

Registro: 1**Título:** Legacies of the U.S. Invasion of Panama.**Autores:** YAO, JULIO (AUTHOR)**Fuente:** NACLA Report on the Americas. Spring2012, Vol. 45 Issue 1, p70-72.
3p.**Tipo de documento:** Article**Descriptorios:** *MILITARY history
UNITED States Invasion of Panama, 1989
20TH century**Términos geográficos:** PANAMA
UNITED States**Gente:** CLARK, Ramsey**Resumen:** The article examines the legacies of the U.S. invasion of Panama in 1989. According to the author, an independent investigation by former U.S. attorney general Ramsey Clark found that as many as 7,000 people may have been killed during the U.S. invasion of Panama. The author notes that despite the large number of civilian casualties, no Panamanian government has authorized a commission to investigate the killings.**Recuento total de palabras:** 2365**ISSN:** 1071-4839**DOI:** 10.1080/10714839.2012.11722121**Número de acceso:** 74702144**Base de datos:** Academic Search Premier**Legacies of the U.S. Invasion of Panama**

CENTRAL AMERICA

ON DECEMBER 20, 1989, FORMER PRESIDENT GEORGE H.W. Bush ordered the invasion of Panama. The U.S. 82nd Airborne division pummeled Panama City from the air, as U.S. soldiers from the 193rd Brigade clashed in the streets with troops from the Panamanian Defense Forces (PDF) and the Dignity Battalions, a militia of workers and campesinos. Thousands of civilians were caught in the crossfire as the heavily populated El Chorrillo neighborhood was set ablaze. By the time General Manuel Noriega surrendered on January 3, 1990, 23 U.S. soldiers and 314 PDF troops had been officially killed in the fighting.¹ Civilian casualties were estimated in the thousands. According to an independent investigation by former U.S. attorney general Ramsey Clark, as many as 7,000 people may have been killed.² Mass graves were uncovered after U.S. troops had withdrawn, and over 15,000 civilians were displaced.

Despite the civilian body count, no Panamanian government since has authorized a commission to investigate the killings that took place during the foreign military aggression. No administration has attempted to demand reparations from the United States, nor filed a lawsuit against the United States before the International Court of Justice at the Hague. Over twenty two years later, the U.S. "Christmas invasion" of Panama is being lost to

memory, yet its legacy lives on in profound ways that continue to shape both domestic and foreign policy in Panama.

ON THE DAY OF THE INVASION, SHORTLY AFTER U.S. troops began to move, Guillermo Endara was sworn in as Panamanian president, along with his vice presidents, Guillermo Ford and Ricardo Arias Calderón at Fort Clayton, a U.S. military base in the Panama Canal Zone. In a telling sign of their political allegiance, few Panamanian citizens were present at the swearing-in, and Panama's new leaders remained at the base for 36 hours.³

Following the invasion, and in obedience to the invading forces, the new Endara government dismantled the PDF on February 10, 1990, replacing it with the unarmed National Police. The new government also dissolved the PDF's intelligence bodies and its personnel and eliminated the military character of the police force, allowing the Bush administration to appropriate the PDF's weapons, vehicles, and equipment. Panama's ability to defend itself was further prohibited when Panama's Legislative Assembly approved a constitutional amendment in 1994 that barred the creation of a standing military force.

The importance of these decisions can only be understood by taking into account the pre-invasion functions and responsibilities of the PDF--a police force composed of 16,000 troops, including 4,000 lightly-armed soldiers that lacked air, naval, and artillery capabilities. The PDF had a professional intelligence service, in addition to the National Department of Investigations (DENI). The intelligence service was charged with protecting national security and sovereignty, as well as other strategic and geopolitical tasks, including counterintelligence and spying.

Among other things, the PDF was responsible for ensuring that the United States adhered to treaties between the two countries, and containing U.S. influence generated by the presence of 14 U.S. military bases in Panama. It was tasked with monitoring and protecting national territory against interventions and aggressions, and regulating the movement of U.S. troops. Finally, it supervised the state transfer of U.S.-controlled Canal Zone areas to Panama, a process that began on October 1, 1979, as a result of the September 1977 treaties between U.S. president Jimmy Carter and Panamanian leader Omar Torrijos, which set the timeline for the United States to return full sovereignty over the Panama Canal to Panama by December 31, 1999.

Apart from ensuring the United States' full respect for Panama's national sovereignty, the PDF carried out other strategic and geopolitical responsibilities, both nationally and internationally, which brought the defense force into contact with intelligence agencies in Cuba, Israel, the Soviet Union, Taiwan, and the United States. The PDF also maintained contact with national-liberation and insurgent movements, such as the Revolutionary Armed Forces of Colombia (FARC), the 19th of April Movement (M-19), and the National Liberation Army (ELN) in Colombia, the Sandinista National Liberation Front (FSLN) in Nicaragua, the Farabundo Marti National Liberation Front (FMLN) in El Salvador, the Polisario Front in Morocco, and movements inside other nations including Libya.

Despite pressure from the U.S. Southern Command--which was based in Panama through 1997 and charged with military operations across the region--the PDF supported the 1983 decision to expel the School of the Americas from Panama. The PDF was responsible for fighting drug cartels, which were prohibited from bringing drugs into the country. In fact, before the invasion, drug addiction, drug trafficking, and gangs did not constitute a national problem in Panama as they do today. Moreover, the homicide rate averaged 2.1 murders per 100,000 people in the 1970s and early 1980s. By the 1990s, however, that number jumped to nearly 11 murders per 100,000 people and in 2011 was 20 murders per 100,000 people.⁴ Drug trafficking has also been

on the rise. In 2009, Panama ranked the third highest in drug seizures behind Ecuador and Colombia, with over 58 tons of cocaine seized by police. That's up from almost six tons in 1994 and 13 tons in 1998.⁵

Four different administrations have been in power in Panama since the U.S. invasion, and yet Panama still has no intelligence organization. There is only a Security Council, which carries out illegal activities, including wiretapping, recording private conversations, making intimidating threats to protect the interests of foreign corporations, raising false charges against alleged enemies, and spying on the lives of private citizens.

U.S. interventions, military and otherwise, have been legalized by treaties that fail to meet constitutional requirements and international norms and principles, such as the Salas-Becker Agreement in 2002, which authorizes free entry into national territory by land, water, and air; the Arias Cerjack-Watt Accord in 2003, which grants impunity to U.S. war criminals; and the Escalona-Bolton Amendment in 2004, which allows the United States, along with two dozen other countries, to board Panamanian flagships on the open seas.

Currently, Panama has only partial sovereignty. The 1977 Neutrality Treaty, signed between Panama and the United States, prohibits any foreign military presence on Panamanian territory. Yet the treaty is not enforced because post-invasion governments have, without any formal agreement, allowed the United States to be responsible for the canal's defense. Such is the case with the annual Panamax war-game maneuvers that the U.S. Southern Command coordinates with surrounding countries. In 2010, the maneuvers were focused on a mock campesino-indigenous revolt (which ironically is almost precisely what is taking place with the Ngöbe-Buglé protests against mining and hydro projects on their indigenous reservation in western Panama). In 2011, 17 nations, including Canada, Ecuador, El Salvador, Mexico, and Peru, participated in the military exercises in Panama.⁶

As uncovered by WikiLeaks, Panama has established more than a dozen air and naval bases with U.S. financing and material support. In turn, however, the United States uses these bases to fight drug trafficking and the Colombian insurgency, further violating the Neutrality Treaty. Furthermore, the increasing militarization of Panama's police forces, including the National Border Service (SENA-FRONT) and segments of the National Police, through arming police with heavy weapons like rocket launchers and training officers in interrogation, torture, and counter-terrorism techniques at the School of the Americas. These measures violate Panama's constitution, which forbids the formation of a standing military.

Unlike in the past, a ceasefire policy no longer exists along Panama's southern border with Colombia's FARC guerrillas. In the past this respect ensured decades of peaceful coexistence between Panamanians and Colombians. However, encouraged by the United States, on September 7, 2010, Panamanian president Ricardo Martinelli declared war on the FARC. Panama has also raised police spending from \$490 million in 2011 to an estimated \$548 million this year, and has increasingly enrolled National Police personnel in the new School of the Americas, known as the Western Hemisphere Institute for Security Cooperation (WHINSEC), in Fort Benning, Georgia, and in other military-training centers.

As a result of the PDF's disappearance and that of some of its national and international functions, drug consumption and trafficking in Panama is out of control. Gangs, dependent on drug trafficking and international organized crime, have proliferated. According to the government, about 238 gangs are operating in Panama, with more than 5,000 members.⁷ Gang activity has drastically increased the level of crime throughout the country, with 200 killed in 2009 alone as a result of gang violence.⁸ It is well known that all of the political parties that participated in the last election were financed by international organized crime.

Corruption existed during the governments of Torrijos (1972-81) and Noriega (1983-89), but it was limited. Now corruption has reached crisis proportions--even at the international level. This is largely a result of the Ricardo Martinelli government's elimination of all state controls and investigative mechanisms to prevent corruption. Since taking office in 2009, Martinelli has also limited the independence of state organisms and weakened the National Comptroller's Office and the National Environmental Authority, among other state offices, as part of a broader initiative to concentrate power in the executive, while dismantling Panama's democratic institutions.⁹

Martinelli's administration now controls every branch of Panama's government--executive, legislative, and judicial. In order to fix the upcoming 2014 presidential election, the only thing left to control is the Electoral Court, which Martinelli also appears to be working to bring under his control.

Panama's tendency to submit to U.S. policy has resulted in a foreign policy devoid of independence. For example, Panama is one of the few countries in the world that has not established diplomatic relations with the People's Republic of China, though it maintains relations with Taiwan in accordance with "checkbook diplomacy." The U.S. government has prohibited Panamas gestures toward diplomatic relations with Beijing.

Guided by this protectorate concept and right-wing policy, Martinelli's administration has offered its unconditional support to Israel and withdrawn all backing for Palestine. It has distanced Panama from the Central American process of regional integration, withdrawn from the Central American Parliament (PARLACEN), and increased ties with France and Italy's conservative former prime minister Silvio Berlusconi, who was blackmailed by Italian arms company Finmeccanica into brokering a corrupt bilateral security agreement with Panama in which Panama was overcharged for military hardware, including helicopters, radar, and mapping systems.¹⁰ It signed a free trade agreement with the United States and Canada, and has given natural resources to foreign corporations, especially mining companies, including Vancouver-based Bellhaven Copper and Gold, Ontario's Aur Resources, Toronto's Inmet Mining, and New York's Dominion Minerals Corporation.¹¹ All of these actions are fully aligned with the foreign policy and national security interests of the United States.

This was, after all, the ultimate goal of the 1989 U.S. invasion. At a meeting on December 10, 1985, four years before Bush ordered Operation Just Cause, then U.S. national security adviser John Poindexter met with Noriega with several U.S. demands: (1) Panama should allow the training of Nicaraguan Contras in the Canal Zone; (2) PDF troops should invade Nicaragua to justify U.S. aggression toward Nicaragua's Sandinista government; (3) Panama should help dismantle the Contadora Group, a regional initiative to resolve the military conflicts that were destabilizing Central America; and (4) Panama should consent to continued U.S. military presence in Panama.

Noriega rejected the demands and Poindexter warned him that he "had better think of the consequences."¹² The rest is history. In retaliation, the United States refused to recognize the Noriega government and suspended its Canal treaties and the Combined Board, a U.S.-Panama military arrangement for the defense of the canal.¹³ The United States launched diplomatic, economic, commercial, and monetary blockades, and suspended payments of all foreign aid, including its annual payments for the Canal. The economic blockade prohibited money transfers from U.S. individuals and companies to the Panamanian government, which faced increasing escalation of U.S. military presence and aggression in Panama. Finally, after years of Panama's resistance to sanctions, punishments, and aggressions, the Bush administration launched the 1989 invasion.

The move destroyed Panamanian sovereignty and the PDF, dismantled security structures, reformed the political system, and returned power to the old oligarchy This paved the way for new forms of foreign domination, and the Panamanian people continue to suffer its legacy.

Footnotes

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By JULIO YAO

Julio Yao is President of the Peace and Justice Service in Panama (Serpaj-Panamá). He was a foreign policy adviser to Foreign Minister Juan Antonio Tack (1972-77) and general Omar Torrijos. He coordinates indigenous, campesino, and grassroots organizations in Panama. This article was translated for NACLA by Dennis Stinchcomb.

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