

THE ROLE OF THE ORGANIZATION OF AMERICAN STATES IN
COSTA RICAN-NICARAGUAN BORDER CONFLICTS, 1948-1955,
AS REPORTED IN COSTA RICAN AND NICARAGUAN NEWSPAPERS

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ABSTRACT

John Bertram Parker, THE ROLE OF THE ORGANIZATION OF AMERICAN STATES IN COSTA RICAN-NICARAGUAN BORDER CONFLICTS, 1948-1955, AS REPORTED IN COSTA RICAN AND NICARAGUAN NEWSPAPERS. (Under the direction of Wilkins B. Winn) Department of History, May 1969.

The purpose of this study is to examine the steps and the crises by which the Organization of American States proved itself a worthy agency for settling disputes and maintaining peaceful relations among the nations of the Western Hemisphere. The Costa Rican-Nicaraguan border conflicts of 1948-1955 constituted the first challenge to the authority of the Organization of American States in its role as an arbitrator of inter-American conflicts.

Chapter one, "The Organization of American States, an Emerging Factor for Peace on the Scene of Conflict," traces briefly the historical background of the inter-American system and the birth of the Organization of American States as the culmination of inter-American efforts for collective security. The chapter also focuses on the historical Central American conflict between the liberal and conservative forces which was crystallized in the personalities of José Figueres of Costa Rica and Anastasio Somoza of Nicaragua. José Figueres, leader of reformist elements, challenged Rafael Angel Calderón Guardia, leader of the traditional and

conservative forces in Costa Rica. The conflict widened when Somoza attempted to help Guardia, his old friend and political crony, in his fight against Figueres. Their defeat by Figueres and his inspired revolutionaries initiated an eight-year period of interventions, aggressions, and invasions of Costa Rican territory by Costa Rican rebels and Nicaraguan forces.

Chapter two, "The Organization of American States and its First Challenge as a Peace-Keeping Agency," relates the first confrontation of the new Inter-American Treaty of Reciprocal Assistance with a de facto case of aggression and invasion of a member nation's territory. The invasion of Costa Rican territory aroused the Organization of American States to the realization that it was obligated to act in an effort to halt the aggression. Though indecisive at first, the Organization moved to implement the Rio Pact and bring the conflict to a close. The successful results enhanced the Organization in the eyes of the entire Hemisphere and transformed the ideals of collective security into a living fact of life within the inter-American system.

Chapter three, "The Uneasy Interlude Between 1949 and 1955," discusses the tense political atmosphere felt throughout Central America and the Caribbean area as a result of the clash between liberal democratic forces and the old established dictatorships. While disaffected exiles conspired against unpopular governments, Figueres and Somoza glared suspiciously

at each other across their common border. The socialist orientation of the Figueres government released new cross currents into an already stormy atmosphere which made for political turmoil throughout the region.

Chapter four, "The Second Intervention in the Costa Rican-Nicaraguan Border Conflict," gives the details of the second case of de facto aggression with which the Organization of American States dealt. On the basis of previous experience, the Organization moved with even more energy and confidence. It set in motion two innovations: the use of aircraft from neutral nations for the purpose of peaceful observation flights over disturbed areas, and the sale of military aircraft to the aggrieved country for use in repelling the invaders.

In both cases of aggression, the Organization of American States dealt with the same small countries, the same political personalities, and a similar set of circumstances. The study does not attempt to draw conclusions as to how effective the Inter-American Treaty of Reciprocal Assistance would be in dealing with a large-scale conflict between two determined and powerful nations. It only attempts to point out that the long and arduous task of drafting the agencies and instruments for peaceful settlement of disputes between American nations has not been in vain. At least, the initial efforts to restore peaceful relations between two contending countries were successful.

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PREFACE

The Organization of American States has been a dominant feature in the political life of the American nations since its inception in 1948. As an agency for settling disputes and maintaining amicable relations between its member states, its authority rests largely upon the Inter-American Treaty of Reciprocal Assistance signed in Rio de Janeiro in 1947. The first real challenge to the authority of the Organization occurred when border conflicts erupted between Costa Rica and Nicaragua in 1948 and in 1955. For the first time in the annals of American history, an international organization intervened collectively to settle a conflict between warring nations. The felicitous results enhanced the prestige of the Organization of American States and justified the faith of the American nations in their concept of regional security.

Grateful acknowledgment is made to Dr. Lawrence Brewster, Chairman of the Graduate Committee, Department of History of East Carolina University, for his valuable assistance in the selection of the subject matter. Acknowledgment is also made to the staffs of the East Carolina University Library, the Columbus Memorial Library in Washington, the University of Costa Rica Library, the Costa Rican National Library, and the National Archives of Nicaragua.

Special gratitude is expressed to Professor Wilkins

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CHAPTER I

THE ORGANIZATION OF AMERICAN STATES, AN EMERGING FACTOR FOR PEACE ON THE SCENE OF CONFLICT

The Organization of American States is a political entity of the twentieth century and represents the institutional form of the Pan American movement. The Charter of the Organization summarizes all the efforts for collective security and harmonious relations which the Western Hemisphere nations have made in the long history of the inter-American system. With the Inter-American Treaty of Reciprocal Assistance, the Charter represents the Hemisphere's best hopes for the peaceful settlement of conflicts and the maintenance of international law and order. Its successes or failures can best be understood when seen within the context of the historical development of the inter-American system.

The ideological separation between the Old World and the New, which occurred when the United States recognized the newly independent Latin American Republics in 1822, was the necessary prelude to the rise and development of the inter-American system. The United States manifested its own attitude toward future hemispheric relations in the enunciation of President James Monroe's famous message of 1823. The original intent of the Monroe Doctrine was clearly one of self-interest and contained no provision for consultations with the Latin American Republics. Monroe's chief purpose was to warn the

members of the Holy Alliance to forego further attempts at colonization in the Western Hemisphere since their presence would be a menace to the national security of the United States.¹

The failure of the United States to consult other nations in the formation of hemispheric policy created ill-will and resentment in Latin America. Luis Quintanilla, a Mexican diplomat, wrote: "there can be no room in this continent for a doctrine which, even at its best and in its original intention, rests essentially on the arbitrary decisions of one self-appointed leader."²

Salvador de Madariaga delivered a more stinging objection to the Monroe Doctrine. He noted that the initials of the Monroe Doctrine were the same as those of "manifest destiny." Its very unilateralism amounted to a degradation of Latin American countries to the status of protectorates. He knew only two things about the Doctrine, namely:

No citizen of the United States I have ever met knows what it is and not one I have ever met will consent to its being tampered with. Thus the Monroe Doctrine is not a doctrine but a dogma. And not one but two: the dogma of the infallibility of the American president and the dogma of the immaculate conception of American foreign policy.³

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Doris Appel Graber, Crisis Diplomacy (Washington, 1959), 24, hereinafter cited as Graber, Crisis Diplomacy.

²
Luis Quintanilla, A Latin American Speaks (New York, 1943), 130, hereinafter cited as Quintanilla, A Latin American Speaks.

³
Salvador de Madariaga, Latin America Between the Eagle and the Bear (New York, 1962), 136.

Obviously, a hemispheric policy which produced such strong reactions could never give birth to the principles of international cooperation as those exemplified in Pan-Americanism. The genesis of the inter-American system, therefore, must be discovered in sources other than in the hemispheric policy of the United States.

Pan-Americanism at its inception was indeed a Latin American creation. The first inter-Americans were Latin Americans. Expressions such as "A Society of Sister Nations," "The American Pact," "Congress of America," "American Alliance," and Simón Bolívar's own "Perpetual Union, League, and Confederation" were popular phrases in the political vocabulary of early nineteenth century Latin America.⁴

Bolívar crystallized the sentiment for an inter-American union in his famous letter written to an English friend in Jamaica while he, himself, resided on the island. Dated September 6, 1815, it lauded the grand idea of forming from the nations of the New World one single nation with bonds that would unite all its separate parts. Though a single nation was his highest ideal, he moderated his aims and expressed hope, as a second best arrangement, for the formation of an international confederation composed of all the free republics. The confederation would occupy itself in mediating and solving all disputes and conflicts on the high

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Quintanilla, A Latin American Speaks, 93.

level of international conciliation.⁵

Bolívar's invitation to all the Latin American republics to assemble in Panama was the first effort to transform his inter-American ideals into reality. In early 1825, he did not favor inviting the United States fearing that "it would compromise us with England, for the North Americans are the only rivals of the English in respect to America."⁶ Francisco de Santander, acting President of Colombia, however, had invited the United States to the Congress from the very beginning "with the firm conviction that our close allies cannot but regard with satisfaction the participation of our sincere and illustrious friends in our deliberations over a common cause."⁷

The United States appointed two delegates to the Congress but neither was present for the deliberations. One died enroute to Panama, and the other arrived after the Congress adjourned.⁸

Delegates from only four Latin American republics were present to draft the Treaty of Union, League, and Perpetual

⁵ Vicente Lecuna, Obras Completas de Simón Bolívar, I (La Habana, 1950), 172.

⁶ Victor Andrés Belaúnde, Bolívar and the Political Thought of the Spanish American Revolution (Baltimore, 1938), 260.

⁷ Robert Cortazar (ed.), Cartas y Mensajes de Santander, V (Bogotá, 1954), 284.

⁸ Dana Gardner Munro, The Latin American Republics (New York, 1942), 181, hereinafter cited as Munro, The Latin American Republics.

Confederation. The Treaty provided for perpetual friendship in time of peace and war, a common offense and defense, and a pledge of mutual assistance in case of attack. The Treaty also provided for international arbitration and obligatory mediation as a means of preserving internal and external peace. The Treaty, though never ratified, except by Colombia, left to Spanish America a glorious ideal in her international relations.⁹

Bolívar's Pan-Americanism was a continental policy of equal rights and mutual obligations. It was designed as a dialogue, not a monologue, like Monroe's. The Monroe Doctrine was at its best a mere expression of the rights of self-defense, and as such cannot be called original. Bolívar's pattern of a truly continental order was then and still is today Pan-Americanism.¹⁰

The Pan American movement has evolved through three phases and is now in a fourth. The first phase extended from the Panama Congress to 1889. The exclusive participation of Latin American states marked this period. The second phase began in 1889 with the First International Conference of American States in Washington. The Conference created the International Union of American Republics which later became the Pan American Union. The third phase began with the good

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Congreso Pan-Americano Conmemorativo de Bolívar, 1826-1926 (Panama, 1927), 403.

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Quintanilla, A Latin American Speaks, 102.

neighbor policy of Franklin D. Roosevelt and embraced the years of World War II. The post-war fourth phase has produced the Organization of American States with major emphasis being placed on security and economic backwardness in Latin America.¹¹

At the Washington Conference in 1889, the United States emphasized the arbitration of disputes and the improvement of commercial and trade relations. The Latin delegates expressed much more interest in the political sovereignty of small states. They passed a resolution in support of the Calvo Doctrine, which maintained that no state owed any favor nor was under any obligation to alien residents which it did not also recognize for its own citizens. Though strongly opposed by the United States, the Latin states maintained this position in all subsequent conferences. The United States finally adopted the Latin American viewpoint at the Montevideo Conference in 1933.¹²

Theodore Roosevelt's policies of intervention in the Caribbean caused a gradual erosion of Latin American enthusiasm for Pan-Americanism. Nevertheless, the United States feared that continued disorder in Latin America would invite foreign intervention. This fear led the United States to engage in a series of military occupations of the Caribbean nations

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J. Lloyd Meham, The United States and Inter-American Security (Austin, Texas, 1962), 28-29, hereinafter cited as Meham, The United States and Inter-American Security.

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Meham, The United States and Inter-American Security, 54.

which lasted through the first three decades of the twentieth century.¹³

Speaking of these dark years of inter-American relations, James Fred Rippy wrote:

It is in vain that we plead our innocence of imperialism. Our whole history gives a lie to such a plea A policy which brought under our virtual domination some nine to twelve republics in a generation may differ from European imperialism in form, but it is very near that imperialism in substance.

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The resistance of the United States to a non-intervention pledge produced acrimonious debates at the Havana Conference in 1928. The delegates deferred the question to the Montevideo Conference in 1933. In the meantime, tension relaxed somewhat with the withdrawal of United States forces from Nicaragua and the rescinding of the Platt Amendment which had made Cuba a protectorate of the United States. The Montevideo Pledge to which the United States acceded abjured armed intervention in the internal affairs of other countries. The Latin American states, however, were not satisfied until the United States signed a protocol at the Buenos Aires Conference of 1936 which stated: "The high contracting parties declare inadmissible the intervention of any one of them, directly or indirectly, and for whatever reason, in the internal or external affairs of any other of

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Graham H. Stuart, Latin America and the United States (New York, 1955), 49-51.

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J. Fred Rippy, Latin America in World Politics (New York, 1928), 265.

the parties."¹⁵

It soon became clear that non-intervention was one of the pillars of the good neighbor policy of Franklin D. Roosevelt. Its acceptance by the United States made possible the attainment of Pan-American ideals. Although Bolívar's concept of inter-American friendship appeared idealistic in his time, it is now more practicable than is Monroe's. It is a paradox of history that Bolívar has become the realist, for Pan-Americanism under the pragmatic leadership of Roosevelt moved swiftly along the lines traced by Bolívar.¹⁶

The improved relations between the United States and Latin America only emphasized the cumbersome and unwieldy nature of the inter-American system. Over sixty official and non-governmental agencies had emerged from the Pan-American movement. Their efficient functioning demanded that they be completely modernized and codified.¹⁷

Two special conferences, the Inter-American Conference on Problems of War and Peace at Mexico City in 1945 and the special Inter-American Conference for the Maintenance of Continental Peace and Security in Rio de Janeiro in 1947, laid the groundwork for the restructuring of the inter-American

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Graber, Crisis Diplomacy, 203.

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Quintanilla, A Latin American Speaks, 193.

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O. Carlos Stoetzer, The Organization of American States (New York, 1965), 11, hereinafter cited as Stoetzer, The Organization of American States.

system. At the Ninth International Conference of American States in Bogotá in 1948, the Organization of American States received its name and institutional character.¹⁸

The Act of Chapultepec which emerged from the Conference in Mexico in 1945 provided for consultation in case of aggression. It also expanded the Havana Resolution of 1940 to include attacks by hemisphere nations as well as attacks from outside the Hemisphere.¹⁹

On August 15, 1947, a score of nations met in Rio de Janeiro to draft a treaty of reciprocal assistance. The main task of the Rio Conference was that of taking practical steps to make hemispheric defense meaningful in military terms. Though collective self-defense had been agreed upon in other conferences, the new treaty would make response to an attack obligatory for all signatory states.²⁰

The Inter-American Treaty of Reciprocal Assistance made no provision for the exercise of veto power. Sanctions were agreed upon by a two-thirds vote, and all states which had signed the Treaty were bound to apply them. The sole exception was that no state was required to use armed force

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Stoetzer, The Organization of American States, 8-9.

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Manuel Canyes, Las Reuniones de Consulta (Washington, 1962), 12.

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John C. Campbell, The United States in World Affairs, 1947-1948 (New York, 1948), 112.

without its consent.²¹

The inter-American system underwent further refinement at the Bogotá Conference. The Conference adopted the Charter of the Organization of American States which summed up the collective efforts of fifty-eight years and gave to the inter-American system a formal and permanent structure.²² This new organization was placed on a treaty basis in order to make more effective the settlement of disputes.

The Organization of American States functions through three principal organs. The Inter-American Conference is the highest authority of the Organization. It determines policy and is empowered to deal with any matter concerning the American republics. The Conference meets every five years and is composed of prominent citizens of the member states.²³

The Meeting of Consultation of the Ministers of Foreign Affairs is the second organ of importance and meets to "consider problems of an urgent nature and of common interest to the American states."²⁴ Under urgent circumstances, the Council of the Organization may sit as a provisional Organ of Consultation.

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Charles G. Fenwick, The Organization of American States (Washington, 1963), 76.

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Pan American Union, Applications of Inter-American Treaty of Reciprocal Assistance, I (Washington, 1964), 3, hereinafter cited as Applications.

23

Stoetzer, The Organization of American States, 16.

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See Charter of the Organization of American States, Pan American Bulletin, LXXXII (June, 1948), 290.

The Council of the Organization of American States is the third highest organ of the Organization. All its twenty-one members have the rank of ambassador. It is empowered to deal with any matter referred to it by the Inter-American Conference or by the Ministers of Foreign Affairs. The Council elects the Secretary-General of the Organization of American States and is responsible for the day to day functioning of the inter-American system. Its broad jurisdiction over inter-American affairs makes it the most important of the three organs authorized by the Charter of the Organization of American States.²⁵

These agencies and instruments created by the Organization of American States for the maintenance of peace and security augured well for a more secure and stable home for the peoples of the Western Hemisphere. It was easier, however, to write out agreements in the comfortable surroundings of a diplomatic conference than to make them effective amid the conflicting ideologies and rampant militarism that characterized the American scene. These contrary factors were especially acute in Central America where intervention in the affairs of a neighboring state had become a way of life.

Interventionism in Central America resulted in a tiresome story of personalistic politics, petty squabbles, and back-fence meddling. Following their independence from Spain,

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Pan American Union, Manual of Inter-American Relations, No. 42 (Washington, 1956), 42.

the five small provinces of Central America formed a federal union which survived for fourteen years. The constant intrigues and revolts supported by the Liberals and Conservatives led to a complete disintegration of political authority. In 1838, the National Congress closed its sessions and declared the states free to adopt any form of government that they desired.²⁶

Following the break-up of the union, each little country went on its own way, but all retained the same political cleavages. Liberals and Conservatives of one country continued to support their former associates in the others. Each country constantly faced the threat of intervention from her neighbor whose government might be under the control of the opposite party.²⁷

By the 1940's, the chain of violence, revolution, and bloodshed had spawned an army of exiles who crossed and re-crossed state boundaries and who worked to bring down existing governments. An investigating committee of the Organization of American States reported in 1950:

The nationals of a given country not only fight against the government of their homeland, but also tend to congregate with those of other countries who have similar purposes. Many of those exiles are sincere and idealistic individuals who being deprived of democratic guarantees in their native lands, inevitably strive to return to political life. Others are adventurers, professional revolutionaries, and mercenaries whose primary objective

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Munro, The Latin American Republics, 470-74.

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Munro, The Latin American Republics, 475.

appears to be the promotion of illegal traffic in arms and revolutionary expeditions against countries with which they have no ties whatsoever.²⁸

By 1948, other factors had entered the picture which only aggravated an already troubled scene. In the Dominican Republic, Raphael Leónidas Trujillo was firmly established as a dictator, while Anastasio Somoza had installed himself as sole ruler in Nicaragua. The rising liberal and democratic aspirations of the Latin American peoples collided squarely with the harsh and repressive measures of these two despots. The installation of leftist governments in Cuba and Venezuela, together with the triumph of liberal socialism in Costa Rica, added new currents to a stormy atmosphere. The Organization of American States with its new instruments and agencies for keeping the peace was facing a formidable task indeed.²⁹

The conflicts which erupted between Costa Rica and Nicaragua from 1948 to 1955 were the result of differing political ideologies and strong personal hatreds. José Figueres' triumph over Calderón Guardia in Costa Rica deprived Somoza of a friend and supporter. Furthermore, this establishment of a liberal reform-minded government in Costa Rica became a direct threat to Somoza's one-man rule in Nicaragua. The geographical circumstances of a common border

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Applications, 127.

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Mecham, The United States and Inter-American Security, 395.

made it inevitable that the two countries should be drawn into hostilities.

Somoza, though touted as a liberal, represented the traditional conservative viewpoint that nothing in politics should change. Possessed of a totalitarian tradition, the dictator had inherited an instinct for violence and a lust for power. His grandfather was a fierce and blood-smeared bandit whose career ended on a gallows in 1849. With a personal income of over a million dollars a year, Somoza was one of the richest men in Central America. He possessed nearly three hundred properties, among which were ranches, farms, plantations, industrial plants, and urban real estate. It is not surprising that Somoza lacked sympathy for a neighboring regime that was interested in carrying out agrarian and social reform.³⁰

Somoza rose to power through his position as Commander of the National Guard. He received his military training through the Constabulary Guard, organized by the United States Marine Corps during the years it occupied Nicaragua. In 1939, Somoza vaulted into the presidency in an election in which all major contenders were in exile. He procured an extension of his term to eight years by the Constituent Assembly, which voted him president until 1947.³¹

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José Alvarez de Vayo, "Costa Rican Crisis," Nation, CLXXX (January 22, 1955), 63.

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Munro, The Latin American Republics, 510.

Not everyone felt that Somoza's methods were those of an evil man. Robert C. Johnson presented Somoza as an authoritarian ruler but also felt that he was a liberal dictator who allowed an opposition press and ostensible free elections.³²

Patrick McMahon, in a laudatory article concerning the Nicaraguan Chieftan, extolled his extremely friendly relations with the United States and his consistent support of United States policy in the United Nations. He listed ten reasons or "facts" why Somoza should not be judged too harshly. They were superficial observations influenced by the opinions of United States Ambassador Thomas Whelan, who for years was Somoza's favorite poker-playing partner.³³

José Figueres Ferrer, Somoza's political enemy in Costa Rica, was born of Spanish immigrant parents just two months after they arrived in Costa Rica. Figueres was an earnest student whose interests inclined toward science and mathematics. He learned English by reading Spencer and Bacon. At the age of seventeen, he went to the United States where he studied at the Massachusetts Institute of Technology and supported himself with translation work and odd jobs. Returning to Costa Rica in 1928, he established himself as a small entrepreneur and pioneer on a remote mountain farm which he

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Robert C. Johnson, "The Facts Behind the Figueres-Somoza Feud," American Mercury, LXXXI (September, 1955), 91-95.

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Patrick McMahon, "Somoza of Nicaragua," American Mercury, LXXVIII (April, 1954), 132-36.

called La Lucha Sin Fin (Struggle Without End). Figueres spent the following fifteen years turning his farm into a productive enterprise. He also shaped his political philosophy of socialism by reading works on political economy and finances.³⁴

The political turmoil and public disturbances which followed the events of July 2, 1943, marked the beginning of Figueres' public political career. A Nazi submarine torpedoed a United Fruit Company ship which lay at anchor in the undefended port of Limón. Twenty-six Costa Ricans died in the attack. Popular manifestations of outrage against Nazi agents and fifth columnists led to looting and rioting in the streets. The government of Calderón Guardia acted reluctantly in putting down the disorders which resulted in damage to no fewer than 123 buildings.³⁵

President Calderón Guardia answered the severe criticism against his government by explaining that the government had authorized the popular manifestation for the purpose of allowing an indignant public to vent its feelings against the Nazi attack on Limón. He explained that his administration did not sanction the looting and destruction that followed. If the government appeared to act slowly in containing the

³⁴Arturo Castro Esquivel, José Figueres Ferrer, El Hombre y su Obra (San José, 1955), 15-17, hereinafter cited as Esquivel, José Figueres.

³⁵El Diario de Costa Rica (San José, Costa Rica), July 5, 1942, hereinafter cited as El Diario de Costa Rica.

disorders, it did so to avoid a show of force that could well have turned into a massacre.³⁶

Despite this explanation of the government's attitude, enemies of the regime continued to mount a systematic campaign of accusation against Guardia. An editorial in El Diario de Costa Rica affirmed that the Nazi attack was the result of the indifference of the government to organized sabotage and blamed the dilatory action of the government for the serious losses during the manifestations. The newspaper also announced that on the night of July 8, don José Figueres would make a radio speech "unmasking the true organization of national sabotage that is destroying the Republic and weakening its international commitments."³⁷

In his speech Figueres flayed the government for its ineptness in defending the coastlines, warned of the infiltration of communists in the government, and accused the regime of gross mishandling of funds. Listeners heard a scuffling in the studios, Figueres' voice faded into the distance, and an announcer informed the audience that Figueres was under arrest.³⁸

Though Figueres was unknown to most Costa Ricans, a storm of protest broke over his arrest and imprisonment. A

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La Prensa Libre (San José, Costa Rica), July 6, 1942, hereinafter cited as La Prensa Libre.

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El Diario de Costa Rica, July 8, 1942.

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Esquivel, José Figueres, 26.

heated debate took place in the National Assembly where the Minister of the Interior lamely defended the government's action by saying: "We should not permit an ignorant and unknown person to besmear the good name of our country."³⁹

The President justified his action by affirming that the entire country was witness to the tolerance of his government toward the charges and accusations made against it. He insisted that Figueres' speech was of such a vulgar nature and so lacking in respect that it would have been improper in any civilized country. Figueres was not, however, a prisoner because of his speech but because he had divulged information containing "military secrets, favorable to the Nazis, who were enemies of the country."⁴⁰ Several days later, Figueres, forced to sign his own order of expulsion, became Costa Rica's first political exile of the twentieth century.

Figueres spent his exile in Mexico where he studied the philosophy of law and established contact with many exiles and political refugees of like mind and temperament. In a letter addressed to friends in Costa Rica, Figueres proposed to solve the "Costa Rican problem" by abolishing corrupt politics and administering public functions with the same laws of honesty and efficiency found in business corporations. He desired to implant national goals of achievement which would make Costa Rica a truly independent and democratic nation, with a

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El Diario de Costa Rica, July 9, 1942.

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La Prensa Libre, July 19, 1942.

population of one million, all with shoes, well-fed, well-housed, healthy, cultured, and free.⁴¹

Figueres returned to his homeland on May 23, 1944. His first act after being received by a large crowd at the airport was to make a speech in which he promised continued opposition to the government of Teodoro Picado, hand-picked successor to Calderón Guardia. It was clear that his liberal philosophy of government and his enthusiasm for reform would challenge the entrenched politicians of Costa Rica and cause problems for dictatorships in nearby countries.⁴²

Figueres immediately began a campaign to consolidate all the disaffected political elements in the country. He formed the National Union Party by uniting the numerous small farmers, small business-men, and the middle-class workers. Otilio Ulate, publisher of El Diario de Costa Rica, became the opposition candidate.⁴³

The presidential election campaign of 1947 divided the Costa Rican people into two camps, each of which breathed rancor, intolerance, and hatred for the other. The total vote polled on February 8, 1948, was just under one hundred thousand. Ulate and the National Union Party received 54,931 votes, and Calderón Guardia and his National Republican Party

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Esquivel, José Figueres, 54.

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El Diario de Costa Rica, May 24, 1944.

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John A. Petersen, "Somoza Vs. the Americas," Nation CLXVIII (January 15, 1949), 63-66, hereinafter cited as Petersen, "Somoza Vs. the Americas."

received 44,438 votes. Guardia and his followers refused to accept defeat and appealed to Congress. They asked that the elections be annulled on the grounds that the Ulatistas had followed fraudulent procedures in their voting. After bitter debates, Congress, dominated by members of Guardia's party, annulled the elections on March 1 by a vote of twenty-seven to nineteen.⁴⁴

Emboldened by the action of Congress, government forces attacked the home of Dr. Carlos Luis Valverde Vega, where Ulate had taken refuge. Vega received mortal wounds while defending his home. Ulate escaped to a neighboring house but was captured and jailed.⁴⁵

Sober men, alarmed at the violence of the government forces, moved to bring about a more conciliatory attitude between the opposing parties. Monseñor Sanabria, Archbishop of San José, supported by the Banker's Association, asked that all publications be suspended and that political propaganda be curtailed. Archbishop Sanabria also requested Calderón Guardia to accept the mandate of the people and turn the government over to the elected candidate, Otilio Ulate.⁴⁶

Guardia refused the proposals of the Archbishop and declared that the Churchman desired to set himself up as the sole arbitrator in the political conflict. Guardia maintained

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La Prensa Libre, March 2, 1948.

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La Prensa Libre, March 3, 1948.

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La Prensa Libre, March 5, 1948.

that only the representatives of the party were capable of deciding what action the party would take.⁴⁷

The first shots of an armed rebellion in the mountains to the south of San José broke the political stalemate on March 11. This was the culmination of José Figueres' promise to the people to oppose unalterably the corrupt regime then in power.⁴⁸

The revolution that began on March 11 was not an unplanned nor spontaneous reaction of the people to political tyranny. It was rather the result of a painstaking preparation that Figueres had inspired and led since the fraudulent elections of 1944. For four years, Figueres had quietly enlisted the sympathy and assistance of friends and sympathizers whose democratic ideals paralleled his own.⁴⁹

Joaquín Garro, member of the Costa Rican General Assembly, stated that the revolution of 1948 could not be explained solely upon the basis of the nullification of the elections. It resulted from popular frustrations that had developed through many years, reaching its crisis stage in the action of Congress. It was not a rebellion by a few men, but the collective response of a great majority of the people. They were determined to change not only the governors but also the political system

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La Tribuna (San José, Costa Rica), March 6, 1948, hereinafter cited as La Tribuna.

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La Prensa Libre, March 12, 1948.

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Esquivel, José Figueres, 110.

of the country.⁵⁰

This deep desire for political change manifested itself in a swift campaign of guerrilla warfare. The interruption of rail traffic and communications by Figueres' insurgents soon produced chaos within the country. Faced with the imminent collapse of their regime, Teodoro Picado and Calderón Guardia sought aid from Somoza in Nicaragua. A few fighter planes, transports, and four hundred men were sent south to San José. Tiburcio Carías, dictator in Honduras, sent pilots and mechanics to keep the planes in the air. This intervention by foreign powers led the United States Embassy in San José to register an unofficial protest to the government of Nicaragua. Somoza denied that he had even considered an intervention in Costa Rican affairs.⁵¹

Somoza then issued a plea to all Central American countries calling them to reason and good relations. He accused Juan José Arévalo of Guatemala of fomenting the Civil War in Costa Rica and displayed Guatemalan arms that had been captured by Picado in Costa Rica. Somoza accused Arévalo of aiding the revolution in Costa Rica so that the same movement could later fall upon Nicaragua.⁵²

The deteriorating military situation demanded drastic

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Joaquín Garro, Veinte Años de Historia Chica (San José, 1967), 12-13.

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Petersen, "Somoza Vs. the Americas," 64.

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Novedades (Managua, Nicaragua), March 21, 1948, hereinafter cited as Novedades.

action by the Picado government. On April 12, the Secretary of Foreign Relations, Alvaro Bonilla Lara, requested the assembled diplomatic corps in San José to "take under its protection the city of San José since the military situation had reached a stage where it seemed too late to consider direct negotiations with the revolutionary forces."⁵³ The diplomatic corps, consequently, named a committee to study the situation.

After visiting the rebel camp in Cartago, the committee announced a Figueres plan whereby he and two associates would be incorporated into the Picado government. Picado rejected the plan as being a compromise of honor with his own conscience. The next day, however, Picado announced his decision to renounce the presidency, leaving the position to his third Vice-President, Santos León Herrera.⁵⁴

The imminent collapse of the Costa Rican government, uprisings in the northern part of the country, and the pretensions of Figueres' followers to liberate all "enslaved states" caused strong reactions in Managua. The Government of Nicaragua petitioned Picado to guard more effectively his northern frontier. Costa Rica replied that its lack of available military personnel made it impossible. Picado

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Enrique Guier, Defensa de los Señores Licenciado Teodoro Picado y don Vicente Urcuyo (San José, 1950), 10, hereinafter cited as Guier, Defensa.

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Guier, Defensa, 11.

authorized Nicaragua to "occupy whatever frontier posts it considered convenient with the object of guarding the frontier of her own country."⁵⁵

Novedades affirmed that Nicaragua had occupied some strategic points in Costa Rica only by request of Picado. It published a telegram from Picado giving Francisco Calderón Guardia authority to deal with Nicaraguan officials toward a pacification of the frontier. It also published a telegram from Francisco Calderón authorizing Nicaraguan officials to occupy Costa Rican territory to prevent revolutionaries from crossing the border into Nicaragua.⁵⁶

On Saturday, April 17, Nicaraguan troops landed in Villa Quesada, a town fifty miles within the Costa Rican border. Ordered to limit themselves to security measures in the frontier zone, their incursions so deep into Costa Rican territory were a gross violation of Costa Rican sovereignty.⁵⁷

Figueres and his victorious revolutionary army entered San José on April 20. The preceding day, Picado and all high officials of his government had abandoned San José for exile in neighboring Nicaragua. Interim President Santos Herrera took over the reins of government and named a new cabinet composed entirely of revolutionaries. Figueres himself occupied the post of Secretary of Foreign Relations and that

⁵⁵Guier, Defensa, 16.⁵⁶Novedades, April 16, 1948.⁵⁷La Prensa Libre, April 21, 1948.

of Public Security. The government's tenure was to expire on May 8, at which time Figueres would assume control as Chief of the Founding Junta of the Second Republic.⁵⁸

The success of Figueres' revolution was due largely to the help of the legendary "Caribbean Legion." These were disaffected political exiles from other countries and experts in military matters. Their vociferous declarations to liberate all people enslaved by dictators provoked alarm in Managua. A Nicaraguan representative before the Council of the Organization of American States called them outlaws, fugitives, mercenaries, and unemployed rogues. He accused them of stirring up unrest throughout the Caribbean and denounced both Costa Rica and Guatemala for sheltering them within their borders.⁵⁹

The radical nature of the Costa Rican revolution was affirmed by Figueres. He proclaimed the founding of the new Second Republic. He insisted that the revolution was produced by a new political ideology and that it should be nourished, developed, and taught to the people. He spoke of a period of transition when the country would be governed without the legal obstacles of an antiquated constitution and promised that a new constitution would be written.⁶⁰

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La Prensa Libre, April 21, 1948.

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Applications, 29.

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Esquivel, José Figueres, 136-39.

Somoza equated Figueres' proclamation of a Second Republic with the beginning of a crusade to communize all of Central America. He claimed that the announcement would erase traditional state foundations and build upon their ruins a social edifice constructed of Russian materials.⁶¹

Novedades declared that communism in Costa Rica had divided into two bands. One band supported Calderón Guardia and Picado, and the other had infiltrated the revolutionary ranks and was supporting Figueres. Novedades affirmed that the communist movement in Costa Rica was born in Venezuela under Rómulo Betancourt and was nourished in Guatemala under the tutelage of Arévalo. Its aim was to provoke a bloody civil war, destroy government, promote anarchy, and then move into power. The new Second Republic proclaimed by Figueres was the result. The newspaper concluded its comment by saying that "leftist currents now wave a new flag that represents a distinct political and social orientation of a recognized international character."⁶²

When Figueres and the Revolutionary Junta took over the government on May 8, the stage was set for the serious border conflicts that were soon to erupt between Costa Rica and Nicaragua. What had happened in Costa Rica was more than a barracks coup. The country was genuinely taking a new direction in social, political, and economic philosophy.

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Novedades, April 25, 1948.

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Novedades, April 27, 1948.

Political passions throughout Central America and the Caribbean had been so agitated that a quick easing of tensions was impossible. Nowhere was the atmosphere so disturbed as in Managua where Somoza watched with apprehension as his little neighbor to the South set out on a course that was completely antagonistic to his own. The presence of Teodoro Picado and Calderón Guardia in Managua, along with a host of their supporters, gave credence to the rumors that a counter-revolution was in the making. The Governing Junta in San José had set December 8 for the election of a Constituent Assembly and not until then would they know whether or not the people supported the Figueres government.

CHAPTER II

THE ORGANIZATION OF AMERICAN STATES AND ITS FIRST CHALLENGE AS A PEACE-KEEPING AGENCY

Political observers of the Organization of American States watched carefully the tension which characterized the campaign for the election of a constituent assembly in Costa Rica. The official newspaper of Nicaragua, Novedades, published tendentious accounts of a monetary crisis in Costa Rica which obligated foreigners and Costa Ricans to leave the country. It also mentioned rumors of persecution against Nicaraguan citizens in Costa Rica who were sympathetic to Calderón Guardia. The account added that deep suspicions had developed among the Ulatistas that Figueres would not turn the government over to Ulate as he had promised. Official sources in Nicaragua further declared that many Nicaraguan exiles were disappointed that Figueres had failed in his promise to help them overthrow Somoza. The sources added, however, that Figueres' refusal of aid was not from lack of will but because of the difficult internal conditions in Costa Rica. The newspaper insisted that Figueres kept a group of Nicaraguans on his farm who posed as peones but who were in reality training for battle. These bellicose acts, concluded Novedades, were not in accord with Figueres' constant pretensions of friendship and cordial relations.¹

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Novedades, August 24, 1948.

On October 31, 1948, El Diario de Costa Rica reported that a tense diplomatic situation existed between Costa Rica and Nicaragua. It affirmed that two Nicaraguan planes had flown over Costa Rican territory as far as Liberia. They made low passes at a Taca commercial plane at La Cruz causing panic among the passengers. This provocation led to unofficial rumors that a simultaneous withdrawal of Costa Rican and Nicaraguan diplomatic personnel was imminent.²

On December 3, René Picado, ex-War Minister of Costa Rica, declared in Mexico that a Central American war could break out at any moment as preparations for such a conflict were then in progress. He affirmed that the Caribbean Legion still existed and posed a threat to Central America. They were well armed and ready to fall upon any of these countries.³

Persistent reports continued to circulate from Central American sources that Calderón Guardia and López Masegoza were developing an intense campaign to emphasize the serious differences that had arisen between Figueres and Ulate. Their aim was to foment pessimism and defeat among the members of Figueres' Governing Junta in order to weaken his cause in the coming elections for the constituent assembly.⁴

On November 27, Figueres reported that General Miguel Angel Ramírez, Chief of the Caribbean Legion, was disbanding

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El Diario de Costa Rica, October 31, 1948.

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El Diario de Costa Rica, November 4, 1948.

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La Prensa Libre, November 16, 1948.

the Legion and that the greater part of the men would abandon Costa Rica. Figueres praised the Legion for its valuable support during the revolution and was gratified that it had decided to leave Costa Rica since its presence caused nervous reactions in neighboring countries.⁵

La Estrella de Nicaragua commented that Figueres' declaration concerning the disbanding of the Legion was only a new camouflage. It observed that this was the second time the Costa Rican government had announced such a step. La Estrella also reported the arrival in Costa Rica of three new airplanes. Two of them were twin-engined fighter craft, and the third was a large transport capable of carrying troops.⁶

In Costa Rica, disquieting rumors of unfriendly movements on the Nicaraguan border added to the tension of the approaching elections. The sudden recall of the entire Nicaraguan diplomatic representation in San José prompted a note from Costa Rica concerning the motive for their absence. The note affirmed that without an adequate explanation, Costa Rica would also recall its delegation in Managua.⁷

Oscar Sevilla Sacasa, Nicaraguan Foreign Minister, denied that Costa Rica had presented an ultimatum to Nicaragua.

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La Prensa Libre, November 27, 1948.

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La Estrella de Nicaragua (Managua, Nicaragua), December 2, 1948, hereinafter cited as La Estrella.

7

La Nación (San José, Costa Rica), December 1, 1948, hereinafter cited as La Nación.

He interpreted Nicaragua's recall of its representative in San José as an effort to find a new representative who would better fulfill the political necessities of the moment. He explained that a person with an understanding of military matters would be more desirable.⁸

On Saturday, November 27, Costa Rica sent to its ambassador in Washington the ratification of the Inter-American Treaty of Reciprocal Assistance which had been signed in Rio de Janeiro in 1947. Costa Rica's ratification was the fourteenth which completed the necessary number of signatures for the Treaty to become effective.⁹

Diplomatic circles in Washington affirmed that the ratification by Costa Rica of the Rio Pact had provided the Council of the Organization of American States with well-defined political powers within the American system. The creation of an inter-American "brain center" of twenty-one member states was a goal that had been pursued by American statesmen for many years beginning with Simón Bolívar.¹⁰

On December 1, José Figueres, Chief of the Founding Junta of the Second Republic, formally disbanded the National Army of Costa Rica. He felt that a good police corps was sufficient for the security of the country. The Minister of

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La Estrella, December 4, 1948.

9

La Prensa Libre, November 29, 1948.

10

La Prensa Libre, December 7, 1948.

Public Security, Edgar Cardona, affirmed that the action of the government was based on the firm conviction that it enjoyed the support of the people and that it was firmly rooted in public opinion.¹¹

The validation of the Rio Pact and the disbanding of the Costa Rican army took on added significance in the tense atmosphere which surrounded government circles in Managua and San José. In Mexico, the Costa Rican ambassador, Emilio Valverde, announced that Costa Rican territory could be invaded before December 8. He did not say who the possible aggressors might be, only that anti-democratic elements had initiated a campaign of opposition to the Costa Rican government.¹²

On December 8, 1948, Costa Rica held its election for a constituent assembly. Contrary to the predictions of trouble, the day passed in relative calm, and people voted without undue excitement or agitation. Novedades in Managua ridiculed the elections in San José by affirming that very few people bothered to vote and that the voting booths were surrounded by the "silence of a cemetery." Government employees, it said, voted with "bowed heads and embarrassed looks" only because their "master" drove them to it. Otilio Ulate and his National Union Party won thirty-four seats out of forty-five.¹³

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La Nación, December 2, 1948.

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La Estrella, December 5, 1948.

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Novedades, December 10, 1948.

Reports soon filtered out of Nicaragua that military vehicles carrying armed contingents were moving toward the Costa Rican border. Rumors maintained that they were disaffected Costa Ricans under the command of Calderón Guardia. In reality, they included substantial numbers from the military forces of Nicaragua. Figueres stated that he had been receiving reports of these movements for some time but had not divulged them to the people so as not to alarm the country. It was now time, he felt, to forewarn the country.¹⁴

In the early morning of December 10, the sound of racing truck motors and sporadic gunfire shattered the stillness of La Cruz, a Costa Rican frontier village. The startled telegraph operator flashed a message to San José that civilians and soldiers were marching across the border. His report that the soldiers were dressed in dazzling blue uniforms turned the invasion into an affair bordering on the spectacular. As the news of the invasion sped through the capital and out to the small towns and villages, thirty thousand angry Costa Ricans gathered before government buildings demanding arms. Officials signed up ex-combatants from the recent civil strife and distributed arms. By mid-day, troops were on their way to the border. The invading forces stopped in La Cruz and Santa Rosa, and both sides dug in and awaited developments.¹⁵

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La Nación, December 11, 1948.

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El Diario de Costa Rica, December 11, 1948.

On Saturday, December 11, Mario Esquivel, the Costa Rican ambassador in Washington, delivered a note to the chairman of the Council of the Organization of American States declaring that Costa Rican territory had been invaded by an armed force proceeding from Nicaragua. The note declared:

This action is the climax of preparations that have been openly under way for some time in the Republic of Nicaragua, apparently by a group of Costa Ricans associated with the previous administration, whose purpose is to overthrow the present Costa Rican government. A considerable number of other countries have taken part in the subversive movement.

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The following day at three o'clock in the afternoon, the Governing Council convened, chaired by Argentina's Enrique Corominas. For five hours, the delegations argued as to whether they should invoke the provisions of the Rio Pact. Esquivel of Costa Rica argued vehemently that the Rio Pact called for action in case of an attack. The invasion was an attack. He further declared: "it is finally going to be decided if these treaties are platonic romance, or if they are capable and effective for maintaining the peace which we all so earnestly crave."¹⁷

After discussing the Costa Rican note, the Council approved a resolution which contained the following items: to give urgent study, on the basis of adequate information, to the problem presented by Costa Rica for the purpose of deciding whether or not to convoke a Meeting of Consultation;

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Applications, 27.

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La Nación, December 13, 1948.

to entrust its chairman with the soliciting of full information by means which he might deem advisable; and to convoke the Council of the Organization for a special meeting on Tuesday afternoon, December 14, at three o'clock. The Council sent a telegram to the presidents of Nicaragua and Costa Rica which expressed its concern over the reported invasion and solicited the cooperation of the two countries in any efforts of the Council to find a solution to the problem. The chairman of the Council sent telegrams to the foreign ministers of Honduras, Mexico, Guatemala, El Salvador, Panama, and the United States. He requested each minister to obtain, through his respective diplomatic agent in the two countries involved, any precise and important information on the problem which might be useful to the Council. Corominas ended the telegram by saying:

You will appreciate the importance of the collaboration I am requesting, since for the first time recourse is had to a juridical instrument that will definitely be the peace machinery of America, and since it is imperative that its application establish a precedent of effectiveness.¹⁸

All the members of the Council were aware that the Organization of American States enjoyed an unprecedented authority for action. They were well acquainted with the long succession of attacks, aggressions, and interventions in America. Not until then, however, had there been an inter-

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Pan American Union, Documentos Relativos a la Situación entre Costa Rica y Nicaragua, (Washington, 1949), 32, hereinafter cited as Documentos Relativos.

national treaty solemnly agreed upon and signed by consenting nations which pledged and required them to act in concert to meet and repel the invasion of a member nation's territory.

J. Lloyd Mecham wrote:

The members of the Council from the very outset were fully cognizant of the historic importance of their task; first, the steps they were about to take in implementing the Rio Treaty would become precedents for future action; and second, since the eyes of a critical and skeptical world were on the Organization of American States, it must not fail to discharge its responsibilities as a regional-security arrangement.¹⁹

In Costa Rica, La Nación in an editorial castigated Calderón Guardia, calling his invasion of Costa Rica a fratricidal aggression. It declared that "Guardia would forever be held in contempt and hated by all Costa Ricans for his insane efforts to divide the country and set brother against brother."²⁰

In Guatemala, events were cautiously observed. Foreign Minister Enrique Muñoz Meany declared that his government "saw with grave concern the perturbation of Central American peace provoked by the invasion of Costa Rican territory by the forces of Somoza."²¹

The Costa Rican Minister of Foreign Affairs, Benjamín Odio, answered the telegram from the President of the Council of the Organization of American States. He assured Corominas that Costa Rica would offer full cooperation to the Organization in whatever procedures it chose to pursue in solving the

¹⁹ Mecham, The United States and Inter-American Security, 393.

²⁰ La Nación, December 12, 1948.

²¹ La Nación, December 12, 1948.

conflict. Odio emphasized that the government had refrained from taking energetic measures against the invaders without first giving the Rio Pact members an opportunity to act. The Foreign Minister further assured the President of the Council that there were no internal uprisings in Costa Rica as some reports from Nicaragua affirmed. Odio left no doubt, however, that Costa Rica sought drastic measures that would be both effective and immediate on the part of the signatories of the Rio Pact. Directing a word to his countrymen, the Foreign Minister declared that "we have faith in the Organization of American States that justice will be done. We do not admit the possibility that in such a prestigious organization, it will be lacking."²²

Meanwhile, the barrage of charges and counter-charges concerning Nicaraguan complicity in the invasion continued. La Estrella de Nicaragua in a telephone conversation with José Figueres in San José sought to uncover pertinent facts about the aggression. Figueres declared "you know more about this invasion than we do. There is no revolution in Costa Rica, only a single invasion from Nicaragua."²³

The Nicaraguan Foreign Ministry responded to Costa Rica's protest by affirming that Nicaragua had taken all necessary measures to insure that no one of any nationality

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Documentos Relativos, 34.

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La Estrella, December 12, 1948.

cross the frontier into Costa Rica to foment revolution. The note added that the Nicaraguan Government had never threatened to attack or invade the territory of any state and much less that of Costa Rica, with which she had maintained normal relations.²⁴

La Nación cited comment from an editorial in the New York Tribune. The editorial stated that there existed a method of discussion and mediation of such conflicts as the one between Costa Rica and Nicaragua. It further observed that with the presentation of its complaint to the Organization of American States, Costa Rica had created the possibility of combined action on the part of the American Republics for the maintenance of peace. It noted that in the Costa Rican complaint, the Inter-American Treaty faced its first test of effectiveness, and the signatory nations had acted with alacrity in responding to it. The invasion of Costa Rica created a situation which transcended the immediate problem contained in Costa Rica's complaint.²⁵

Nicaragua continued to deny complicity in the Costa Rican invasion. Officials affirmed that when Costa Rica dissolved its army, Nicaragua reduced the number of frontier guards. This reduction in men on the border facilitated the invasion by Costa Rican followers of Calderón Guardia. Somoza

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La Nación, December 14, 1948.

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La Nación, December 14, 1948.

denied any personal knowledge of the invasion and affirmed that he was not the guardian of the stability of Figueres' government. Somoza then charged that "since Figueres' triumph he has aided the Legion and disaffected Nicaraguans in attempts against my government. But it will be well for them to stay away from Peñas Blancas."²⁶

On December 13, Costa Rica presented a virtual ultimatum to the Organization of American States. It declared that it would retire from the Council created by the Rio Pact if the Council did not act upon the accusations of Costa Rica against Nicaragua. Alberto Martén, Special Costa Rican Delegate to the Council in Washington, proposed that the United States name General Matthew Ridgeway, Commander of the Canal Zone, to preside over a neutral Commission of Vigilance to study the invasion of Costa Rica by Nicaragua. He suggested that the Commission be assisted by police from both Costa Rica and Nicaragua. Meanwhile, the entire Hemisphere waited to see if the Rio Pact were merely a paper agreement or if it signified an absolute determination to put an end to aggressions in the Western Hemisphere.²⁷

At the meeting of the Council on Tuesday, December 14, the answer was forthcoming. Silvio Villegas of Colombia read a long cable from his government which stated:

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La Estrella, December 13, 1948.

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La Nación, December 14, 1948.

If the Inter-American system fails . . . the first time it is put to the test, the first to be endangered would be pacifist countries like Colombia. We consider it to be of vital importance that in the concrete case presented by Costa Rica the system demonstrate its efficiency and not be wrecked by sophistry and dilatory measures. From such a failure, only aggressor countries and international communism would benefit.²⁸

At the meeting, the ambassador of Costa Rica charged the government of Nicaragua with having violated the Treaty of Reciprocal Assistance by its invasion of Costa Rican territory. He said:

Formally, then, and in the name of my own Government, I accuse the Government of Nicaragua of having violated the territorial integrity of Costa Rica, and threatened its sovereignty and political independence by tolerating, encouraging, and aiding a conspiracy concocted in Nicaragua in order to overthrow the Costa Rican Government by force of arms, and finally by making available to the conspirators the territory and material means that enabled them to cross the border and invade Costa Rican soil.²⁹

The representative of Nicaragua responded with equal firmness. He denied emphatically that the government of Nicaragua had any part in the events in Costa Rica. He stated that his government was opposed to the transformation of the Council into a Provisional Organ of Consultation and to the convocation of the Meeting of Consultation of the Ministers of Foreign Affairs of America. He felt that such a measure would be excessive under the existing circumstances. Sacasa maintained that the system of consultation was created for

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El Diario de Costa Rica, December 15, 1948.

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Documentos Relativos, 46.

"situations of grave danger and undeniable emergency" and not for small internal disturbances such as were taking place in Costa Rica.³⁰

The Nicaraguan representative also made reference to the Caribbean Legion, accusing its members of being outlaws, unemployed rogues, and mercenaries. The delegate denounced the governments of Costa Rica and Guatemala for having trained these dangerous elements within their borders and for having encouraged them in stirring up unrest and anxiety in the Central American Republics. The Nicaraguan delegation then requested the Council to form a Committee of Information, which would visit the scene of events and study the facts, the antecedents of those facts, and everything else that would help to clarify the questions under discussion. They urged this procedure "with a view to preserving the peace and harmony so necessary for the progress and prosperity of the Central American Republics."³¹

The main task of the Council was to decide what measures it could take under the authorizations of the Rio Pact. La Estrella de Nicaragua maintained that the Organization of American States should decide between several alternatives. The Council could convoke a meeting of foreign ministers to deal directly with the problem, or it could name an investigat-

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Applications, 29.

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Applications, 29.

ing committee to act under the jurisdiction of the Council. A third alternative would be to close the border and prevent the violation of the frontier by rebel forces. La Estrella observed that to close the border would prevent the rebels escaping back across into Nicaragua and would make possible their exact identification.³²

After a careful study of the several aspects of the case, the Council approved a resolution which invoked the Rio Pact. The resolution called for a meeting of Consultation of the Ministers of Foreign Affairs to study the situation and also transformed the Council itself into a Provisional Organ of Consultation. A further provision called for the appointment of a Committee of Investigation to make an on-the-scene study of the facts. The resolution also requested all American governments and the Secretary-General of the Organization of American States to cooperate fully in facilitating the labors of the investigating committee.³³

The investigating committee as named by the Chairman of the Council included José María Bello of Brazil, Paul Daniels of the United States, Luis Quintanilla of Mexico, Silvio Villegas of Colombia, and Juan Bautista de la Valle of Peru, the last named as chairman. Costa Rica, at the last moment, requested that the Peruvian member be removed from

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La Estrella, December 15, 1948.

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Applications, 29.

the committee because Costa Rica had not recognized Peru's new military government. This action was accordingly taken, and the committee named Luis Quintanilla of Mexico its chairman.³⁴

Anticipating the action of the Organization of American States, El Diario de Costa Rica observed that the Mutual Defense Pact signed by the American nations had become effective through an act which contradicted its foundation and spirit, the aggression of the Nicaraguan dictatorship against Costa Rica. The aggression was incredible and absurd because it was a defiance to all the continental objectives of unity and solidarity. El Diario praised the American system but condemned the failure of collective intervention in the internal affairs of irresponsible nations, which given a free hand only created anarchy and political evil. Democratic and peaceful nations were forced to respect the sovereignty of tyrants but these same tyrants did not respect the populations of peaceful countries. The editorial concluded by affirming that continental unity could not be attained while the system continued to tolerate tyranny, political persecution, and psuedo-governments which perpetuated themselves in power. Collective intervention was clearly the only way to reach the goal of solidarity and continental peace.³⁵

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La Nación, December 15, 1948.

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El Diario de Costa Rica, December 12, 1948.

In Nicaragua, President Ramón y Reyes expressed surprise to the Organization of American States at the Costa Rican accusation. Alluding to supposed outbursts of violence in Costa Rica, the Nicaraguan President dictated a strengthening of frontier posts. He also ordered the disarming and internment of any rebel forces in his country, moved to eliminate any clandestine traffic in arms or war material, and increased the vigilance in ports to prevent the illegal use of marine traffic. The President also tightened controls over Costa Rican exiles in Nicaragua. Despite this flurry of measures, Costa Rican forces took thirty-eight prisoners in the first armed contact with the invaders in Potrerillos near La Cruz. Commanded by Pedro José Ordáñez, they declared that they had been armed at Peñas Blancas in Nicaragua and that Luis Somoza had supplied their rifles.³⁶

The action of the Council of the Organization of American States in naming a Committee of Investigation received a favorable response from Mario Esquivel, the Costa Rican representative. He affirmed that such action proved that the republics of the Western Hemisphere were determined to contain aggression. He added that democracy was being preserved in America and that brute force would no longer prevail in the New World. He expressed his satisfaction at the appointment made, called for rapid action, and asked that the frontier be closed immediately. Otherwise, Esquivel indicated, the

evidence of Nicaragua's aggression would be withdrawn.³⁷

On December 15, a bulletin from the Nicaraguan Legation categorically denied that members of Nicaragua's National Guard had been captured in skirmishes in Costa Rica. Denying also that Luis Somoza had given arms to the invaders, it affirmed that for several days before the invasion, Luis had been entertaining distinguished American citizens at his Montelimar Ranch. On the same day, the Nicaraguan Ministry of Foreign Relations released three memoranda as follows: Number One directed the Nicaraguan delegation to the Organization of American States to request that a commission be named to investigate the inflammatory activities of the Caribbean Legion in Costa Rica and Guatemala; Number Two gave proof of Nicaragua's good faith in maintaining amicable relations with Costa Rica by announcing the capture of Colonel Juan Tavio and ten companions as they were attempting to cross the frontier to take part in the Costa Rican revolution; and Number Three cited cases of recent disturbances in Guatemala and Nicaragua and emphasized that no one had laid blame at the door of neighboring regimes, nor did they make accusations before the Organization of American States. The memorandum stated that with its precipitant action, Costa Rica had contracted a grave obligation, that of proving with incontrovertible evidence its accusation against its neighbor. Nicaragua would defend herself by placing before the Organization

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La Nación, December 16, 1948.

of American States the systematic and uninterrupted series of provocations that it had received from Costa Rica since Figueres took over the country. Prominent among these provocations were the perennial threats of intervention against Nicaragua by the Caribbean Legion.³⁸

Novedades in Managua denied that Costa Rica had captured Nicaraguan military personnel in the invasion zone. It affirmed that legionaires dressed as Nicaraguan National Guardsmen were drilled and prompted to pose as captured Nicaraguan prisoners. It insisted that Nicaragua was a victim of a campaign of aggression, slander, and falsehood by the government of Costa Rica.³⁹

Meanwhile, Nicaraguan officials welcomed the appointment of the investigating committee. President Ramón y Reyes called reporters together and requested them to report all activities of the investigating committee with precision and dignity. He felt that Nicaraguan prestige was at stake and that a cordial welcome to the committee would improve Nicaragua's image in the face of the Costa Rican accusation.⁴⁰

The investigating committee of the Organization of American States boarded a plane provided by the government of the United States at 10:30 p.m., December 16, in Washington. The plane landed in San José, Costa Rica, the following

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La Nación, December 16, 1948.

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Novedades, December 17, 1948.

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La Estrella, December 21, 1948.

afternoon and was met by a huge crowd of overjoyed ticos.

In a press bulletin the Committee stated:

We shall spare no effort to carry out our instructions loyally, certain that the traditional spirit of fraternity and harmony, which is the highest inspiration of Pan-Americanism, will be predominant and that we shall thus be enabled to return most quickly and to report that our task has been accomplished.⁴¹

In a welcoming speech, José Figueres said that the invasion of Costa Rica would give rise to a new era in international relations. He affirmed that Costa Rica should be grateful for the rapid response of the Organization of American States. The Costa Rican President further declared that Costa Rica should not consider her sufferings in vain if they would give birth to a more vigorous solution by arbitration to the conflicts among the peoples of the New World.⁴²

Figueres, assisted by the other members of the Governing Junta, received the committee at 9:30 a.m. on December 18. They first showed the committee copies of three leading newspapers which consistently supported the government. With this evidence, they hoped to destroy credence in the rash of rumors circulating in Nicaragua that there was press opposition to Figueres' government in Costa Rica.⁴³

The committee later interviewed some of the thirty-eight prisoners captured at Santa Rosa in Costa Rican territory. Most of them were poor, undernourished peones from the

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Applications, 32.

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La Nación, December 19, 1948.

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La Prensa Libre, December 18, 1948.

village of Nandaime in the Nicaraguan Department of Jinotepe. They affirmed that the Guardia Nacional had forced them into the ranks of the invaders and that they had no idea why they were fighting the Costa Ricans.⁴⁴

The committee interviewed Florencio Ordáñez, Nicaraguan alternate senator and commander of the captured men.

He stated:

The invasion was planned by Calderón Guardia, who counted on the backing of Somoza, including Somoza's promise of help from the Guardia Nacional Calderón Guardia and Somoza saw each other many times. Calderón Guardia and his brother, Paco, had a long conference with Somoza four days before the invasion began. On Friday, December 10, at 3:00 a.m., several vehicles, in one of which was Luís Somoza, arrived at Peñas Blancas where the men were given arms I received my rifle personally from Luís Somoza. Some three hundred men took part in the invasion, one hundred of them Nicaraguans. They included Major Davison Blanco, Commandant of León.⁴⁵

At 8:45 a.m. on Sunday, December 19, the committee left for the town of Liberia, provincial capital of Guanacaste, in northwest Costa Rica. In the military barracks of that province, the committee interviewed Colonel Mario Ludwig Starke, Commanding Officer, who stated that the rebels were isolated in a small corner in the northwest part of the country and that government forces were closing in on them. Commandant Manuel Jirón testified that he had been in La Cruz a month before the invasion and that Nicaraguan planes had made reconnaissance flights mornings and afternoons over La Cruz.

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La Nación, December 19, 1948.

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El Diario de Costa Rica, December 19, 1948.

He surmised then that they were looking for contingents of the Caribbean Legion which Somoza thought were on the frontier. Gonzalo Rodríguez González, a Costa Rican customs official, testified that the night before the invasion, Calderonistas and communists held a fiesta in La Cruz. Most of them drank excessively. At a given moment, the lights went out and shots were heard. A short time later, a group of eighty men, some recognized as communists, entered the village firing their guns. Prisoners whom the committee interviewed in Liberia affirmed that Guardia proposed to establish an independent republic in Guanacaste with the capital in Liberia. They were told that Liberia had already been captured and that their invasion would be an easy success. After interviewing these men, the committee returned to San José in the afternoon.⁴⁶

Nicaragua now accused Costa Rica of attacking Nicaraguan military posts at Los Mojones and of attacking the launch Rita. Somoza sought to confuse the issue of Nicaraguan aggression by asking the Organization of American States to intervene and put a stop to those dangerous and outrageous raids on his border towns by Costa Rican pilots. Mentioned along with the pilots were the battalions of the Caribbean Legion poised on Costa Rican soil for an invasion of Nicaragua. By then the evidence indicated that the presence of the investigating committee was causing nervous second-thoughts

among the leaders of the invasion. A dispatch from the front revealed that the invaders were pulling back from La Cruz toward Puerto Soley. They were hurrying to abandon the country and destroy the evidence of their invasion before the committee arrived on the scene.⁴⁷

On December 20, the investigating committee boarded its plane for a flight to Managua. Moments before departure, the Costa Rican Foreign Minister, Benjamín Odio, gave the committee president a voluminous document containing evidence from Nicaraguan newspapers of the invasion plans made by Somoza and Calderón Guardia. It also mentioned in detail their business relationships and their politics of mutual assistance.⁴⁸

Included in this document was the report of La Prensa of Managua on December 11, the day after the invasion began. It reported that:

In the political circles of this capital, it was known and with wealth of detail that Paco Calderón had acquired a great quantity of modern arms in Mexico Tico immigrants have for a long time been preparing the counter-revolution right here in Managua, to be more exact in the corridors of Radio Panamericana There were meetings at which one of our own reporters was present.⁴⁹

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La Nación, December 19, 1948.

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La Nación, December 21, 1948.

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La Prensa (Managua, Nicaragua), December 11, 1948, hereinafter cited as La Prensa.

In Managua, the investigating committee spent a full day in interviews with all top government officials, a number of diplomatic representatives, and Teodoro Picado, exiled ex-President of Costa Rica. While these interviews were being held, Colonel T. Alfonso Sapia-Bosch, military adviser to Daniels, made a personal flight in the committee's plane over the battle area. After landing in La Cruz, he conducted his own investigation. His conclusion was that there could be little doubt that the invasion was a personal venture of Nicaragua's strongman.⁵⁰

The criterion prevailed in Managua that there would be no pronouncement against Nicaragua and that the committee would seek a conciliation between the two governments involved in the conflict. La Estrella de Nicaragua reported that such a conciliation would be gratifying to Somoza and that the diplomatic corps would welcome it.⁵¹

During a brief pause in Mexico on its way back to Washington, the investigating committee held a press conference. It reported that there was very little assistance from the Nicaraguan government in the work of investigation while in Managua.⁵²

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Hernán Tavares de Sá, "Test Tube for Peace," Americas, I (March, 1949), 8.

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La Estrella, December 23, 1948.

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La Estrella, December 24, 1948.

A staff article in El Diario de Costa Rica commented on the concern which the State Department in Washington showed over the military coups and general unrest in Latin America. The State Department had consulted with the governments of Argentina, Honduras, and Nicaragua over what measures could be followed to strengthen democracy. That action, commented El Diario, was the same as asking cats how to perpetuate mice. If Washington followed lasting human interests instead of temporal political interests, they would ask the peoples of the Dominican Republic, Honduras, and Nicaragua. These would respond that democracy was impossible until Washington withdrew its support of the tyrannies. Accordingly, there was no problem, and nothing to consult. It was a matter of diplomatic technique. El Diario declared that:

The fact is that Washington in every capital respects the government in power whether it be controlled by rogues or honest men. It is contradictory that a nation which will not permit pilfering or political oppression in its own house will support such individuals abroad. If the Department of State would deal with gangsters as gangsters democracy would be established throughout the continent and would gain for the United States a deep sympathy and respect from the Latin American peoples.⁵³

On December 23, the Foreign Minister of Costa Rica sent a message to Corominas in Washington to the effect that Nicaragua was concentrating troops on the southern border. The message also mentioned false reports in the Nicaraguan press that Nicaraguan residents in Costa Rica were mistreated. The

Foreign Minister also complained about anti-aircraft fire against Costa Rican planes from the Nicaraguan side of the border. Odio asked that Corominas name a commission to inspect and guard the frontier of both countries to avoid the outbreak of a general Central American conflict.⁵⁴

The investigating committee of the Organization of American States returned to Washington on December 23 and met with the chairman of the Council the same day for a final exchange of ideas before submitting its report. The committee presented its conclusions to the Provisional Organ of Consultation at the meeting of December 24. The report affirmed that the revolutionary movement in Costa Rica was organized in Nicaragua by Calderón Guardia and received aid and encouragement by Nicaragua's failure to take preventive measures against the invasion. It also charged that Nicaragua did not take preventive measures to keep the rebels from crossing the frontier into Costa Rica until after December 10, the date of the invasion. Although the committee found no proof that official Nicaraguan forces had participated in the invasion, it was under the impression that some members of the Nicaraguan military forces under their own initiative had given technical aid to the groups that later crossed the border. The so-called Caribbean Legion, with material and moral help from the Costa Rican government, had enjoyed official sympathy and facilities

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El Diario de Costa Rica, December 24, 1948.

for carrying out its program and activities. These, according to general opinion throughout the Caribbean area, were designed to overthrow certain governments, among them the regime that ruled in Nicaragua. The committee observed that the existence of active military centers of international ferment was, as could naturally be supposed, a justifiable cause of concern on the part of the governments affected. This situation, which was abnormal and dangerous to inter-American peace, explained why the majority of the Central American and Caribbean Republics had for some time been living in an atmosphere of mutual distrust, constant anxiety, and open hostility.⁵⁵

At the same meeting, the Provisional Organ of Consultation approved a resolution submitted by the investigating committee. It called upon Costa Rica and Nicaragua to give full assurances that they would abstain from any further hostile acts toward each other. The resolution advised Nicaragua that it should and could have taken adequate measures to prevent the development of revolutionary activities within its territory intended to overthrow the regime in Costa Rica. In the resolution Costa Rica received notice that it could and should take adequate measures to rid its territory of groups of nationals and foreigners, organized on a military basis with the deliberate purpose of conspiring against the security

of Nicaragua and other sister republics. In the resolution, the Council also requested that both governments, by every means available, faithfully observe the principles and rules of non-intervention and solidarity contained in the various inter-American instruments signed by them.⁵⁶

The Organ of Consultation likewise approved a resolution to appoint an Inter-American Commission of Military Experts, composed of five members, which should proceed to Costa Rica and Nicaragua with the object of contributing to the effective fulfillment of the foregoing resolution. The Commission as named was composed of Colonel Decio de Escobar of Brazil, General Francisco Tamayo of Colombia, Colonel T. Alfonso Sapia-Bosch of the United States, Colonel Robledo Rojas of Mexico, and Colonel Carlos M. Bóbeda of Paraguay. In his instructions to the members of the Commission, Chairman Corominas reminded them of the provisions of the Convention on the Duties and Rights of States in the Event of Civil Strife which both Costa Rica and Nicaragua had signed and which was then in effect between them. He also stated that both countries had offered their complete cooperation in the work of the Commission and that the Commission should forward to the Organ of Consultation complete reports of its observations and recommendations for furthering a peaceful settlement between the two countries.⁵⁷

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Documentos Relativos, 56.

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Documentos Relativos, 158.

Mixed reactions greeted the release of the Council's activities of December 24. José Figueres in an interview with a Chicago reporter, Harry Frantz, said:

I believe this legal action has been a complete success until now. The Committee has acted rapidly. I'm sure this will begin a new era in international relations. I know the Government of Nicaragua has withdrawn some troops. The others will be withdrawn soon or will be destroyed.⁵⁸

La Estrella de Nicaragua expressed a more somber view and declared that unless the American statesmen intervened directly into inter-American affairs, war would break out between Costa Rica and Nicaragua. Somoza, it affirmed, cared little that three hundred Costa Rican rebels returned to their homeland to cause trouble. The fact was that Figueres had broken his agreement with ex-President Picado, made the preceding April, and had confiscated property and denied political rights to his enemies.⁵⁹

Somoza recognized and accepted the criticism of the Organization of American States that Nicaragua had neglected to close its border to prevent rebels entering into Costa Rica. He was also delighted at the strong criticism leveled against the Caribbean Legion.⁶⁰

The Nicaraguan Ministry of Foreign Relations released

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La Estrella, December 24, 1948.

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La Estrella, December 26, 1948.

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La Estrella, December 26, 1948.

its own interpretation of the report of the Council. It viewed the report as a vindication of Nicaragua's claim that her armed forces had been completely neutral in the Costa Rican conflict.⁶¹

Meanwhile in Costa Rica, atrocities committed by the rebels threatened to annul all the progress made toward a settlement of the crisis. On December 21, a Red Cross detachment of six men, consisting of a doctor, a pharmacist, a priest, an engineer, and two Red Cross members, was ambushed and killed at Murciélagos Beach as they were setting up an aid station. At nightfall on Christmas Day, a contingent of thirty-eight soldiers from Costa Rica was attacked at Puerto Soley. Most of them escaped in the darkness, but two were killed. These events brought Costa Rican indignation to a new pitch of intensity.⁶²

The Council of the Organization of American States convened again on December 28. Ambassador Esquivel of Costa Rica reported that in retaking La Cruz, Costa Rican forces killed six members of Nicaragua's National Guard. One prisoner had declared that Guardia made repeated broadcasts from Los Mojones, a Nicaraguan border outpost. Esquivel also charged that fifty members of the Guardia Nacional were occupying Puerto Soley. The Nicaraguan Ambassador replied by report-

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Novedades, December 28, 1948.

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La Nación, December 28, 1948.

ing that thirty-nine ticos had fled to Nicaragua after being surprised by the rebels at Puerto Soley. He claimed that they asked for asylum in Nicaragua, saying that they would be executed if they returned to Costa Rica. Esquivel replied that the Military Commission would investigate the accuracy of such ridiculous statements.⁶³

At the same meeting, Ambassador Esquivel read to the Council a statement which expressed Costa Rica's dissatisfaction with the resolution of December 24. It said:

It is the opinion of the Costa Rican Government that Articles II and III of the Resolution are incongruous and irrelevant because instead of demanding that the Nicaraguan Government meet the exigencies of the situation resulting from its violation of the pacts invoked by Costa Rica, the articles place responsibility on Costa Rica for events which have not occurred and that the Government of Costa Rica has guaranteed will not occur. The Government of Costa Rica has promised the Government of Nicaragua that Costa Rican territory would not serve as the base for an armed invasion. . . . If the Nicaraguan Government feared for the stability of its administration because of the existence of the groups referred to in Article III, it should have resorted to the procedures that are set forth in international treaties.⁶⁴

Ambassador Esquivel, in his presentation, also mentioned previous invasions of Costa Rica by Nicaraguans. He observed:

In 1944, during the Costa Rican presidential elections, the National Guard invaded Costa Rican soil for the purpose of thwarting the expression of the people's will in those elections. Dressed in flamboyant uniforms with showy insignia of rank, they were quartered in San José, Cartago, and Alajuela. The Nicaraguan National Guard

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Documentos Relativos, 182.

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Documentos Relativos, 178-79.

actually maltreated defenseless Costa Rican citizens on their own soil and helped decisively to thrust Teodoro Picado, who now holds an official position in the Nicaraguan government, on the country by force, as the successor to the President. The National Guard invaded Costa Rican territory again in 1945, when it carried out a punitive raid that was reported at Nicaraguan headquarters in the order of the day.⁶⁵

Ambassador Sevilla Sacasa of Nicaragua gave a bland response to these charges, affirming that Nicaraguan forces had never invaded Costa Rican soil. He further insisted that Nicaragua was ready to continue its full cooperation with all agencies of the Council in settling the difficulties that had arisen.⁶⁶

In Managua, officials of the government continued to maintain that Nicaragua was innocent of the Costa Rican charges. They affirmed that Nicaragua could not be blamed if exiled Costa Ricans wished to recuperate their lost liberties, properties, and homes which had been taken from them by Figueres.⁶⁷

On January 25, 1949, the Council appointed a committee composed of the representatives of El Salvador, Mexico, the United States, Costa Rica, and Nicaragua to draw up a draft Pact of Amity Between Costa Rica and Nicaragua to end the differences between them and reaffirm good relations between the two countries. The committee submitted its report on January 28. Costa Rica made a proposal that as a prior condition to

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Documentos Relativos, 180.

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Applications, 43.

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Novedades, December 31, 1948.

accepting the draft pact, mixed commissions be established to guarantee to both countries that the Resolution approved by the Provisional Organ of Consultation on December 24, 1948, would be carried out. The Council referred Costa Rica's proposal to the later discretion of its members and approved the wording of the draft Pact of Amity as submitted by the special committee.⁶⁸

The Commission of Military Experts, upon evaluating the situation in Costa Rica, noted that there seemed to be an eager desire on the part of high government officials for a prompt and honorable settlement of the conflict. They reported a general feeling of alarm and uncertainty on the part of the inhabitants of the Costa Rican capital. Apprehension among the citizens had increased since the recent attacks on Puerto Soley, the massacre at Murciélagos Beach, and other acts of terrorism that had taken place. The Commission also noted continuous troop movements between the capital and the province of Guanacaste, which had been the most affected by the Calderonist rebellion. The Commission requested information from the Costa Rican Ministry of Foreign Affairs concerning its procedures in liquidating the suspicions caused by the Caribbean Legion. The Ministry replied that the exiles were separated, and efforts were being made to find suitable employment for them. The Ministry clarified this information

by adding that "the Government of Costa Rica has taken all possible measures to disperse them in such a manner that they cannot possibly be considered as organized on either a military or semi-military basis."⁶⁹

La Nación reported that the government had found jobs and security for the legionaires in other areas without threatening the peace and security of Costa Rica. It had provided passage for about thirty-five members of the Legion who had departed for Cuba and Guatemala.⁷⁰

The Military Commission took note of these efforts on the part of Costa Rica to comply with the Resolution of December 24 and considered them an adequate response on her part. The Commission concluded that there were no groups of aliens organized on a military basis in Costa Rica. It noted also that Costa Rica was facing a serious economic and financial situation which was aggravated by domestic political difficulties. In view of these problems, Costa Rica would hardly find it advisable to provoke an armed conflict with Nicaragua or with any other country.⁷¹

The Military Commission continued its work in Managua on January 12. Informal interviews with high government officials consumed two full days. On January 14, the Commission made a personal reconnaissance of that part of the Costa

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Applications, 48-49.

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La Nación, January 8, 1949.

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Applications, 50-51.

Rican border which lies between Peñas Blancas and Los Mojones to investigate the measures taken by the Nicaraguan government with respect to closing the border. The members traveled by automobile, horseback, on foot, and by motor launch, covering four hundred kilometers in twenty-four hours. They remarked that:

The road between Peñas Blancas and Los Mojones is a bridle path in extremely bad condition. It is the only road on the border and can be used only by guerrilla bands of infantry and cavalry. It runs through a rugged, woody, and unpopulated region. Part of the road runs through Nicaraguan territory, but it is mostly in Costa Rican territory so that the forces of each country can guard only their respective sections. The following military posts are located on this span of the frontier: Peñas Blancas, Monte de Oro, and Los Mojones. Each of these is manned by 50 members of the National Guard of Nicaragua. The Monte de Oro post was established on January 27, 1949, at the suggestion of this Commission.

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The Commission noted the measures taken by Nicaragua in complying with the Resolution of December 24. They were the establishment of the three garrison posts mentioned above, the apprehension and internment of the Calderonist groups that had crossed the frontier, and the issuance of orders to the heads of arsenals to prevent the taking of arms and other war materials that might be used by rebels or conspirators against the Costa Rican government. Because of the nature of the frontier, the Commission concluded that the problem that had arisen between Costa Rica and Nicaragua and its solution were basically within the political, and not the military field.

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Applications, 52-53.

Once the mutual distrusts were eliminated, border incidents would cease, and real harmony between the armed forces of both countries would be possible.⁷³

On February 21, the ambassadors of Costa Rica and Nicaragua signed the Pact of Amity which pledged both governments to observe faithfully all the treaties, conventions, and other inter-American instruments intended to ensure peace and good neighborliness. Both ambassadors addressed the assembled Council of the Organization of American States, and in the finest Latin American tradition pledged:

. . . to continue a friendship that has been exemplary in our America And we persevere in the task that has been entrusted to us, certain that we can bequeath to our sons the individual fruit of our endeavors translated into the most sanguine hopes for tomorrow.⁷⁴

The Council approved a resolution to terminate the functions of the Inter-American Commission of Military Experts and expressed its gratitude to the investigating committee for its efforts in seeking a peaceful settlement to the conflict. In his closing words to the Council, Chairman Corominas said:

I should like to point out that the Rio de Janeiro Treaty has given us another opportunity to prove once more that America's future is being achieved by following the path of harmony, intelligence, and sound relation In this Hall of the Americas, before the array of our countries' banners looking down upon us, certain that each of us zealously carried out the intangible principles

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Applications, 54.

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Applications, 62.

of national sovereignty, we affirmed just a moment ago that peace is the unalterable foundation of America, the essential substance of the life of the American peoples, and that we are prepared to put into practice in their entirety our belief in democratic constitutions, social justice, and the reign of truth, so that there will always be confidence and understanding among the nations of America. I wish to express my sincere thanks to all who collaborated in this work of the Provisional Organ of Consultation, and I feel sure that, except for great causes in the history of America there will be no other occasion upon which we shall again test this machinery of peace.⁷⁵

This border skirmish was far more important than the scale of military operations would indicate. After the Council of the Organization of American States rose above its initial inertia, it acted with a certain speed and energy which overnight brought the respect and admiration of the entire Hemisphere. The Rio Pact had become a living instrument. The Pan American Union had moved out from the stately shrine of the status quo into the arena of vigorous action. The Organization of American States could not, however, enjoy for long the warm glow of its initial success for more serious challenges to its authority for peaceful settlement were soon in coming. In fact, the settlement between Costa Rica and Nicaragua turned out to be only a truce. The vital root causes of the attempted revolution still remained. Chairman Corominas' sanguine hopes that there would be no other occasion for testing the machinery of peace were not fulfilled. Only six years were to pass before Costa Rica would again invoke the Rio Pact

in an effort to stop an invasion of her territory from
Nicaragua.

CHAPTER III

THE UNEASY INTERLUDE BETWEEN 1948 AND 1955

During the years 1949-1954, an uneasy calm descended upon the turbulent Caribbean and Central American countries. Disaffected political exiles continued their plottings against the dictators in Nicaragua, Venezuela, and the Dominican Republic, while the military regimes strengthened their positions with a steady build-up in armaments. Some of the threats against the dictators were more than mere words. On the night of June 19, 1949, Dominican police destroyed a PBY Catalina aircraft bearing United States registry Number N-1096-M at Luperón on the north coast of the Dominican Republic. The persons on board were attempting to disembark munitions and attack the local authorities. All fifteen persons aboard were either killed or captured and three of the slain men were identified as United States citizens.¹

In a speech before the Pan American Society of the United States in New York on September 26, 1949, Secretary of State Dean Acheson emphasized the troubled situation in the Caribbean with these words:

For more than two years the Caribbean has been disturbed by plots and counterplots. These plots in themselves have been inconsistent with our common commitments not to intervene in each other's affairs. Increasingly, however, denunciations have been succeeded by overt attempts at military adventure. Since 1945, few nations

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Department of State Bulletin, XXI (September 26, 1949), 450-54.

in the Caribbean have escaped involvement and at times the entire area has approached a state of political turmoil. This situation is repugnant to the entire fabric of the inter-American system. The United States could not be faithful to its international obligations if it did not condemn it in the strongest terms. The energies spent in these adventures could much better have been put to use for peaceful purposes and improving the lot of the ordinary citizen. Aggression or plotting against any nation of this hemisphere is of concern to us. Wherever it occurs, or may threaten, we shall use our strongest efforts in keeping with our international commitments, to oppose it and to defend the peace of the hemisphere.²

After a thorough examination of the Caribbean situation, a special committee of investigation of the Organization of American States made a report on March 13, 1950. The report indicated that various groups of exiles not only persisted in their struggle but also sought surreptitious support from sympathetic governments. The report affirmed that many authorities failed to conceal their ideological sympathies with these subversive movements and gave both open and clandestine support to their activities. Many agents of revolutionary movements occupied influential government positions and availed themselves of these positions of power to carry on their subversive activities. The report concluded that even if the so-called Caribbean Legion did not exist as a concrete organization bearing that particular name, there was in existence a collection of elements constituting a subversive force. It was less organized and systematized than the hypothetical Legion, but was even more dangerous and more

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Department of State Bulletin, XXI (September 26, 1949), 450-54.

apt to create serious warlike situations.³

The activities of these subversive elements manifested themselves in the heightened tension between Costa Rica and Nicaragua. On October 5, 1949, Mario A. Esquivel, Costa Rican Ambassador in Washington, read a long letter to the Council of the Organization of American States which deplored the constant tactics of harassment pursued by the Nicaraguan government against Costa Rica. The letter mentioned a malicious campaign by the press and radio in Managua which was hostile to Costa Rica and which sought to lower her prestige in international circles. The letter also charged that the Nicaraguan war minister had circulated rumors of armed movements in Costa Rica which were designed to overthrow the Nicaraguan government. In his presentation, Esquivel affirmed that there was absolute calm and order throughout Costa Rican borders. The letter asked that a commission of investigation and conciliation be constituted in order to carry out an investigation that would harmonize and conciliate the relations between the two governments.⁴

Sevilla Sacasa, Nicaraguan representative, replied that he had made repeated requests to Esquivel that the two diplomats draw up an agreement by which the differences between their two countries could be solved. Such an agreement,

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Applications, 80.

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Pan American Union, Actas de las Sesiones Extraordinarias del Consejo de la Organización de Estados Americanos, 5 de octubre de 1949, hereinafter cited as Actas del Consejo.

affirmed Sacasa, would prevent Costa Rican and Nicaraguan exiles returning to their homelands to foment revolution against the government in power. Sacasa also referred to elements of the Caribbean Legion which were reported to be on the border. Esquivel affirmed that Costa Rica was not interested in paper agreements but in the restoration of good faith and sound relations between his government and that of Nicaragua.⁵

In consideration of the Costa Rican request that a commission of investigation be constituted, the Council of the Organization of American States voted to refer the matter to its Juridical Committee. The Council felt that since no de facto situation of aggression existed against Costa Rica, the clarification of the juridical aspects of the case was necessary in order to justify an investigation.⁶

During the years 1950-1953, the pot of political intrigue in Central America simmered quietly. In the spring of 1954, it began to boil again. José Figueres had won Costa Rica's presidential election in 1953 and was carrying forward his program for social and economic reform with unabated zeal. His audacious and precipitant methods collided with the quiet traditions of the Costa Rican people, and his enthusiasm for democracy spilled over into neighboring areas. Figueres'

⁵Actas del Consejo, 5 de octubre de 1949.

⁶Actas del Consejo, 5 de octubre de 1949.

personal feud with Somoza in Nicaragua was as intense as ever.⁷

On April 5, 1954, Somoza charged that he had been the object of an attempted assassination plot on Saturday, April 3. The plan was to kill Somoza as he left the American Embassy after attending a reception given by Ambassador Thomas A. Whelan for Brigadier-General Lester J. Whitlock. A patrol sent ahead of Somoza discovered the conspirators and scattered them. In an effort to round them up, the National Guard fought a battle in Conchitas, twenty miles south of Managua. A member of the Guard, a traffic officer, and a small boy died in the clash. Somoza attributed the plot to members of the Caribbean Legion who had trained and secured arms in Costa Rica. A Nicaraguan senator accused the Costa Rican Vice-Minister of Defense, Colonel Hector Pacheco, of having delivered the arms. He also implicated Juan Bosch, an exiled Dominican, in the plot.⁸

Guillermo Sevilla Sacasa, Nicaraguan Ambassador to the Organization of American States, accused eight or ten men in Costa Rica of having planned the assassination attempt against Somoza. He affirmed that they were allied with the Legion. Sacasa refrained, however, from accusing the Costa Rican government saying: "I want to emphasize that we do not

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Mecham, The United States and Inter-American Security, 403.

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El Diario de Costa Rica, April 6, 1954.

believe that the government of Costa Rica is implicated in this matter. According to our information, the assailants managed to evade the vigilance of Costa Rican authorities."⁹

Oscar Sevilla Sacasa, Nicaraguan Foreign Minister, explained that Nicaragua did not intend to present the case before the Organization of American States. Hector David Castro, presiding over the Organization of American States, suggested that Nicaragua and Costa Rica enter into direct negotiations in an effort to settle the problem. If the negotiations proved to be unfruitful, Castro intimated, then they could call upon the help of the Organization.¹⁰

Later Novedades of Managua revealed that a letter had been taken from a dead would-be assassin, Pablo Leal, which was directed to Rodolfo Herrera Pinto, Colonel in the Costa Rican Civil Guard. The letter purportedly outlined details of the assassination plot against Somoza.¹¹

In the month of June, 1954, the revolutionary forces of Castillo Armas deposed Jacobo Arbenz, the communist President of Guatemala. The presence of Nicaraguans among Armas' forces immediately gave rise to rumors that Nicaragua was poised for an invasion of Costa Rican territory. Large numbers of Costa Ricans, friends of Calderón Guardia and opponents of Figueres, were reported to be leaving Costa Rica

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Novedades, April 6, 1954.

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Novedades, April 22, 1954.

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Novedades, April 23, 1954.

for Nicaragua to take military training in Cayotepe.¹²

By December, 1954, Central America projected a somber picture of extreme nervous tension. Nicaragua had closed the San Juan River to navigation by Costa Rican vessels, had begun a campaign of malice and slander against Costa Rica, and continuously carried on military maneuvers within sight of the border. Somoza had purchased twenty-five F-51 fighter aircraft from Sweden to further strengthen his already considerable air force. Personal insults flowed freely between Somoza and Figueres, and pressure increased against Figueres' government from the outside as well as inside.¹³

Nicaraguan officials had changed their minds concerning Figueres' responsibility in the April assassination attempt against Somoza. Novedades published a scathing attack against Figueres charging him with being the author of the plot. It insisted that Figueres had not ceased for one moment to conspire against the peace of Nicaragua.¹⁴

On January 7, 1955, President Figueres summoned his cabinet for a meeting which lasted from 4:40 p.m. until midnight. The government had information that on January 5 a considerable force of transports and airmen had arrived in Managua from Venezuela. The cabinet decided to place before

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Joaquín Garro, Veinte Años de Historia Chica (San José, 1967), 67.

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Mecham, The United States and Inter-American Security, 403.

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Novedades, January 7, 1955.

the Organization of American States the grave possibility of an imminent invasion from Nicaragua.¹⁵ La Prensa Libre reported that the transports had taken many exiled Costa Ricans to Managua. Other exiled ticos, the newspaper affirmed, had arrived in Managua from Mexico.¹⁶

On January 8, the Costa Rican Ambassador in Washington, Antonio A. Facio, addressed a note to the Chairman of the Council of the Organization of American States in which he requested the convocation of a Meeting of Consultation of ministers of Foreign Affairs. The note accused Nicaragua of a succession of hostile acts which had served to increase the tension between the two countries. The note mentioned the closing of the San Juan River to Costa Rican navigation and a defamation campaign by press and radio giving out tendentious official statements prophesying internal struggles in Costa Rica. Nicaraguan forces had also staged military parades and maneuvers in which high officials called upon the people to defend their homeland against a hypothetical Costa Rican invasion. The note also emphasized Nicaragua's acquisition of an air fleet on an unusual and exaggerated scale for Central America. Facio further declared:

In the last few hours, my Government has received trustworthy information that another American government has sent to Nicaragua a fleet of ten military transport planes, manned by a large number of airmen. All of these facts taken together lead the Government of Costa Rica to the full conviction that the time has

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La Nación, January 8, 1955.

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La Prensa Libre, January 8, 1955.

come when the attack is to be launched, an attack that will be called "a local incident" by those who are trying to intervene in the internal life of my country.

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On January 8, the Nicaraguan Ambassador in Costa Rica released a bulletin to the effect that the planes and pilots in Managua from Venezuela were on a good will tour and nothing more. The note added that the Nicaraguan government had issued strict instructions to all its diplomatic officials to study carefully visas issued to Costa Rican citizens who desired to enter Nicaragua. The officials were to question the Costa Ricans carefully concerning their reasons for leaving their country. In this way the Nicaraguan Embassy cleared itself of charges that it would try to make an international incident out of a "critical problem that faced the Government of Costa Rica."¹⁸

On January 10, the Nicaraguan diplomat in San José was declared persona non grata by the Costa Rican government. His reference to "grave internal problems" in Costa Rica was considered by Costa Rican officials as an inadmissible interference in Costa Rican affairs.¹⁹

La Prensa Libre commented on the diplomatic problem which existed between Costa Rica and Nicaragua. Its origins reached back to the assassination attempt of April against

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Annals of the Organization of American States, VII (Washington, 1955), 141, hereinafter cited as Annals.

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La Nación, January 9, 1955.

19

La República, (San José, Costa Rica), January 11, 1955, hereinafter cited as La República.

Somoza. La Prensa reminded its readers that the recommended direct negotiations between Costa Rica and Nicaragua never materialized because of deep personal animosities between Somoza and Figueres. If one side or the other would show a bit of good will, the problem could be resolved without recourse to international conventions or by requiring the time and energy of the Organization of American States.²⁰

Nicaragua's reaction to the Costa Rican appeal to the Organization of American States was voiced by her Foreign Minister, Oscar Sevilla Sacasa. Sacasa said: "If all countries did the same in every case of local disturbance or nerves, we would soon reduce the Organization of American States to the status of a local police station."²¹ Sacasa accused Figueres of being a dangerous element in Central America because of his close relations with Jacobo Arbenz, José Arévalo, Rómulo Betancourt, and Prío Socarrás, who in Sacasa's opinion were Marxists.

The Council of the Organization of American States convened on January 10 to consider the Costa Rican note. The Costa Rican Ambassador restated his country's case, reiterating the fears that his small and defenseless nation felt before the threatening gestures of her powerful neighbor to the North. Ambassador Sevilla Sacasa of Nicaragua pointed out the

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La Prensa Libre, January 10, 1955.

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La Prensa (Managua, Nicaragua), January 11, 1955.

vigorous opposition within Costa Rica against the Figueres government. He cited strong and bitter attacks by Costa Rican newspapers against Figueres. He supported his arguments with statements from Otilio Ulate, former president of Costa Rica, to the effect that Figueres was a close friend to leftists who had instituted communist regimes in other countries. Sacasa then made a point-blank accusation against Figueres as being a fomenter of communist activities and openly protecting the leftist leaders of the Hemisphere. The Council after hearing these reports approved a resolution to call a special meeting for Wednesday, January 12, 4:40 p.m. for the purpose of further studying the matter and reaching a suitable decision thereon. It also called upon the governments of Nicaragua and Costa Rica to take measures they deemed proper to prevent the occurrence of any act that would be likely to aggravate the controversy.²²

Unfortunately, aggressive forces were already in motion which the two countries were either unwilling or unable to restrain. These forces would challenge the full authority and prestige of the Organization of American States as a peace-making agency.

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Annals, 141.

CHAPTER IV

THE SECOND INTERVENTION IN THE COSTA RICAN-NICARAGUAN BORDER CONFLICT

The efforts of the Council of the Organization of American States to effect a conciliation between Costa Rica and Nicaragua were rudely ignored and brushed aside by the events that took place on Tuesday, January 11, 1955. In the early dawn a transport plane carrying some sixty rebels landed on the short and bumpy airstrip of the village of Villa Quesada, located about sixty miles inside the Costa Rican border. Upon arrival, the rebels spread out through the town and easily obtained control of government facilities such as the telegraph office, police headquarters, and the post office. They also sealed off all roads leading away from the area. These airborne troops were assisted by a truck load of revolutionaries who had driven in from the towns of Alajuela and Grecia. The telegraph operator in Zarcerro, a small town near Villa Quesada, sent word to San José at 8:30 a.m. that Quesada had been occupied by revolutionaries, mainly Nicaraguans. The Costa Rican government immediately flashed a frantic alarm to Washington which instructed Ambassador Antonio A. Facio to request a prompt meeting of the Organization of American States.¹

During the day, Figueres made feverish preparations to repel the invaders. He mobilized the National Police and

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Department of State Bulletin, XXXII (January 24, 1955), 132.

called for volunteers at designated places. Soon long lines of young men, ardent followers of Figueres, waited to sign up as combatants. In the afternoon several army trucks, previously provided as United States aid, together with dump trucks and local transport trucks, rumbled out of the city loaded with these young recruits. Some were dressed in ill-fitting khakis, and some were in street clothes. All of them bore the uncertain look of men who knew nothing of battle and very little about the rifles so hastily thrust into their hands. While the troops headed north over the tortuous mountain road to the battle area, the government sent a lumbering passenger plane, borrowed from Lacsas Airlines, over the captured town and sprayed the airfield and rebel headquarters with several bursts of machine gun fire. This was Figueres' first response to those who would depose him.²

In his request for an urgent meeting of the Council of the Organization of American States, Ambassador Facio outlined the details of the invasion. He indicated:

In view of these facts, I believe that the circumstances which were considered by the Council during yesterday's meeting have changed completely; and since my country is now faced with a situation of extreme urgency, the Council should be convoked immediately without waiting for the hour set in yesterday's resolution.³

Accordingly, the Chairman of the Council, José A. Mora, called an immediate meeting of the Council. Fernando Fournier,

² José Alvarez de Vayo, "Costa Rican Crisis," Nation, CLXXX (January 22, 1955), 63.

³ Applications, 170.

Special Delegate from Costa Rica, stated:

The events of the last twenty-four hours confirmed the fears that had been previously felt respecting the imminent danger to my country. Each minute we lose here means lives lost in Costa Rica. I want protection for my nation. Costa Rica expects the justice that only this Organization can give.⁴

Sevilla Sacasa, speaking for Nicaragua, referred to the invaders who had entered Nicaragua in the past month of April for the purpose of assassinating President Somoza. The investigators would find, he affirmed, that the difficulties at hand were only the natural rebellion of the people in Costa Rica against their bad government.⁵

The Council agreed to constitute itself a Provisional Organ of Consultation and to authorize the Chairman of the Council to appoint a committee to conduct an investigation of the pertinent facts at the scene of the invasion. The Council also requested the governments of Costa Rica and Nicaragua to give full guarantees that they would refrain from performing any act that might aggravate the situation involving the two sister republics. Those named to the Committee of Investigation were Luis Quintanilla of Mexico, designated as Chairman, Fernando Lobo of Brazil, José R. Chiriboga of Ecuador, Guillermo Enciso Velloso of Paraguay, and John C. Drier of the United States. The committee left for Costa Rica

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La Nación, January 12, 1955.

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La Nación, January 12, 1955.

and Nicaragua at 6:00 p.m. on Wednesday, January 12, 1955.⁶

On January 11, the day of the invasion, Mario Esquivel, Costa Rican Minister of Foreign Relations, sent a request to all American states for military assistance. The Council of the Organization of American States met on January 12 to consider the Costa Rican request. The Council requested any American state that was in a position to do so to place certain aircraft at the disposal of the investigating committee. These aircraft would be under the supervision of the committee and would make peaceful observation flights over the regions affected by the invasion. The Chairman of the Council would give prior notification to all governments whose territories might be traversed by the planes.⁷

La Prensa Libre reported that government circles in San José felt the operation in Villa Quesada was of little military importance. They claimed it was simply an effort to impress the Organization of American States and give credence to the rumors that an internal revolution in Costa Rica was imminent. A purely internal revolution would tend to confuse the delegations in Washington and minimize the force of Costa Rica's denunciation against Nicaragua. It was noted that Costa Rica's protest had made mention of possible "simulated

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Pan American Union, Resoluciones del Consejo de la Organización de los Estados Americanos, Situación entre Costa Rica y Nicaragua. Tomadas de las Actas de la Sesión Extraordinaria del 11 de enero de 1955. Serie del Consejo (Washington, 1955), 2, hereinafter cited as Resoluciones.

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Applications, 173.

events" which would attempt to mask the true events.⁸

Nicaragua now revealed its true feelings concerning the alleged assassination attempt against Somoza. Somoza revealed the names of persons allegedly sent to kill him and charged that Frank Marshall, a chief assistant of Figueres, had sent them. Somoza assured reporters that he had done everything possible to maintain amicable relations with Figueres. He repeated his challenge to Figueres that the two men settle their differences on the frontier with pistols. "If this is a personal matter between him and me, then why cause problems for our countries? If he hates me so and wants to kill me, let him arrange to do so man to man."⁹

The Ministry of Foreign Relations in Nicaragua commented on the contradictory statements contained in the Costa Rican version of the Villa Quesada invasion. The statements maintained that the invaders arrived by river boat, that they arrived in large transport planes, and that they arrived in small airplanes from Nicaragua. The Ministry of Foreign Relations maintained that Nicaragua possessed military planes which were capable of transporting only crew members and not large numbers of troops. The design of these contradictory statements, the comments concluded, was to implicate Nicaragua

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La Prensa Libre, January 11, 1955.

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Novedades, January 13, 1955.

in a matter that was purely internal.¹⁰

The Nicaraguan Embassy discounted the accusation that the assailants in Villa Quesada proceeded from Nicaragua. The Embassy quoted Somoza's statement that Quesada was located eighty kilometers from the border and was accessible only through thick forests and swamps.¹¹

Meanwhile, the rebels, in an effort to strengthen their position, broadcast a message to all Costa Rican citizens asking that they stay away from strategic objectives throughout the country. They promised that these objectives would be attacked. The broadcast also called for a general strike. The rebels maintained that they were fighting against Figuerism, communism, and atheism and mentioned Figueres' relations with Rómulo Betancourt of Venezuela and other alleged left-wing leaders.¹²

While the investigating committee was on its way to Costa Rica, a new and more serious element entered the picture. One or more aircraft, including a P-47 of World War II vintage, ranged back and forth across Costa Rica bombing and strafing several towns and villages, including the capital. This action produced genuine alarm throughout the country, for Costa Rica had not a single aircraft capable of meeting this

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Novedades, January 13, 1955.

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La República, January 12, 1955.

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La Prensa Libre, January 12, 1955.

new threat which endangered the whole population.¹³

On the same day of the air attacks, Ambassador Facio presented an urgent petition for military help to the Organization of American States. He affirmed that the moment had arrived for that organization to proceed without vacillation to defend the defenseless members of the Organization. He expressed his fear that if the Council did not act rapidly, not only would it condemn Costa Rica to a slaughter, but it would also condemn to death all international organizations because no one could confide in their ability to contain aggression. He declared that the first attackers had come from abroad but that they soon would be able to operate from Costa Rican airfields. The Ambassador from El Salvador, Hector David Castro, agreed, saying, "It is evident they came from the outside. All of us know that."¹⁴

The investigating committee arrived in San José at 7:00 a.m. on January 13, and held its first meeting with Costa Rican officials three hours later. Foreign Minister Mario Esquivel told the Committee:

Costa Rica brought the Rio Pact into use by its ratification in 1948, it was the first to invoke it just days after, and now it saw in the Pact its strongest defense against aggression. The Pact is the strongest machinery for peace and we hope that the judgment of history will deal kindly with the Costa Ricans for their making

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Department of State Bulletin, XXXII (January 24, 1955), 132.

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La Nación, January 14, 1955.

effective a treaty which defends weak countries from the aggressions of stronger ones.¹⁵

In his first telegram sent to the chairman of the Council in Washington, Luis Quintanilla, the chairman of the investigating committee, made mention of the piratical aircraft that had bombed and strafed Costa Rican towns the day before. He also informed the Council that arms and ammunition had been supplied to the rebels from foreign sources and that rebels had invaded Costa Rica in force over the northwest border contiguous with Nicaragua. In a second telegram sent on January 14, Quintanilla requested that immediate steps be taken to initiate the peaceful observation flights over the disturbed areas. He made special reference to the offer of the government of the United States to provide planes and personnel for such flights.¹⁶

The Council of the Organization of American States immediately informed Costa Rica and Nicaragua that a naval squadron of the United States based in the Canal Zone was authorized to make flights over their territories. The squadron would be made up of from nine to twelve Marlin P-5M1 patrol planes. Its armament would be defensive and would fire only when fired upon. The notice informed the two governments that "the basic mission of the planes would consist in providing any information of aerial reconnaissance

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La Nación, January 14, 1955.

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Applications, 174-75.

which the investigating committee might solicit."¹⁷ The Council authorized the flights as an interim measure while a decision could be made on Costa Rica's request for military and material help.

The use of aerial reconnaissance by neutral planes would have been an unthinkable intervention had it not been requested by the international organization set up under the provisions of the Rio Pact. El Diario de Costa Rica cited comment from the New York Times on the peaceful reconnaissance flights. The Times editorialized on January 14 that comfort could be taken from the fact that the international mechanism in the hemisphere was acting with "admirable quickness and good judgment." It added that all citizens in the Hemisphere who valued democracy were pleased that Figueres and his democratic government were ahead in the conflict. The presence of planes of other nations in peaceful observation flights would doubtless put an end to incursions by solitary rebel planes to machine-gun towns and drop supplies to the rebel invaders. The Times observed further that it would be well for everyone to abstain from taking positions of prejudice until the investigating committee could make its report. It would be unpardonable, however, not to recognize that Costa Rica had no airports from which military planes could operate. Therefore, the editorial continued, it was useless for the Nicaraguan spokesmen to persuade others that

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La Nación, January 14, 1955.

the conflict had to do only with "a civil war."¹⁸

Government officials also commented on the neutral patrol flights. In a speech before the Houston Rotary Club on January 20, 1955, Henry F. Holland, Assistant Secretary for Inter-American Affairs, said:

The use of peaceful observation flights under the supervision of the Investigating Committee is a new development in the inter-American peace machinery. Multiplying the eyes and expanding the vision of the five-man committee, this procedure doubtless also served as a deterrent to any international traffic in arms and men in violation of treaty obligations . . . Americans can be grateful that the peaceful solution of our problems has been entrusted to a Regional Organization to which a Soviet veto cannot extend.¹⁹

The investigating committee's third telegram to the Council in Washington affirmed that the rebels had stationed two AT-6 combat planes and one DC-3 transport at their captured stronghold of El Amo near La Cruz. The telegram also confirmed the suspicions that at least a substantial part of the elements of war were introduced across the northern boundary of Costa Rica. These reports prompted the Council to issue a formal request to all American governments and especially to the Government of Nicaragua to strengthen their measures to stop the flow of supplies and the movement of rebel forces into Costa Rica. It also requested the investigating committee to send observers to all the airports in the region involved in the situation, as well as to any place

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El Diario de Costa Rica, January 15, 1955.

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Department of State Bulletin, XXXII (January 31, 1955),

that might be utilized for the transportation of military forces or materials to Costa Rica.²⁰

Meanwhile, events in Costa Rica provoked strong reactions from other Latin American politicians. José María Velasco Ibarra, President of Ecuador, declared that the nations which made up the Organization of American States were obligated to lend their moral, military, and economic collaboration so that the inviolability of Costa Rican soil would be respected. He added that the overthrow of Costa Rica's legitimate government from the outside or with help from the outside would be one of the most criminal and scandalous attempts against international and inter-American law. Ibarra's reaction carried with it the offer of three Ecuadorian planes for observation flights in Costa Rica.²¹

Exiled political figures from Venezuela, led by Dr. Raúl Leoni, high official of the Democratic Action Party, deplored Venezuela's cooperation with Somoza in attempting to overthrow the Costa Rican government. They denounced in strong terms the military dictator caste under Marcos Pérez Jiménez and declared that for the effective defense of the free world, the extirpation of all totalitarian dictatorships was necessary. They also had a word of criticism for the United States because of its policy of diplomatic support

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Resoluciones, Las Actas de la Sesión Extraordinaria, (16 de enero de 1955), 6.

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La Nación, January 13, 1955.

of Latin American dictators.²²

José Figueres in declarations made to the International News Service indicated that foreign powers were using Costa Rican traitors and every kind of adventurer in their invasion attempts. He also charged that the North American people did not understand the ideological conflict that was going on in Latin America. Figueres added that dictatorships were trying to destroy democracy wherever it functioned. In a telephone conversation with Hernando Casas, Central American editor for the newspaper El Imparcial in San Juan, Puerto Rico, Figueres said:

The tyrannical regimes cannot permit that other people fully enjoy the rights of traveling peacefully along the path of progress. For that reason, they support the mercenaries who threaten the peace and tranquility of governments that are democratic such as the one I pre-
side over.²³

Somoza's government in Nicaragua continued to link Costa Rica's government with international communism. Novedades published a picture of what it termed the "Communist Triumvirate," portraying Juan José Arévalo of Guatemala, José Figueres of Costa Rica, and Rómulo Betancourt of Venezuela. Nicaragua offered to put its planes under the supervision of the Organization of American States for peaceful patrol functions on the frontier.²⁴

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La Nación, January 14, 1955.

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La Nación, January 15, 1955.

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Novedades, January 14, 1955.

On January 15, an airplane on a mission of peaceful observation for the investigating committee reported that it had seen at the El Amo airfield, which was in the hands of the revolutionary forces, one F-47 fighter plane of the type that had bombed and strafed Costa Rican towns three days before. One-half hour later, the F-47 took off, flew over the observation plane and then headed toward Liberia, Costa Rica. Some minutes later, the Government of Costa Rica announced that an F-47 was machine-gunning and bombing the town of Liberia. On this same day, a two-hour combat took place between the rebel forces and Costa Rican troops.²⁵

On January 15, Ambassador Facio presented to the Council of the Organization of American States a special petition. He asked that effective control be established over the boundary between Costa Rica and Nicaragua and that land surveillance be provided at the border to prevent a continuation of the provisioning of the invading forces. Facio also asked that member states of the Organization of American States furnish means of defense against air attacks, combat planes with which to repel air attacks, and appropriate elements, particularly coastal patrol boats, to provide surveillance and defense against further aggression.²⁶

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Resoluciones, Fifth Communication of Investigating Committee. Tomadas de las Sesiones del 12 al 16 de enero de 1955, (January 16, 1955), 15.

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Pan American Union, Actas y Comunicaciones del Consejo de la Organización de los Estados Americanos referentes a la Controversia Nicaragua-Costa Rica (Washington, 1955), 4.

The following day, a long cablegram from Foreign Minister Mario Esquivel substantiated the urgent tone of Ambassador Facio's note. The cablegram specifically mentioned Costa Rica's lack of military aircraft to counter the ruthless air attacks carried on by the rebel forces. It also informed the Council that one of the observation aircraft of the investigating committee had been pursued and attacked by the enemy aircraft based in foreign territory. The Council discussed and approved the petition of Costa Rica that the Organization of American States arrange for the sale of combat aircraft to the Figueres government. Accordingly, the State Department in Washington expedited the sale of the aircraft the same day.²⁷

On Sunday afternoon, January 16, four F-51 fighter aircraft separated from the Texas Air National Guard, took off from Brooks Field, San Antonio, and reached San José, Costa Rica, early Monday. A C-54 transport carrying spare parts preceded the four fighter craft. Several Costa Rican pilots checked out in the swift fighter craft, and the planes were then turned over to the Costa Ricans for combat operations.²⁸

Although it was reported that the four Mustangs were sold to the Costa Rican Government for the symbolic price of

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Applications, 181.

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Department of State Bulletin, XXXII (January 20, 1955), 182.

\$1.00 each, Time magazine affirmed that they actually cost \$5,500 apiece. Having cost the United States Government \$75,000 each when new, they were still a bargain even at the higher price.²⁹

The Mustangs entered into action on January 19. Three F-51's, one armed with bombs and two equipped as fighter escorts, sowed panic and confusion in enemy positions at El Amo airfield. The attacks destroyed supplies, gasoline, and vehicles and made the field useless for further operations. Colonel Rodolfo Quirós, Costa Rican Chief of Staff, stated that the appearance of Costa Rican aircraft over the combat area had a great effect on both friend and foe. Costa Rican soldiers, exposed to intense mortar fire, welcomed the relief which the planes afforded them.³⁰

The effectiveness of the F-51's became evident through the testimony of wounded rebels in Managua. José Antonio González affirmed that the Organization of American States with its observation flights revealed rebel positions to the Figueres forces and deprived them of strategic positions. Antonio Porras Fernández declared that with the intervention of the Organization of American States, everything was lost. Gonzalo Villalobos Samora stated: "We would have won had the Organization of American States not intervened. When we lost

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Time (January 31, 1955), 29.

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El Diario de Costa Rica, January 20, 1955.

command of the air, we could do nothing."³¹

El Diario de Costa Rica cited editorial comment from the Washington Post of January 18 which emphasized the significance of the sale of the aircraft to Costa Rica. The editorial stated that the military assistance given to Costa Rica under the auspices of the Organization of American States had a symbolic importance which exceeded the help itself. Four airplanes, it affirmed, might appear to be symbolic, but they could be a large factor in what was until then a small war. They represented the first real military help that had ever been given under the practical applications of the Rio Treaty of Collective Security. El Diario also quoted from the Washington Evening Star. The Star maintained that there were signs that the direct action of the Organization of American States in authorizing the dispatch of four combat planes to Costa Rica had the desired effect by discouraging new attacks against that country. If this was, it continued, the beginning of the end of that chapter of violence in Latin America, it should be well received by all who desired peace and stability in the Americas.³²

With Costa Rican planes in action within five miles of Nicaragua's border, it was not surprising that Somoza should charge Costa Rica with violating that border. Predictably, the Nicaraguan Foreign Minister, Oscar Sevilla Sacasa, sent

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La Prensa, January 21, 1955.

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El Diario de Costa Rica, January 19, 1955.

the following note of protest to Mario Esquivel in San José on January 19:

I hereby inform you that today between two and four in the afternoon, two F-51 planes of your government while bombing the town of La Cruz, crossed our border into Nicaraguan territory in the jurisdiction of Los Mojones, Department of Rivas. In making in the name of my Government the strongest and most formal protest at this violation of our national sovereignty, I wish to inform you that my Government will take steps to strengthen its garrisons along the southern border and to exercise air surveillance in the same area to prevent any new violations of its national territory.³³

The investigating committee hastened to reply to Nicaragua's protest by denying that the recently acquired fighter planes of Costa Rica had violated the Nicaraguan border. One of the observation planes of the committee had followed the F-51's during the entire flight and affirmed that they did not cross the border. Antonio Facio, Costa Rican Ambassador, manifested:

The complaint that Costa Rican planes had crossed the Nicaraguan border is nothing more than an effort on the part of Managua to distract the attention of the Organization of American States and world opinion from the fundamental fact that Nicaragua helped in fomenting the invasion of Costa Rican territory and the aggression against the sovereignty and the democratic institutions of Costa Rica.³⁴

The official Nicaraguan newspaper, Novedades, now published comments from Izvestia and Trud, Soviet newspapers, which warmly supported Figueres. Novedades also gleefully

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Pan American Union, Acta de la Sesión Celebrada el 20 de enero, 1955, Consejo de la Organización de los Estados Americanos (Washington, 1955), 2, hereinafter cited as Acta.

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La Nación, January 21, 1955.

reported a rebel victory over Figueres' forces in Santa Rosa and affirmed that the hospitals were full of wounded men.³⁵

On January 18, Novedades praised the era of peace and good relations that existed with Costa Rica during the presidency of Otilio Ulate. Figueres had only brought tension, had resurrected the Legion with its pretensions, and had created assassination plots and trained assassins. Novedades also published a letter from the wives and children of the rebels pleading with the investigating committee to observe strict neutrality. Their men were fighting not for money but for honor against a government that had sown hate, practiced political crimes, and planted the foundations for a communist regime. Nicaragua's official voice also published a complaint from the rebel radio that the peaceful observation flights had exceeded their mission and authority by revealing strategic rebel positions to Figueres' forces.³⁶

Other supporters of the rebel cause also lodged complaints against the Organization of American States. Ex-president Picado of Costa Rica accused the Organization of American States of showing favoritism toward Figueres. He accused the Organization of intervening in an internal matter and of putting its weight and prestige against the anti-communist liberation revolution. Novedades supported Picado's complaint by saying that the Organization of American States had converted itself into an ally of Figueres and had damaged

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Novedades, January 18, 1955.

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Novedades, January 18, 1955.

its image as a serious organ of prestige. This brought no honors to inter-Americanism; it did not inspire faith. All this was due to the fact that Figueres succeeded in deceiving the distinguished members of the investigating committee. They would return to Washington with their hands stained with the blood of the women and children of La Cruz.³⁷

The investigation of the five-man committee while in Costa Rica began to show evidence of the complicity of other countries in the revolutionary attempt to overthrow Figueres. The testimony of a prisoner implicated officials in Guatemala. The prisoner admitted that he had trained in Cayotepe, Nicaragua and that the invasion was under the direction of Teodoro Picado, Jr., who was assisted by Anastasio Somoza, Jr., son of the dictator. Arms used were weapons that had been captured in Guatemala at the overthrow of Jacobo Arbenz and his communist government. This fact explained the insignia of the hammer and sickle on some of the weapons. The prisoner further declared that he and his companions were transported to the frontier in large trucks which Somoza used to transport cattle. The men numbered about 350, and the group included Costa Ricans, Nicaraguans, and Hondurans. Another prisoner interviewed by the investigating committee told of having been trained in Chiquimula, Guatemala. He landed by sea at Puerto Soley with 250 men, among whom were Venezuelans and Guatemalans.³⁸

³⁷ Novedades, January 21, 1955.

³⁸ La Nación, January 22, 1955.

The committee gave instructions to its military observers to refrain from any contact with invaders which might be interpreted as an establishment of relations with the clandestine forces. This did not prevent the observers from receiving any information from any person residing in Costa Rica or Nicaragua provided those persons were in territory under the control and jurisdiction of authorities of one of the two countries. These observers left for the border on January 19. They made their investigations in the zone adjacent to the frontier. The Nicaraguan government provided personnel and vehicles for the transport and convenience of the group. La República declared that the Nicaraguan drivers took the military observers along the well-known roads where no one had seen anything of the invaders and not along the hidden trails and by-paths that served as invasion routes.³⁹

La República also published a cartoon depicting the figure of Somoza straddling the frontier with six stars on each shoulder, a chest full of medals and ribbons, and weighted down with a heavy belt of guns and bullets. He was anxiously shoving little miniature rebels across the border toward Nicaragua and saying, "back across the line, boys, Here comes the OAS."⁴⁰

The confused situation on the border caused by the

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La República, January 19, 1955.

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La República, January 19, 1955.

difficulties of controlling the movement of military units and supplies led the Council to consider the request of Ambassador Facio for a more effective land surveillance of the border. The fact that rebel units were falling back toward the border and were being pursued by Costa Rican forces also gave rise to fears of a clash between Figueres' troops and the Nicaraguan border patrols. To reduce the danger of such a confrontation, the committee approved the establishment of a neutral border zone within which only observers of the Organization of American States were authorized to enter. The committee ordered the Costa Rican troops not to advance beyond a line described by well-designated points. This line ran slightly north of La Cruz, which was the point of deepest penetration by the rebel forces. The National Guard of Nicaragua also received specific instructions concerning the boundaries of its activities. The Guard was further charged with the responsibility of disarming and interning all rebel forces which endeavored to cross the border back into Nicaragua.⁴¹

The committee also established a neutral air corridor approximately ten kilometers wide and thirty kilometers long, the central line of which was the boundary between Costa Rica and Nicaragua. The corridor was closed to all military, commercial, and civil aircraft of Costa Rica and Nicaragua, and

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Acta, 18.

the investigating committee reserved the right to patrol that air space with its own aircraft. The plan for the security zones became effective at noon on January 20, 1955.⁴²

In the meantime, the investigating committee had moved on to Managua on January 17 and conducted interviews and consultations for two days with Somoza and other high officials. The military advisers to the committee assigned a group of its observers to the frontier region of Rivas, Nicaragua, and established a coordinating office in the Nicaraguan capital under the direction of Lieutenant Colonel Dionysio Taunay of Brazil. The military advisers also assigned observers to the villages of San Juan del Sur, Rivas, Peñas Blancas, and Mojones in the Nicaraguan zone contiguous to the Costa Rican border. The investigating committee accepted the offer of the Mexican government to send two transport planes and ten army officers to help in its work. These planes and men landed in San José three days later. The committee returned to San José on January 19.⁴³

Somoza in a press conference affirmed that the investigating committee had given him the opportunity to show that Nicaragua was not involved in the Costa Rican revolution and that the charges of Figueres were false and imaginary. He said: "We are all interested that the Commission do its work well and with success for all governments are under the obli-

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Acta, 20.

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Applications, 192.

gation to strengthen the Organization of American States."⁴⁴

On January 22, the committee continued to interrogate prisoners and examine captured war material. Foreign Minister Esquivel and Colonel Rodolfo Quirós, Chief of Staff, informed the committee that the concentration of rebel forces in the Security Zone was creating a serious problem for the Costa Rican government. Government forces were unable to pursue the groups that had taken refuge there. At the same time, Costa Rica was reluctant to ask that the Security Zone be abolished because of the serious incidents that might occur between the armies of Costa Rica and Nicaragua.⁴⁵

The committee devoted the entire day of January 23 to the question of abolishing the Security Zone. Its main problem was how to suspend the zone and at the same time assure that no contact would occur between Costa Rican and Nicaraguan forces. During its deliberations, President Figueres appeared before the committee and manifested categorically that his administration was not intent on maintaining conflicts with Nicaragua and that he bore no sentiment of personal hostility toward President Somoza. In the afternoon, the committee approved the suspension of the Security Zone and decreed that it would be eliminated at 6:00 a.m. on January 25. The

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El Centroamericano (León, Nicaragua), January 19, 1955, hereinafter cited as El Centroamericano.

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Annals, 156.

committee agreed to postpone announcement of its decision until the next day, convinced that it should go to Managua again to exchange views with President Somoza. The committee arrived in Managua at 8:30 a.m. and consulted with Somoza for more than two hours. The committee discussed with the President every facet of the delicate situation. It left no doubt as to the seriousness of a clash between the armed forces of Costa Rica and Nicaragua as a result of the elimination of the Security Zone. The committee returned to San José at 3:15 p.m. in the afternoon.⁴⁶

Although Somoza agreed to the abolition of the Security Zone, he did so reluctantly. He maintained that Figueres' troops were not disciplined and that his pilots had violated Nicaraguan airspace three times. The danger still existed of a contact between his Guardia Nacional and Figueres' forces. Somoza affirmed that he had asked observers from the military adviser group to accompany his troops so they would not be accused of crossing the frontier into Costa Rica. Somoza also revealed that he had sent ten trucks loaded with troops toward the frontier and others would follow. He affirmed that four of the twenty-five F-51's recently purchased from Sweden were ready for action and that twenty-five trained pilots were waiting for orders. Besides, he had four F-47's, one B-24 Liberator, and one A-26,

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Annals, 158.

all ready for combat action.⁴⁷

On January 25, the Nicaraguan Foreign Minister informed the investigating committee that three hundred rebel invaders concentrated in the Security Zone had been interned by Nicaraguan forces. Among them were the leaders of the rebellion, the Calderón brothers and Teodoro Picado, Jr. This information greatly relieved the anxiety of the committee over the possible consequences of its decision to abolish the Security Zone.⁴⁸

The investigating committee left for Washington on January 27. It left its office open in San José under the direction of Dr. George A. Maciel, the Brazilian adviser. It also agreed to continue the activities of the Committee of Military Experts under Colonel Willis F. Lewis. President Figueres, all his cabinet, and several thousand grateful Costa Ricans saw the investigating committee off to Washington. Figueres delivered an address in which he thanked the people for their spontaneous and meaningful demonstration and again expressed his gratitude to the Organization of American States for the prompt and decisive action it had taken in settling the conflict.⁴⁹

Meanwhile, weary rebel forces continued to stumble into the borderline buffer zone which was now open to

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Novedades, January 25, 1955.

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La Nación, January 26, 1955.

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Applications, 194.

Figueres' pursuing troops. The presence of observers in the battle area, constant surveillance by the peaceful aerial patrols, and punishing attacks by Costa Rica's Mustangs removed from the rebels all desire for fighting. Somoza fired a parting shot at Figueres by challenging him to a duel on the border. Figueres responded by calling the dictator "un cabrón viejo" (an old goat).⁵⁰

In spite of their defeat, rebel leaders were determined to continue their opposition to Figueres. Young Teodoro Picado, Jr., in a press conference in Nicaragua, affirmed that he would not abandon his fight as long as he lived. He admitted that the revolution failed as a direct result of the attacks made by the planes sold to Costa Rica. Picado declared that it was suicide to continue and it was useless to sacrifice themselves. Calderón Guardia indicated that the objective of the rebellion was to give peace and liberty to Costa Rica. Both Guardia and Picado criticized the Organization of American States for its intervention in the domestic affairs of Costa Rica affirming that "we have the right to fight within our own country."⁵¹

El Centroamericano characterized the work of the investigating committee as a great victory. It mentioned the direct participation of the United States, Mexico, Ecuador, and Uruguay. The rapid response of the United States

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Time (January 24, 1955), 31.

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El Diario de Costa Rica, January 28, 1955.

in providing planes for Figueres' forces was a decisive factor in the failure of the revolution. It added, however, that the great victory belonged to the Organization of American States, as a juridical organization serving the continental peace of the Americas. The serious situation faced by Costa Rica became a notable example of what could be done through the means of the regional organization. The fundamental principle of the Organization of American States was that there was not a conflict that could arise among the great American family that could not be settled by pacific means. That declaration of basic principle had resulted in an almost complete proscription of war among the American states.⁵²

Other newspapers were not so optimistic. El Diario de Costa Rica cited comment from the New York Times which deplored the deteriorating situation in Central America. The Times saw little promise for improvement. It mentioned the frustrated military coup in Guatemala and the grave moral and political situation in Panama resulting from the assassination of President José Remón. Both events had occurred simultaneously with the conflict in Costa Rica. The Times pointed out that Costa Ricans had trained in Nicaragua and probably in Honduras and that the pirate aircraft were based in Nicaragua and Venezuela. While Figueres and Somoza continued to hate each other and while their governments, one a

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El Centroamericano, January 27, 1955.

dictatorship and the other a democracy, remained in force, the ideological conflict would continue. The principal requirement, the Times observed, was that Somoza and Figueres stop conspiring against each other. Figueres, justly so, enjoyed the material and moral support of the Organization of American States and the United States. In spite of this support, Figueres continued to do everything possible to create problems for Somoza. He would serve his own country and the cause of peace in the Caribbean by occupying himself strictly with his own problems. The Times suggested that Figueres' magnificent objectives of social and economic reform required peace and that it was time for a truce.⁵³

Despite the efforts made and the progress achieved toward a peaceful settlement, a complete cessation of hostilities was slow in coming. Through the connivance of Nicaraguan authorities, a considerable number of the interned rebels regrouped and rearmed themselves, traveled 112 kilometers across Lake Nicaragua to the East, and launched a further attack against Costa Rica from Somoza's farm, La Esperanza. Traveling up river a short distance, they fell upon the frontier village of Los Chiles, capturing a plane from Lacsá Airlines which had resumed flights into the area. The rebels removed both the plane and its crewmen to Nicaragua. The following day, February 5, Figueres' government regained possession of the town in a daring aerial operation, using

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El Diario de Costa Rica, January 30, 1955.

air-transported troops protected by the swift Mustang fighters.⁵⁴

On Sunday, February 6, Nicaraguan planes swarmed over the Costa Rican frontier concentrating their activities near the recaptured village of Los Chiles. The Costa Rican government protested to both Nicaragua and the Organization of American States in Washington. Somoza then accused Costa Rica of land and air incursions into his territory. He affirmed that such action would produce war, and if Costa Rica wanted a war it would have one. Costa Rican Foreign Minister Mario Esquivel replied that "if the aggressors carry their plans into action, they will find that they are fighting not just Costa Rica but all the members of the Organization of American States who have signed the Rio Pact."⁵⁵

These renewed hostilities interrupted the work of the investigating committee in classifying and compiling its documents for a formal report to the Council of the Organization of American States. During February 5, 6, and 7, the committee met repeatedly to study the alarming situation created by the presence again on Costa Rican territory of rebel elements who had been previously interned in Nicaragua. On the 6th, after an exchange of various communications between the government of Nicaragua and the committee, Foreign Minister Oscar Sevilla Sacasa relieved the concerns of the

⁵⁴La Nación, February 6, 1955.

⁵⁵La Nación, February 8, 1955.

committee by reporting that this group and their leaders had been interned again in Nicaraguan territory.⁵⁶

Fournier, special Costa Rican delegate, told the Council that Nicaragua had broken faith with the Organization of American States. Some of the rebels captured a second time in Los Chiles were the same ones previously interviewed by the investigating committee in Nicaragua. They were then turned loose to launch a second attack against Costa Rica. Costa Rica considered the attack a "completely new invasion executed under the noses of the Investigating Committee directly from Nicaragua."⁵⁷ The new events were considered by Latin American observers of sufficient gravity to warrant a more severe reprimand to Nicaragua by the Organization of American States.

The investigating committee summed up its conclusions by pointing out a number of pertinent observations. There was foreign intervention in the preparation, financing, furnishing of arms and ammunition, and transportation facilities to the persons who entered Costa Rica by force. A substantial number of rebel forces and the war material used by them, whatever their origin, entered by way of the Costa Rican-Nicaraguan frontier. Transport and combat planes, proceeding from abroad and without identification marks, landed clandestinely on Costa Rican soil and made flights in which they

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Applications, 195.

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El Centroamericano, February 8, 1955.

bombed and machine-gunned various towns of that country, including San José, the capital of the Republic. The measures and procedures of the investigating committee by its aerial surveillance, its system of land observation by military advisers, and its setting up of Security Zones caused the attacking forces to abandon their offensive and fall back toward the border. The committee concluded its observations by pointing out that many of the rebels who had been previously interned in Nicaragua reappeared and fought again on Costa Rican territory in the area of Los Chiles.⁵⁸

The failure of the committee to name and identify the guilty persons and governments involved in the aggression led the ambassador of Ecuador and member of the investigating committee to sign the report with a strong reservation. José R. Chiriboga said:

The report of the Committee is incomplete inasmuch as it does not contain a precise and orderly summary of the facts and evidence that were duly recorded and confirmed by the Investigating Committee and the Military Observers of the Organization of American States, facts and evidences the knowledge of which belongs technically and legally to the Governments of the Member States of the Organization of American States and to the public opinion of the Hemisphere; facts and evidence that enable the author or authors of the foreign intervention that gave rise to the violation of the territorial integrity, sovereignty, and political independence of Costa Rica to be identified. Solidarity and peaceful relations between the peoples of America require the complete diffusion of the facts that a Committee of five countries was instructed to investigate.⁵⁹

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Annals, 159-60.

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Applications, 198-99.

El Diario de Costa Rica criticized the report of the committee calling it "lukewarm and not in keeping with the energetic and decisive action of the Council in intervening in the conflict."⁶⁰ El Diario affirmed that after having reached conclusions which so definitely marked the aggressors, the report failed to name Somoza as the responsible person.

The defeated leaders of the rebellion issued a statement on February 8, which amounted to a surrender. In the Nicaraguan newspaper, Novedades, Calderón Guardia and Roberto Tinoco asked all rebels in the name of the Anti-communist Costa Rican Revolutionary Committee to cease their activities. Calderón said:

The movement of legitimate rebellion that began in Ciudad Quesada suffered a fundamental reverse from the moment that the Organization of American States in an unexplainable decision, qualified as foreign adventurers those of us who with full justification were fighting for our liberties. With sorrow and pain, we must desist from further fighting so as not to cause the extermination of small frontier villages by genocidal combat. The forces of Figueres are bombing and gunning without mercy humble homes and villages.⁶¹

In an interview with reporters of La Prensa, Picado said that the revolution would continue until it triumphed or until Figueres killed off the leaders. He indicated that in their next effort, their weapons would be more sophisticated, probably jet planes. Guardia added: "We won all the ground battles, but the F-51's beat us. We were ready to fall upon

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El Diario de Costa Rica, February 20, 1955.

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La Nación, February 9, 1955.

Liberia from a distant hill when those terrible machines appeared sowing death and destruction."⁶² Calderón refused to answer a question as to where the F-47 had gone. He also said that Mario Echandi and Otilio Ulate, opponents of Figueres, did not form a part of the revolutionary committee, but that they were part of the opposition in Costa Rica.

The Council of the Organization convened on February 24 and approved several resolutions designed to put into effect the recommendations of the investigating committee and to bring the Costa Rican-Nicaraguan affair to a successful conclusion. The Council named a permanent Commission of Investigation and Conciliation to have the general supervision of all activities relating to the restoration of good relations between the two countries. The Council also resolved to terminate the activities of the investigating committee that had rendered such valuable services in restoring amicable relations between the two countries.⁶³

The Council proposed three measures for insuring amicable relations and their continuance between Costa Rica and Nicaragua. The first was a request that the two countries make effective the Pact of Amity which both of them had signed in 1949. The Pact prevented the organization of clandestine forces in their territories bent on attacking

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La Prensa, January 28, 1955.

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Applications, 204.

the other. A second proposal was that the two countries maintain a strict control over arms inspection. The third proposal would deny political asylum to persons who might wish to foment rebellion against the sister country. The Council also named a commission to assist both countries in solving any differences that might arise over the coming months. Furthermore, it proposed to continue the presence and work of military observers on the frontier as long as they were needed.⁶⁴

The Commission of Investigation and Conciliation as recommended by the Council of the Organization of American States was given formal structure in an agreement signed by Costa Rica and Nicaragua on January 9, 1956. The agreement provided that in case the two countries were unable to settle their future differences by direct negotiations, they would recur to the commission for assistance. Each country agreed in advance to accept the recommendations of the commission. Costa Rica and Nicaragua also signed an agreement reaffirming the provisions of the Pact of Amity which both countries had previously signed on February 21, 1949.⁶⁵

On the occasion of the signing of the agreements between Costa Rica and Nicaragua, addresses were delivered by

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El Centroamericano, February 25, 1955.

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Pan American Union, "Acuerdo entre los Gobiernos de las Rep ublicas de Costa Rica y Nicaragua sobre el Funcionamiento de la Comisi on de Investigaci n y Conciliaci n Constituida de Conformidad con el Tratado Americano de Soluciones Pac ficas." Serie del Consejo, 9 de enero de 1956.

the ambassadors of the two countries. Fernando Fournier of Costa Rica made a solemn promise that his country would fulfill with good faith and intent not only the letter of the agreements but also the spirit of them. Sevilla Sacasa of Nicaragua expressed hope that neither Costa Rica nor Nicaragua would again experience the feeling of fear and distrust that had characterized their relations for so long. Ambassador Cesar Tulio Delgado, Chairman of the Council of the Organization of American States, closed the ceremonies with an address in which he said:

. . . we here today are providing a magnificent example of unity. We are offering a superb spectacle of peace; we are showing how two countries that only yesterday were at odds are today embracing in a conclusive gesture of affection and brotherhood that should be imitated by all peoples of the earth.⁶⁶

For the second time, the Organization of American States had intervened in a serious border conflict between Costa Rica and Nicaragua. With justifiable pride and confidence in its achievements, the Council of the Organization was able to announce to the Americas the successful termination of the dispute. The intervention of the regional agency not only brought the fighting to an end, but it also restored friendly and cordial relations between the two countries.

CHAPTER V
CONCLUSIONS

The provisions for the peaceful settlement of disputes embodied in the Inter-American Treaty of Reciprocal Assistance were designed to meet the exigencies of overt aggression and not the problems of internal revolution nor the familiar succession of barracks coups. The conflicts between Costa Rica and Nicaragua, 1948-1955, were neither outright aggression nor were they purely internal civil strife. They were rather a confusing amalgam of domestic rebellion accompanied by suspicious overtones of foreign connivance. The conflicts did not fit into categories for which precedents had been established nor definitions accepted. Therefore, the Organization of American States had to improvise, examining with care each step it took, taking into consideration the possible consequences of each action.

The hesitancy of the Council of the Organization of American States to act decisively at the outbreak of hostilities in 1948 was due to two factors. First, collective intervention by an international organization in a conflict between neighboring states was a new and untried procedure. Everyone was aware of how deeply rooted were the political passions of the Central American states. The personal disdain and hatred felt between José Figueres and Anastasio Somoza provided a further complication to the problem. Even after

their respective countries had signed all the inter-American pacts and conventions, no one knew if these two leaders would adhere to the proposals of the international organization. Secondly, Latin American bias against official interventions in the affairs of a neighboring state was so deeply ingrained in the minds of the Council members that they temporarily lost sight of the distinctions between unilateral and collective intervention. Only the constant reminder that an Inter-American Treaty of Reciprocal Assistance had been signed and ratified by the required number of signatory states removed the doubts and hesitations of the Council members.

Even so, the Council moved with caution. The conflict of 1948 erupted on the morning of December 10, and it was not until one week later that the investigating committee arrived on the scene of conflict. Its tools of trade were not threats or accusations, but questions, interviews, consultations, and proposals, all conducted within the decorous atmosphere of international diplomacy. With no police force of its own, the committee drew solely upon its powers of persuasion in an effort to bring unreasonable men together.

The appointment of men on the committee from among the more powerful nations was deliberate. Especially was this true of the appointment of the delegate from the United States. For over a decade, Somoza had enjoyed the best of relations with the government in Washington and could be expected to

listen attentively to its representative.

Though both Costa Rica and Nicaragua launched accusations against each other, the Council of the Organization of American States refused to brand either as an aggressor. Each was reprimanded in a rather gentle fashion for its failure to deter conspiracy against the other. Each was also made to know that its image as a responsible member of the American community was under close scrutiny.

Though the origins of the conflict that broke out in 1955 were really the same as those of 1948, new complications had aggravated the relationship between Costa Rica and Nicaragua. The assassination attempt against Somoza had so embittered him against his prime suspect, Figueres, that the Organization of American States found him a much more difficult person with whom to deal.

Fortunately, the Council had learned well the lessons of 1949. Further experience in dealing with the turbulent nations of the Caribbean area had given the Organization of American States a stance of confidence and energy which it lacked in the previous conflict between Costa Rica and Nicaragua. The invasion of 1955 began on January 11, and the newly appointed investigating committee arrived in San José in the early hours of January 13. That response was decisive action indeed. The Organization of American States in this second conflict enhanced its image as a peace-keeping agency through its use of neutral patrol flights over the battle area.

Its sale of combat planes to Costa Rica was a more drastic step for it was the first case where direct military equipment was provided in order to stop aggression. Such action destroyed any doubt that remained in the mind of a would-be aggressor whether the Organization of American States would act to implement the Rio Pact.

The newly created Organization of American States faced, with success, the first test of its effectiveness in the emergence of hostilities between Costa Rica and Nicaragua. Undoubtedly, the measures taken by the Organization of American States in the Costa Rican-Nicaraguan conflicts contributed to a more general feeling of security against aggressions and set a warning precedent against future aggressors. The regional agency concept moved from the state of permissive existence as granted by the United Nations charter to a position of autonomy and independent action. Except for the nettlesome problem of communist subversion in several Latin American countries, the incidence of outright aggression of one American state against another has virtually disappeared.

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