplified, legitimised for many the decisions that included U.S. involvement.

Initially, in 1981, the CIA's aim was to feed, clothe, arm and supervise the contras (Hamilton & Inouye, 1987). As the Reagan doctrine was developed, primarily to militarily assist any groups that were opposing Soviet supported communist governments, 1982 witnessed the establishment of the National Security Decision Directive 17. This provided the CIA with \$19 million in military aid that was to be utilised in recruitment and support (Huggins, 1987). Between 1979 and 1991 this aid amounted to over \$6 billion (Gareau, 2004). The Reagan administration attempted to portray the support that the U.S. gave the contras as humanitarian 'counter-terrorism'. However, since the Reagan administration continued 'to support other regimes in the region that are vastly more repressive than that of the Sandinistas, its alleged concern for human rights was merely a contrivance' (Beres, 1985, p. 77). This demonstrates and highlights the motivations for engaging in state-sponsorship. Indeed, this apparent lack of humanitarian concern underpins many of the assertions levelled against the United States for being sponsors of terrorism.

The methods utilised by the U.S. supported contras exemplified 'terrorist' behaviour. Indeed, it is the link between the U.S. and the organisation that needs to be established (Mamdani, 2002). Despite the Sandinista government being the primary target of attacks, the contras maintained a sense of fear amongst potential opposition by engaging in politically motivated violence that affected many collateral victims (Ruby, 2002). With a multitude of accusations levelled against them, including the torturing, rape and execution of civilians, it was inevitable that the international community, or at least the victims, would take action. This retaliatory action would highlight the extent to which the U.S. was perceived to be guilty of sponsoring terrorism. The most notable explanatory factor in the development of assertions that perceive the U.S. to be guilty of sponsoring terrorism in Nicaragua was the International Court of Justice case of 1984.

The extent of the opposition demonstrates both the level of U.S. involvement and the apparent 'terrorist' methods that the contras were utilising. The opposition was evident both internationally and domestically. Indeed, President Regan's attempts, in 1985, to establish an embargo on all trade with Nicaragua was met with fierce Congressional opposition (Beres, 1985). The block from Congress, following the initiation of the ICJ case, forced Reagan to pursue means through which third parties, such as other states and private companies, would provide the contras with military supplies and funding (Hamilton & Inouye, 1987). The operation became increasingly secretive with the U.S. government further distancing itself from the contras. This was achieved primarily through delegation; the most notable example was Lt. Col. Oliver North's establishment of 'The Enterprise' using third party funds. The Enterprise was able to utilise CIA operatives, pilots, airfields and secret bank accounts (Hamilton & Inouye, 1987). The continuation of sponsorship despite domestic blocking is a clear example of the extent to which the U.S. was dedicated to the sponsorship. Furthermore, by directly funding the military elements of the opposition the U.S. implicitly acknowledged that the finances may be responsible for the perpetuation of terrorist acts.

The most demonstrative example of the U.S. being implicit in the continuation of terrorism in Nicaragua comes from

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the aforementioned International Court of Justice case, 'The Republic of Nicaragua v. The United States of America', in 1984. The ICJ ruled in favour of Nicaragua asserting that, by supporting contras, the U.S. had broken international law (Leigh, 1987). The Court found that the U.S. violated the sovereignty of Nicaragua and breached its obligations under international law not to utilise force against any other state (Leigh, 1987). The Sandinista government asserted that by financially supporting, equipping, training, recruiting and supplying the contra group, the U.S. had violated previously established treaty obligations to Nicaragua (Cutler, 1984). Similarly, Nicaragua charged that the U.S. had broken international law and that the contras had violated the human rights of Nicaraguans. The ruling found that the U.S. had indeed breached the 'customary international law not to intervene in the affairs of another State' (International Court of Justice, 1986). Furthermore, the U.S. was found guilty of intervening in Nicaragua's affairs and undermining its sovereignty. The international recognition of and condemnation of the U.S.'s action in Nicaragua clearly demonstrate that the United States was guilty of state-sponsored terrorism. Indeed, the rulings stating that the sovereignty had been undermined and an illegal intervention occurred served as empirical evidence that state sponsored terrorism occurred.

There was, however, contention surrounding the extent to which the U.S. government could be linked to the contras group. Perhaps due to the lack of accountability surrounding state-sponsored terrorism, the ICJ ruled that the evidence available was 'insufficient to demonstrate the total dependence of the contras on United States aid' (International Court of Justice, 1986). The legal requirement of 'total dependence' is not, however, a requirement in establishing the U.S.'s involvement in state-sponsored terrorism. As the definition established, state-sponsored terrorism does not necessarily dictate that the 'terrorist' group is totally dependent on the providing state. Indeed, it is apparent that the level of involvement that the U.S. had with the organisation exemplified episodic and joint involvement. The U.S. military rhetoric during the sponsorship demonstrates an awareness of the human rights violations that the contras were engaged in. Gen. John Galvin, a military leader of the U.S. Southern Command, stated that the contras were 'going after [unarmed civilian] targets. They're not trying to duke it out with the Sandinistas directly' (Kaplan, 1987). This admission by the U.S. of their acknowledgment of the human rights violations that were committed by the contras was recognised by the ICJ. Although not being able to display a total dependence on the U.S. government the Reagan administration's role is clearly demonstrable through the U.S. 'training and equipping the force, planning of operations, choosing the targets and providing operational support' (International Court of Justice, 1986). This recognition by the International Court of Justice further demonstrates an investigated and evident link between the contras and the U.S. government. Similarly, using the ICJ's recognition that the group committed terrorist acts (International Court of Justice, 1986), it is possible to assert that the U.S., through sponsoring the group, were, to a large extent, guilty of state-sponsored terrorism.

In conclusion, through demonstrating the link between the U.S. government and the contras, it is apparent that the U.S.'s role in the reaction to the Nicaraguan revolution involved engaging in state – sponsored terrorism. Through detailing the motivations and contextualising the inability to engage in direct military warfare, it is evident that sponsoring terrorism became an intrinsic part of U.S. foreign policy with regards to Nicaragua. With the U.S. maintaining a level of involvement since the unification of the contras, it is clear that the group was linked to the government. The U.S. refused to accept the ICJ ruling that asserted national sovereignty had been breached and international law broken on the grounds that they were acting in their defence. This refusal, combined with the inability of the ICJ to directly display an evident link between the contras and the U.S. government, demonstrates one of the key elements of state-sponsored terrorism, the ability to hide from accountability. By acknowledging the link between the U.S. government and the contras, the terrorist activities that the contras engaged in and the recognition by the International Court of Justice it is clearly evident that the U.S. engaged in state-sponsored terrorism in its response to the Nicaraguan revolution.

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Written at: University of Surrey  
Written for: Professor Breen-Smyth  
Date written: 04/2012

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## About the author:

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The author/s of this content have been verified by E-international Relations, but wish to remain anonymous.