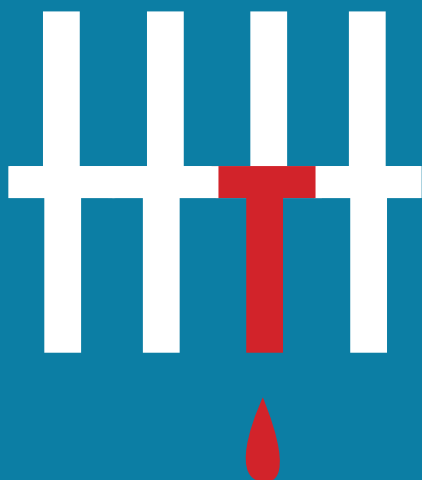


Blue Booklet

Pedro Hurtado Cárdenas



TORTURE AS A SYSTEM

-Testimony originally published in February 1946-

**Second edition, May 2019
Managua, Nicaragua**

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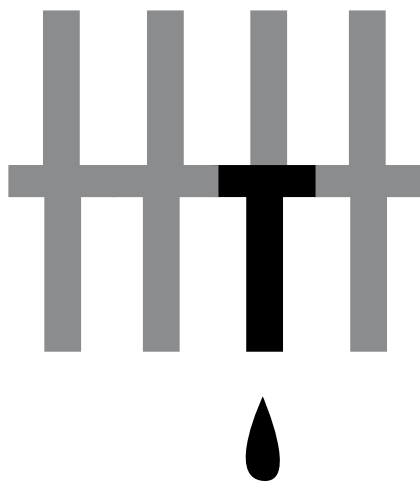
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TORTURE AS A SYSTEM

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In Memoriam

This second edition is dedicated to our sister Yolanda, who passed away before she could see the final version.

About this edition

My four sisters—Yolanda (RIP), Flor de María, Carmen and Isolda—and I grew up very aware of the torture to which our father had been subjected during the first years of the Somoza military dictatorship. We had attentively listened to our mom, Yolanda Vega Argüello (RIP), and several family members talking about it and we had read his own testimony on the subject. These events happened in November and December 1940, 78 years ago. My dad, Pedro Hurtado Cárdenas (1912-1960), was 28 years old when he became a political prisoner of the regime of Anastasio Somoza García for the first time. He was always a fierce civic opponent of the dictatorship, firmly against any pacts and became a recognized lawyer.

In the first months of 1946, my dad published his account of the torture he had endured five years previously under the title **Torture as a System - Blue Booklet** (Managua: Editorial Asel, 1946, 1st ed.). It was a short publication with a pale blue cover that circulated discreetly in opposition circles and later in certain universities outside the country. Soon after, he was forced into exile.

My father was kidnapped on November 27th, 1940, and released four weeks later. During that period of time, countless torture sessions took place, including electric rings, beatings with fists and clubs, violent interrogations, insults, slanderous

accusations, mock firing squad executions, and even threats of a War Council, all of which happened in *La Aviación* Prison (on the site of what is now the Ajax Delgado Police Complex) and in the prison known as *El Hormiguero* (the ants nest), located on *Calle del Rastro*—later Roosevelt Avenue—until it collapsed in the earthquake of December 1972. Another four family members were also imprisoned. My father was accused of unfounded charges of heading up a plot to bring down the “legitimately constituted government.”

They were freed on Christmas Eve 1940, as a demonstration of the “magnanimity of heart of General Somoza García.” The regime never publicly recognized the illegality of its behavior, let alone the bloody drama that it forced human beings to suffer in its dungeons. This dark chapter in Nicaragua’s history established that the Somoza regime deliberately used jails and torture as a political resource against its opponents.

On June 14th, 1960, twenty years after this tragic story and after at least four more detentions, my father was cruelly assassinated, riddled with bullets, at the age of 48 (I was just two and a half years old). My family was overwhelmed by grief. Most of the newspapers of the time gave ample coverage to this incident and the subsequent trial. My uncle, Luis Pasos Argüello, represented the Lawyers Bar Association and our family as the prosecution. The judge’s sentence established 20 years in jail for the murderer, but he only served a few weeks in La Pólvara Prison in the city of Granada. He was a holder of “*la magnífica*”, the ruling Nationalist Liberal Party’s (PLN) membership card, and was later seen working as a bodyguard for one of Somoza’s ministers, who was also one of the PLN’s political chiefs in that city. Impunity was still rampant in our homeland.

My father's courage, dignity and ethics were an ongoing source of inspiration to us. They were real life lessons. Among other things, they taught us that nobody has the right to mistreat another person, particularly from a position of strength and power, which is an act of supreme cowardice. Eighteen years later, in September 1978, my cousin Gustavo Adolfo Argüello Hurtado was tortured to death on Tiscapa Hill. Impunity and cowardice continued unabated.

Many years later in July 2005 and September 2009, respectively, Nicaragua ratified the United Nations **Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment** and the Inter-American **Convention to Prevent and Punish Torture**, created within the Organization of American States (OAS).

The Inter-American Convention understands torture to be “any act intentionally performed whereby physical or mental pain or suffering is inflicted on a person for purposes of criminal investigation, as a means of intimidation, as personal punishment, as a preventive measure, as a penalty, or for any other purpose. Torture shall also be understood to be the use of methods upon a person intended to obliterate the personality of the victim or to diminish his physical or mental capacities, even if they do not cause physical pain or mental anguish” (Article 2). Meanwhile, the United Nations Convention against Torture very explicitly includes in its definition of torture “when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity” (Article 1).

States have the obligation to protect all people from torture and, if it takes place, to guarantee that the victims obtain justice and that the torturers answer for their crimes. According to Amnesty International, torturers often act without any fear of being detained or punished, especially when they do so under the protection of government institutions and therefore believe themselves to be immune from justice. Impunity contributes to the perpetuation of the practice and to the continuing defenselessness of those who suffer it. In Nicaragua, the following article established in our Political Constitution must be honored: “All people have the right to have their physical, mental and moral integrity respected. Nobody will be subjected to torture, procedures, punishments or treatments that are cruel, inhuman or degrading. The violation of this right is a crime and will be punished by law” (Article 36).

Unhuman events such as those related in this testimony continue to be relevant in contemporary Nicaragua, particularly since April 2018. We Nicaraguans cannot accept that jailing people for their political beliefs and torture as a method of investigation or imprisonment are normal. Practicing torture and cruel and degrading treatment must be banished from our country and cease to exist as an institutionalized procedure. Our goal must be its total and absolute prohibition. We must either create or renew the mechanisms that guarantee Nicaraguan society that such brutal practices will never again be seen in our country.

This second edition of **“Torture as a System”** is a tribute to my father and to so many other men and women who have suffered and continue to suffer firsthand from such cruelty unleashed from the circles of powers. It is a testimony of pain

aimed at helping to generate a new awareness of the issue, while at the same time stressing the urgent and pressing need to fully respect human dignity.

Pedro Hurtado Vega

May 2019

Managua, Nicaragua



Dr. Pedro Hurtado Cárdenas



“Pedrito¹ Hurtado Cárdenas leaving the prison in which he was never held, according to President Somoza. Pedrito, the photographer and we all dreamed it.”

(Newspaper story—June 1946, having recently left prison on one of at least five occasions.)

¹ “Pedrito” is an affectionate, diminutive form of the name Pedro, so “Pedrito Hurtado Cárdenas” refers to the author of this booklet.

LAS TORTURAS COMO SISTEMA

Por el

Dr. Pedro Hurtado Cárdenas

Miembro del Colegio de Abogados de la
República de Nicaragua.

Ex-Catedrático de la Facultad de Derecho
y Notariado de Oriente y Mediodía.



TORTURE AS A SYSTEM

By

Dr. Pedro Hurtado Cárdenas

Member of the Lawyers Bar Association of the Republic of Nicaragua.

Former professor at the Law and Notaries School of *Universidad de Oriente y Mediodía*.



MANAGUA, D.N.² NICARAGUA
CENTRO AMÉRICA

1946

² D.N stands for "*Distrito Nacional*," which translates as "*National District*."

To those who wounded my soul and body, those who slandered and abused me physically or with words, to each and every one of those with responsibility in the events referred to, whether or not mentioned in the following account, which strictly reflects the truth, from the heights of my deep-rooted Catholic sentiments, I forgive you in search of pardon for my debts with God.

P. H. C.

Here is a dark chapter of our history!

When we learn through the daily press of the horrifying scenes that took place in the concentration camps of old Europe, we are invaded by a wave of indignation and unhesitatingly condemn the Teutonic savagery that shamed Civilization with its outrageous crimes due to its belief in supermen and mad yearning for world supremacy. The diabolical doctrine of Nazism has shown its leaders to be cavemen still unilluminated by the glow of conscience and not inspired by ethical, religious or charitable feelings, by justice, compassion or responsibility. No rays of light spelling out the concepts of Law and the respect we all owe to the dignity and personality of those formed in the image and likeness of the Creator have yet penetrated their primitive opaqueness.

The knowledge of such incidents, whose monstrosity no pen can describe, leaves our souls inconsolable and hesitant. This is because the supposed possessors of science and champions of progress are veritable wild animals on two legs who need more millennia of pain to transform themselves from beasts into angels with the aim of achieving joy on Earth through moral evolution, which is the only way of gaining ineffable peace.

Well, that cursed Gestapo has disciples in Nicaragua worthy of its barbarity. The pages that follow portray for us—with tragic eloquence—the crude reality of the torture applied to a young professional from an eminent family of Nicaraguan society: Dr. PEDRO HURTADO CÁRDENAS, grandson of

President Adán Cárdenas, who gave such outstanding service to the homeland.

Assaulted in the street following a family party by henchmen of the ruling regime in 1940; insulted and humiliated without any cause or justification; beaten mercilessly by the authority's own agents, who availed themselves of their arms in total cowardice; sadistically tormented with infernal machines that not even Dante knew of; coerced to blame his own immediate relatives, as if confessions extracted in that way could have any value in law or conscience; subjected to a pseudo Council of War, with no jurisdiction to try citizens not under military jurisdiction, rather than being brought before common judges if he was being accused of any offense; wounded, battered, without medical assistance, thrown on the ground in a filthy dungeon, treated worse than an animal; confined for several weeks, alone in his anguish, with no other consolation than God and no other strength than his innocence, haloed by martyrdom...

With a masterful hand, the victim himself paints a picture of the crimes against humanity whose lethal effects he survived through the work of Providence, perhaps in order to denounce them to the world, not out of any spirit of revenge—which would be out of keeping with the moral nobility with which he forgives his tormentors—but rather in the hope that these anachronistic methods be forever banished and the country open its eyes and stop the irresponsible criminals from committing such unspeakable acts again.

With the highest possible purpose, the author of this dark chapter in our history seeks the abolition of the barbarous system of torments that has been applied to him and to many other innocent citizens in the middle of the 20th century by agents of a government that boasts of being democratic and

civilized, but uses medieval procedures like those of the Nazi Gestapo that offend justice and human dignity, and thus deserves the harshest and most energetic condemnation from all people of upright conscience.

Rosendo Argüello

President of the Nicaraguan Academy of Geography and History
President of the Association of Lawyers of Nicaragua

“**TORTURE AND ESPIONAGE**” is the title of an editorial published on February 2nd of this year in the newspaper *Diario Nicaragüense* in which its director, Pedro J. Cuadra Ch.,³ focuses on these two methods of investigation in relation to a citizen’s charges that he was tortured by a member of the military and to the latter’s defense to vindicate himself from such a serious accusation.

Reading the said article, which demonstrates the uselessness of such instruments of investigation, could not help but awaken in me the painful memory of a certain chapter in my life that I long to bury forever in the shadows of oblivion.

But, as it involved cruel and degrading torture, and it appears that the same procedures are still being practiced today, now that a new and similar case is being publicly debated my civic integrity would not allow me to cover with tolerant silence the shameful incidents that will be an eternal stain on a government that hides behind the mask of a false democracy.

In using the press to inform the public of my terrible and personal experience, I am moved not by small-minded party interests, nor the reprehensible spirit of exercising imprudent vengeance, much less any vulgar zeal for renown. Rather I am solely and exclusively motivated by a well-intentioned desire to warn the citizenry about the abuses of public power; to work to ensure that basic human rights are not disregarded or mocked and, ceasing to be the dead letter of a theory, become a practical and effective reality; and finally for the infernal

³ Pedro Joaquín Cuadra Chamorro.

machines of torment and torture that are unworthy of our century and our culture to be forever banished from the homeland. From this moment on, I resolutely and calmly reject any other interpretation of my attitude today and tomorrow as mistaken and malicious.



At 11:30 on the night of November 27th, 1940, while returning from a family party, I was detained by an agent of the Office of Investigation in the city of Managua when passing in front of the west wing of the National Palace. There were no witnesses other than a dark sky and the bulbs of the electric street lighting. Two gunshots before my capture—the last of which was clearly intended to kill me as I heard the bullet whistle past very close to my head—were the unhappy omen of many days of both bodily and spiritual suffering, whose intensity I could never have imagined at the time. The said agent, who I found out through subsequent inquiries was the second in charge of Investigation in the capital city (with the rank of sergeant), pointed his revolver at me, forcing me to put my hands up, as he divested me of all my personal items like a common thief, some of which were never returned to me.

It is worth mentioning that in his free hand, the one not holding his gun, my singular apprehender carried a roll of papers that he said were flyers and that he unfoundedly and cynically accused me of distributing. I naturally protested energetically about such an attack on my life, my citizens' rights and my property and I denied the slanderous accusation made against me. But reason counted for nothing against the stubborn vileness of this miserable hitman.

Immediately after, I was taken to the southern sidewalk of the Central Park, in front of the Palazios' house, where five or more agents who had emerged as if by magic from behind the square's trees—some dressed in civilian clothing and others in uniform and all armed with

revolvers—dedicated themselves to lining up in the street the hundred and something National District street cleaners and a number of women who were in that place waiting for the time to start cleaning the city.

What were so many agents doing there at that time, waiting like highwaymen to ambush their victim? Who was the instigator of this Machiavellian plot? Who was to be the victim of their cowardly and treacherous plans? Who was the author of the flyers and what did they say?

Once the street cleaners were lined up, I protested my innocence again, receiving by way of an answer a tremendous blow that left me rolling on the ground. My instant reaction was to defend myself, but another of the “brave” men brought his revolver down on my head, leaving me unable to do so again.

After a while, with me at the head of the workers and women, we were all led to El Hormiguero Prison. There, a series of events was to unfold that have left a profound mark not only on my tormented flesh, but also on the innermost folds of my soul, where my abused and mocked human dignity seeks some kind of satisfaction to silence the constant cry of protest and pursues some ray of light to penetrate those consciences darkened by the desire for profit, by hatred and by indignity.

At that hour the Police Director, Colonel Luis Balladares Torres (who held the rank of major at the time), was in his office in that Prison. The agent gave him his report, which it is logical to suppose contained serious charges against me—although slanderous and the products of a dirty and vile machination—given the angry attitude of that functionary who like a thundering Jupiter slammed doors outside his office, followed by two individuals carrying rifles with bayonets fixed, and grabbing me by the neck, almost suspended in midair, took me to the darkest corner of the yard, frenziedly shouting: “we’re going to shoot you all.” And in that corner, violently, unexpectedly and in a sadistic fury, he hit me in the face with his arrogant fists until my

blood gushed out. Given my impotence to respond to the attack in kind, filled with just indignation and with the fury of the blinding pain, I could only shout one word in my defense, which in those moments concentrated all of my disdain and contempt: “Coward!” That word was lost in the murmur of protest muttered from behind the wire fencing by all the other prisoners in disapproval of the functionary’s despicable behavior and as a show of sympathy for my misfortune.

By committing such an outrage against me, my unjust attacker violated the most basic rules of honor and decency, taking advantage of his marked physical superiority, the impunity provided by the gun on his belt, the helpers protecting him, and the drama of the events. He also availed himself of his high military rank in the Army’s hierarchy and his high investiture as a functionary. And if to all of that you add my condition as a defenseless prisoner and the complete lack of any previous investigation of the incidents that were unjustly attributed to me—not even a single interrogation in this respect—I am sure that no court of law or conscience in the world could acquit an individual upon whom weighs the tremendous responsibility for acts such as those to which I am referring.

After what happened, at nearly one in the morning, I was taken to my house where a lieutenant and a number of other policemen proceeded to perform a meticulous search of my lawyer’s office, looking perhaps for compromising papers or as a detail in a dreadful and premeditated plan. However, the search was fruitless, as it logically had to be, as there were no papers in my office other than judicial records, notary protocols and others that are essential or indispensable in any office. Despite that, the typewriter was seized and I was returned to El Hormiguero. I should not forget to mention that the lieutenant that accompanied me maintained a soldier’s composure at all times, albeit in the context of a clearly illegal and unlawful raid. We had previously met on the same school benches of Managua’s Pedagogical Institute.

It is natural that an untimely search in the early hours of the morning, my broken and bloody face, and the presence of police authorities inside our home caused surprise and indignation among my people, without even mentioning the tears of my mother and sisters.

In *El Hormiguero* I was made to sit in a car between two duly armed civilian agents, with Colonel Balladares Torres himself occupying the front passenger seat next to the driver, and we set off towards the ominous *La Aviación* Prison, located on the outskirts of Managua. I was far from imagining that hours of desolation and torment awaited me whose bitter and harsh reality my pen is incapable of describing, just as my brain was incapable of even suspecting how far the abandon of a handful of men—representatives of authority, established as despicable tormentors and avid executioners of pain and blood—would reach.

Meanwhile, the unhealthy cells of other jails in the capital city opened up in the early hours of that sad November morning to cram in four members of my family: Adán Cárdenas, Carlos Hurtado Cárdenas, Julio Cárdenas and my brother-in-law Juan F. Aguerri, who were detained for many days, suffering excessive prison time and inhuman treatment.

When we arrived at La Aviación, the two civilian agents, surely already instructed by their superior, made me take a narrow path that became lost in the darkness of the night and took me away from the building where the actual prisons were. Given the circumstances, my first impression was that I had only seconds to live and given the terrible uncertainty of the moment, I distanced my spirit from everything worldly, raising it toward heaven in an attitude of contrition... The two agents followed close behind me, revolver in hand.

Soon after, we were in a small, dirty and dusty dilapidated wooden building: it was the “Torture Chamber,” a gloomy setting where minutes later a drama of intense realism bordering on tragedy would take place, which human nature must always repudiate as ignominious and civilization condemn as contemptible and shameful.

The master of ceremonies was the same sergeant that hours earlier had attempted to kill me. He started by asking my name, political affiliation, etc. He asked me if I was a supporter of General Somoza, to which I firmly responded in the negative. He asked me if I was a personal enemy of him (the General's) and I answered no, but that I opposed his government policy as it is not in the national interests or in the interests of the Nicaraguan people that lived subjected to a coercive regime. Then he directly accused me of being the author and distributor of flyers against the President, which were never shown to me. I replied that my very questioner knew that I was innocent better than anyone as it was he who had apprehended me. He again insisted on my guilt and I on denying the accusation.

In response to my negative replies, his thugs started the villainous task of mercilessly beating me with their fists and clubs on any part of my body that could serve as a target for their savage energy. I was tied to a chair, stripped of my shoes and socks and my feet were forced into a bucket of cold water. Then they placed on both of my big toes metal rings attached by two wires to an electricity generator whose current penetrated into the deepest parts of my flesh and felt like being stabbed mercilessly; it got into my muscles and nerves, which were tense with pain and vibrated to the rhythm of the mournful music of that infernal device. It passed through my bones, which creaked at the shock of the charge, as if wanting to dislocate and shatter into pieces... And if such cruelty and brutality were not enough, the fists and clubs came down incessantly again, in droves, on my by now almost passed out body, accompanied by indecent insults and coarse abuse, which were like lashes that crossed my face with impunity, while a rough gag oppressed my mouth to drown out the cries and groans of pain.

Suddenly the torture stopped and things entered a new phase: "Tell me," my questioner said, "that those responsible for the leaflets are the Cárdenas and that's enough for me." I immediately understood the scope of that vile and shameless insinuation with which he intended

me to place the responsibility on my uncles, thus saving myself from new anguish and torture. And faced by that cowardly proposal, I took more breaths and with a supreme effort, the answer that such meanness and infamy deserved left my bleeding and swollen lips.

This was enough for the furies of Averno to be unleashed once more; a profusion of blows started to rain down again and the indescribable agony of the electric current once again started to invade the last cell of my organism a thousand and one times. My whole body trembled like quicksilver and contorted in nervous convulsions, while life seemed to slowly ebb away through the conducting wires, absorbed by that diabolical machine... I felt my strength abandoning me. But despite everything, my tormentors had still not been able to break my will.

For that, they needed to practice a more refined form of cruelty that would reveal the baseness of their Lombrosian instincts. Such an unheard-of act! I was stripped of my clothes and the metal rings that were previously on my feet were placed on my noble parts. At that point, I was almost on the verge of unconsciousness, with my strength exhausted and my will worn down, but still with that indispensable semi-lucidity, a preservation instinct more than anything, that enabled me to vaguely realize the unnamable atrocity it was being attempted to perpetuate against my physical integrity. And faced with that monstrous prospect, gathering my last remaining reserves of energy, I could only murmur these words: "I am the only guilty one," which were followed by a roar of laughter from the scoundrel, emitted as a sign of triumph and which barely reached my ears as a distant echo.

But there was still more in the glass of bitterness. The following day, November 28th, 1940, when I came around, everything that had happened during those early morning hours swirled around my mind in a confused way, making it seem like nothing more than a horrifying and oppressive nightmare. But the sad reality was different, as I found myself alone in solitary confinement behind the bars of a cell, thrown

on the ground like an irrational person, with dirty and blood-covered clothes, turned into human garbage. My face was terribly disfigured by the blows, my eyes were almost closed by the inflammation, and my lips and mouth were black and blue and really swollen. My chin had two deep wounds from which blood flowed abundantly, the visible and permanent scars of which are an everlasting reminder of those days of misfortune. The rest of my body, painful and endlessly thrashed, had extensive areas of contusions and bruises that were for many long days the cause of extreme suffering. And on top of that, my legs were shaken by an almost epileptic nervous trembling caused by the continuous and drawn-out electric shocks. They refused to let me stand, as if ashamed of the human wreck I had become. It was a horrifying and Dantesque sight that had also been seen in the cells of the Ochrana and the Cheka and in the huts of Belsen and Buchenwald under the Nazi Gestapo.

That same day, during the late hours of the afternoon, which are the saddest and most dismal for all prisoners, the heavy bolts of the cell were drawn back to allow the Managua Chief of Police, Colonel Luis Balladares Torres, to enter. He found me sitting on the ground, my back supported by one of the filthy walls, brooding over my own adversity. With a martial air, he came right in front of me and said something I do not recall exactly in which he boasted of having gathered the threads of a conspiracy to overthrow President Somoza, which he said was confirmed by my own confession hours earlier. I was so dejected with all my limbs invaded by such weariness, that I was not at that time able to sustain any discussion, but I did feel the blood surging to my face in a true reflection of the anger and indignation that had been repressed for so long and were boiling inside me. I just raised my eyes to his gigantic six-foot figure and asked him, "Can you not see the state I am in?" The Police Chief turned on his heels and the cell doors closed behind him again.

What did that strange and unexpected visit mean? Might it have been to enjoy the results of his work, like a painter entranced by contemplating his canvases?

The next morning I was again taken to the “Torture Chamber.” Our sergeant and his minions were already there, like hungry jackals ready to tear apart their victim with their nauseating jaws. The terrifying electric machine was on one side and beyond it was a typewriter. “Now,” howled the jackal, “we need you to write and sign your statement, because if you don’t, we’ve got something here that sorts everything out and we don’t want to ruin you.” He said this pointing sinisterly at the instrument of torture.

Needless to say, I once more proclaimed my innocence and all the arguments and reasons I pleaded ran up against the outrageous obstinacy of this human beast. Torment and torture had triumphed over law and justice.

I remained in that damp and unhealthy cell for 15 days under the strictest prison regime, with no direct communication with the outside world and no medical attention to treat my serious wounds and bruising. I had to spend many nights in mortifying wakefulness because I had such terrible nervous anxiety that I constantly seemed to hear the bolts being drawn back and in the dead of night thought they were coming to drag me out of my cell bound for agony or death. And even when I sometimes managed to get to sleep, sprawled on the hard stone slabs, I would wake with a start after just a few moments because the guard on duty along the corridors morbidly and evilly entertained himself by rattling the lock every time he arrived outside my cell. On other occasions, the ants and insects covering my body forced me to get up at midnight and spend the rest of the night standing, leaning against a corner for support. It was not until many days later that I was allowed a folding bed to rest my bruised and weak limbs.

Those days and nights were so long and dismal! My soul was filled with such sadness and my spirit overwhelmed by such disillusion! As

the hours passed one after the other in rhythmic monotony, I absorbed myself in going back over what I had done in my life and reflecting on the moral behavior and grave responsibility before History of men in Government who in one way or another ordered, permitted or accepted a crime against humanity. And my imagination was absorbed in profound ruminations in an attempt to divine the complex influences that move humanity, sometimes toward good and virtue and at others toward evil, hatred or injustice... The recent events passed through my mind, full of tragic realism, and it was hard for me to accept that such cruelty and iniquity and such perverted feelings could have a place in a human heart. And it was then that, disillusioned with worldly justice, I raised my eyes to God in silent prayer, demanding His unequivocal and sapient justice.



Fifteen days later on December 12, I was notified that I would be tried by an Extraordinary Council of War along with my uncle Adán Cárdenas, my brother Carlos Hurtado Cárdenas and my cousin Julio Cárdenas under Article 91 of the Regulations for the Government and Discipline of the National Guard of Nicaragua for the alleged violation of Articles 57 and 99 (subsection 3, letter B) of the selfsame Regulations.

The most unfounded accusations were being made against us, such as “inciting members of the National Guard of Nicaragua and civilian elements to disobey the orders of the constituted Authorities through machine-written flyers” that we circulated clandestinely; and “inciting through the same flyers”, that we circulated in the same way, “deliberately and with the premeditated and criminal intent to disturb the peace of the Republic, preparing the mood of the Army and the people of Nicaragua, making a special call to the workers, to reject the Supreme Authority of the Most Excellent President of the Republic, rising up in arms against him to the point of overthrowing

him, saying all of this in the most wounding language against the First Magistrate of the Nation.⁴”

Now is not the right time, and it is not even in keeping with the nature of this account, to examine the organization of the above-mentioned Council of War from the juridical point of view, despite its vulnerability and the absence of legal consistency. What I do have to refer to, however, although very briefly, is the ridiculous and absurd nature of the charges.

In the first place, as I was the only one captured in the street and, according to my apprehender, secretly handing out the flyers, as I suppose he must have reported, then why were the other defendants also accused of circulating them when they were all asleep in our house at that hour? Is this not a flagrant contradiction? But that did not matter at all given the Government’s marked interest in implicating one of the accused in a scandalous process, even if it were unjust and illegal. That person was Adán Cárdenas, someone of high social and political prominence and one of the leaders of the Conservative Party of Nicaragua, who from his seat as a representative in the National Congress had been a frank and determined adversary of Somoza since the early days of his presidential candidacy, when the latter held the post of Chief Director of the National Guard. So there was a score to settle and the opportunity was not to be scorned, particularly when subterfuge could be used to give the trial a certain semblance of legality that would later serve to justify the executive branch’s behavior to public opinion. However, the scheme did not work out.

Meanwhile, one only has to know the quality of the people accused of being the authors and their social standing to assume that they have a degree of culture not in keeping with the charge against them of being the DISTRIBUTERS of flyers, let alone of using low and vulgar language, as was maliciously insinuated.

⁴ “First Magistrate” was another title for the President of Nicaragua.

The following are some small details that I feel obliged to state, only by means of illustration, in case these pages should one day reach the hands of strangers. Adán Cárdenas, son of President of the Republic Dr. Adán Cárdenas, has occupied posts in his public life such as Minister of Finance and Public Credit; Under-Secretary of State in the same Ministry; National Congress representative; and, for many years, Minister, Chargé d’Affaires and Consul General for Costa Rica in Nicaragua. Carlos Hurtado Cárdenas is a university student of recognized gentlemanliness and a sociable person. And Julio Cárdenas, who has a degree in commerce, was employed for over ten years in the National Bank of Nicaragua and was distanced from any political activity during that time due to the position he held in that institution. The three of them also belong to a family with strong connections in the heart of Nicaraguan society. Another circumstance worth mentioning is that they and the author of this text are affiliated to the Conservative Party of Nicaragua and as such are past and present opponents of the regime of Anastasio Somoza, who we have always opposed in an honorable and open way armed with a sense of civic responsibility and of decency, honoring the name handed down to us by our elders, but never employing calumny or diatribes as weapons of combat, nor seeking secrecy to sustain our political ideas or express criteria contrary to those of the adversary. On every occasion when it has been necessary, we have always attacked the enemy openly and with dignity, as befitting gentlemen, without ever hiding ourselves around the bend, in the bushes or in an ambush.

However, there is no more eloquent proof of our innocence and the falseness of all the statements contained in the accusation sheet than the very attitude of Mr. Somoza, ordering the suspension of the Council of War procedures, although we remained subjected to unjust and arbitrary imprisonment for many more days.

So, how can we reconcile this most recent attitude of Somoza with his explosive declarations to the press in relation to my capture, using

the harshest epithets to call us eternal enemies of his Government and disrupters of the public peace, citing arms, mimeographs, flyers, etc. found in our possession? Could his attitude be a new manifestation of his trumpeted “policy of tolerance” and his “benevolent dictatorship,” which he so frequently and brazenly boasts about?

The answer is easy to find. The Office of Investigation itself, and therefore its immediate chief Balladares Torres and Somoza, in whom all of the administrative functions are concentrated, already knew just a few days after our imprisonment who the real guilty people were: the same people who had so skillfully and despicably concocted the plot in which we found ourselves so unexpectedly and surprisingly implicated.

But what sarcasm and irony! The authors of the flyers were agents of the same investigation body, mentors of that whole dirty machination, with the ignoble and despicable intention of obtaining military promotion and monetary rewards. And yet the farce does not end here, as there is still something else to mention: the sergeant, second in command of Investigation, the same man who apprehended and tormented me, was simultaneously the head of the team that concocted that most vile and shameful of plots. And how do you think that this dirty trick became public knowledge? Well, simply from the mouth of one of those very agents who talked about it in one of the capital city’s barbershops.

For all that, the fanatical Sergeant in question, accused of the crime, is still serving in the Army of the Republic at this date, according to reports I have gathered from credible sources, and who knows whether he now has a lieutenant’s stripes.

So right from the start, President Somoza knew the truth of matter, of our innocence and the illegal imprisonment that I and mine were suffering for no reason whatsoever. And despite that, he allowed or ordered the criminal restriction of our freedom to continue indefinitely in order to justify his slight and unfounded declarations to the

press and the instructions for initiating the Council of War, or to hide the ruling regime's tremendous responsibility for such criminal and abominable actions behind a thick veil.

Everything mentioned above obviously gives us, with bitter sadness, a clear idea of the widespread corruption and lack of morality in governmental circles.



On December 13th, the day after I was notified that I would be judged by an Extraordinary Council of War, I was transferred from *La Aviación* Prison to *El Hormiguero* Prison. There, the jail regime became less strict and all my detained relatives who had been placed in different prisons were brought together in this one, although communication among us was prohibited. We could only express our impressions and anguish from a distance using our eyes. During those days, our uncle, Adán Cárdenas, severely affected by the rough imprisonment and the lack of air and ventilation in the cell where he was locked up, was granted house arrest in our home by medical prescription. Three of us remained.

The prison guards allowed us some visits from relatives and friends, one of which had a very special place in my heart: Monsignor Cipriano Vélez, an old friend of our household, now in the bosom of the Lord, brought us the inspiration of his kindness and his virtues and a paternal greeting from the most beloved prelate the Archbishop of Managua, Monsignor Lezcano y Ortega, who is also the object of our affection. I opened up my heart to the visitor in confidence during that hour and gave him a detailed account of the torture during my imprisonment, requesting that he inform the Highest Ecclesiastical Authority of the Republic for whatever purpose his Most Reverend Excellency deemed appropriate for the future benefit of the citizens of his homeland. And as I told my story to Monsignor Vélez, a man

who rarely reveals his inner emotions, I noted an expression of deep sorrow and bitterness drawn on his face.



December 24th arrived, Christmas Eve, and with it came sweet and spontaneous memories of home. We missed the comforting warmth of the family on that glorious day for Christianity and the whole human race. We were restless during the morning and afternoon hours, because an officer had already slipped us the unconfirmed news that we would obtain our freedom that day. And indeed, after the mess call, at around six in the afternoon, we were called to the office of the Chief of Police, Colonel Luis Balladares Torres.

With incomparable arrogance, this man started to reproach us for our guilt, stating with incredible cynicism that everything had been proved. Then he directed his words especially at me, and I remember very well what he said: “You, particularly, are the most compromised of all, because the corpus delicti was found in your hands.” He then said that despite this, he had instructions from General Somoza to set us free as a demonstration of HIS MAGNANIMITY OF HEART, even towards his enemies. How could he talk to me about magnanimity of heart!

Now I ask myself: what could the Chief of Police have been feeling deep down inside during those moments when harping on about something against the dictates of his conscience and against military honor, as he more than knew that we had nothing to do with that matter? Was he following the instructions of his hierarchical superior, once again trampling all over the code of honor and truth?

This functionary quoted the President of the Republic as using the word “magnanimity” when opening the prison doors for us, as if grandness of spirit, the virtue of the chosen, could be reconciled with unjust imprisonment, inhuman treatment and brutal procedures, the

affront of a regime that claims the name “democratic” while its acts boil down to barbarity, tyranny and despotism.

Many friends and our extended family were waiting for us at our house. It was no secret to them that I had been tortured and vexed in a despicable and cowardly way. At that moment, the kiss that my mother, my sweet mother, gave to me felt like a mixture of joy and anguish, of tears and smiles! With what feverish delight did I sense the silky touch of her hands, pure kindness, as if wanting to feel the marks of the merciless scourge and erase them with the balm of her tenderness and love!

Minutes later I was learning of the solidarity and kindness demonstrated by all of society in response to our misfortune, both during and after our days in prison. I could well say that the whole of Managua invaded our home, regardless of class or political party. That is why, in keeping with this account and in all gratefulness, I could not forget to give my eternal thanks to each of the people who on that occasion, in one way or another, took an interest in our fate and expressed their regret and their uplifting sympathy.

And it is worth adding here that when the truth of the events became public, there was a wave of general condemnation in Managua and other cities of the Republic against the government’s threatening acts. And surely the murmur of that gigantic wave reached the top of Tiscapa Hill, the seat of the master ruling over the destinies of a people that groans and suffers under the boots of a dictatorship unprecedented in the annals of Nicaraguan history.⁵

Given all of the above, one fact has been established with unequivocal signs of evidence that nobody, not even the Government itself, could successfully deny and contradict. And that fact is that the regime of

⁵ The presidential palace was located on top of Tiscapa Hill in Managua and the “master” referred to here is therefore General Anastasio Somoza García.



Anastasio Somoza uses torture either as a political recourse against its opponents or as a means of investigating offenses and crimes of a common, military and also political nature. And do not believe that such events happen sporadically and in exceptional cases; to the contrary, the contemptible and no less abominable system of torture has been established as a permanent institution by the current Government. I believe I am not the only one who can demonstrate this as it is public knowledge that there are instruments of torture if not in all of the prisons in the Republic then at least in the main ones, apart from the fact that hundreds of citizens could specifically testify to this as they have experienced it in the flesh.

Given this de facto anomalous situation that keeps thousands of Nicaraguan homes in a state of constant anxiety and that weighs on the citizenry with alarming perpetuity, it is necessary for the honorable men of this country, unions or workers' and peasant organizations, circles of intellectuals and professionals, opposition political parties, the national press that has bravely raised the standard of public liberties—in short, everything that is strength and life for this nation—to act energetically to contain the impetus of that current of organized barbarity before it sweeps away the last vestiges of civic dignity.



This is an anguished cry, from deep down in the soul of someone who went through that sad and cruel experience, for the dispersed efforts to combine into a single cluster and in the framework of the law and serenity to culminate in the perpetual abolition of a system that violates the basic rights of man and breaks the Constitution and the laws, and which at the same time dishonors a Government that implements it as an instrument of terror to strangle the legitimate yearning for freedom of an oppressed people.

This state of affairs cannot continue any longer in our homeland, when precisely the democratic nations gave the blood and lives of millions of their men in the most catastrophic of wars in order to eternally crush the hateful tyrannies that enthroned the power of force to the detriment of the unrenounceable values that inform the human personality. It cannot be possible that while the peoples of the United Nations are signing international treaties to guarantee Roosevelt's Four Freedoms in the whole universe, here in this part of the Americas such commitments are jeered and ridiculed.

Or is it that the voices of people like Braden or Rodríguez Larreta, who advocate a better life in which the basic rights of men are respected and revered, do not count for the Governor of Nicaragua?

Despite the crude realism I have tried to convey in these pages, given the urgent need to relieve my spirit of the oppressive memory of tragically painful circumstances, it must not be thought that I have been moved by any perfidious or ignoble sentiments. My victimizers already have my pardon and that is why I state that I will not appeal to any court that might be established in the future to judge all of those who, ignoring the universal standards of justice and benevolence and the most elemental principles of humanity, have violated the inalienable rights of man and citizens. Rather, relieved of any idea of personal vengeance, I appeal only to the Supreme Tribunal of Divine Justice and to the impartial and serene tribunal of History, awaiting their irrevocable judgment. Public opinion has already absolved me and condemned my tormentors.

Additionally, with the desire to avoid suspicions and warped interpretations of the worthy intention that has moved me to write these pages—which is none other, I repeat, than for torture to be forever banned from the homeland—I find myself obliged to state my personal opinion about the Army of the Republic as a State institution, which is deeply rooted in my conscience.

I sincerely believe that the Army is indispensable in terms of guaranteeing the nation's independence and integrity, its internal peace, which is the greatest aspiration of peoples, and individual rights. However, I must also firmly state that with its current organization its members include many individuals that dishonor and discredit the institution. Unfortunately, it has fallen to the Republic's armed force, in its role as a policing body, to commit abuses against citizens' rights and employ investigation procedures prohibited by the most basic principles of humanity. However, just as some elements neglect the Army's noble mission, its members also include people who are gentlemen in the broadest sense of the word and honor the promise they have made to the flag to maintain their adherence and loyalty to the Republic's great interests, including citizens' individual rights.

So the criticism does not apply to the National Army as an institution in itself, whose importance and necessary existence I am the first to recognize, but is rather aimed at the bad habits in its organization, which like a cancer is undermining its very existence, and against the unworthy members of the military who are far from exalting the noble profession of arms.

Let us hope that in the future these bad habits and errors are rooted out and that steps are taken to ensure a conscious selection of its ranks as soon as possible. Only in this way will it be possible for the Nicaraguan people to see the National Guard as an institution worthy of admiration and respect.

In conclusion, and with well-founded fears that the publication of this booklet in which I have venerated the truth is going to provoke unjust reprisals against me by the Government or the people mentioned, I am henceforth informing the following of these events in order to define future responsibilities: the legislative and judicial branches of the Republic and the honorable diplomatic corps

accredited in Nicaragua, particularly the Embassy of the United States of America, the homeland of that distinguished champion of democracy who prophesied and promised a decent life, exempt from fear and misery for all nations everywhere in the world.

Pedro Hurtado Cárdenas

Granada. February 20th, 1946

EDITORIAL ASEL
1946

“ At 11:30 on the night of November 27th, 1940, while returning from a family party, I was detained by an agent of the Office of Investigation in the city of Managua when passing in front of the west wing of the National Palace. There were no witnesses other than a dark sky and the bulbs of the electric street lighting.

Two gunshots before my capture—the last of which was clearly intended to kill me as I heard the bullet whistle past very close to my head—were the unhappy omen of many days of both bodily and spiritual suffering, whose intensity I could never have imagined at the time. ”

**Dr. Pedro Hurtado Cárdenas
February 1946**