THE ROLE OF NEGOTIATIONS AND ORGANIZATIONAL BEHAVIOR IN THE IMPLEMENTATION OF EL SALVADOR’S PEACE ACCORDS

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THE ROLE OF NEGOTIATIONS AND ORGANIZATIONAL BEHAVIOR IN THE IMPLEMENTATION OF EL SALVADOR’S PEACE ACCORDS

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Dissertation

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ABSTRACT

This dissertation focuses on the Salvadorean peace accords signed between the government and the former guerrilla turned political party Frente Farabundo Martí para la Liberación Nacional (Farabundo Martí National Liberation Front; FMLN). The end of the Salvadorean civil war era ended in 1992 as peace accords were signed between the government and FMLN leaders. The signing of the peace accords took time to complete and much dialogue required both parties to meet to negotiate and settle on timelines and agenda setting. This study explores the peace accords from the perspective of the soft, hard, and principled negotiation method as described by Fisher and Ury (1981) and by applying Allison and Zelikow’s (1999) Rational Actor Model (RAM) (Model I) and the Governmental Politics Model (Model III). It studies how the peace negotiations, as seen through the lenses of all three methods of negotiations and models I and III, influenced its implementation. All three negotiation methods and models I and III explain how the peace accord negotiations influenced its implementation. Specifically, it addresses the following research questions:

1. How did the negotiations influence its implementation?
2. How did intra-group politics influence the language of the Salvadorean peace accords?
3. How did intra-group disagreements generate soft-outcomes inhibiting implementation?
4. What has been the impact of language ambiguities encountered in the accords’ provisions during their implementation?

The research conducted indicates the negotiations heavily influenced the peace accords’ implementation. Both negotiating parties first had to conduct intra-group
negotiations before negotiating between themselves. The dynamics of intra-group negotiations impacted the accords’ negotiations, wording, and direction. There were two negotiating parties to the accords, as a consequence, there were ambiguities found in the wording of the accords. This is normal for an event of this magnitude since both parties had personal, political, and organizational interests to secure. By inserting ambiguous language, both parties were able to manipulate the accords according to each party’s needs and interests.

A pattern that seems very pronounced is that regardless of the negotiating approach to the accords, both parties ended negotiating in the long run in order to avoid intervention from any outside party. During the negotiations, both negotiating groups approached the negotiating table with the hard approach only to later succumb to negotiations which were carefully worded, crafted according to each party’s interests, and manipulable for future face saving. Language ambiguities caused the some issues and themes in the Salvadorean peace accords to remain unmentioned. As a result of this, certain provisions in the peace accords remained unnegotiated.
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CHAPTER I

INTRODUCTION

In El Salvador, the practice of democratic principles did not exist until the late 20th century. The country has a history of having oligarchic, repressive governments (Paige, 1997). The Salvadorean oligarchy had been strong allies of the military, through which both together ruled the nation up until 1979 (Paige, 1997). Democracy is an institution that is new in El Salvador. Salvadoreans had not been introduced or exposed to democratic institutions prior to signing the peace accords of 1992 declaring a peaceful end to the war and commencing a democratic transition in the nation (Paige, 1997). The democratization of El Salvador has been a long and arduous one. In El Salvador democratization keeps evolving and developing into something innovative.

The struggle for democracy came to a turning point in October 15, 1979 when a coup took place deposing the military rule of Colonel Carlos Humberto Romero, a right wing president (Paige, 1997; Wood, 2001). The coup replaced Colonel Romero’s dictatorship with the Junta Revolucionaria de Gobierno (Revolutionary Government Junta; JRG) ruling from 1979 to 1982 (Paige, 1997; Wood, 2001). Characterized and influenced by left wing politics and portraying to the international community a moderate and civilized image, the JRG introduced land, economic, industrial, and agricultural reforms (Paige, 1997). The reforms restricted landholdings to a hundred-hectare maximum, nationalized banking, coffee, and sugar industries, and disbanded the paramilitary private death squad Organización
Several events took place prior to negotiating the democracy transition such as a regime breakdown caused by economic, social, educational, and labor injustices. Another factor leading up to the negotiations was the internal dynamics of the reformist members of the ruling party (Lipset, 1959). The elites within the government started dividing, e.g., having their own interests and agendas, amongst themselves as they felt the government was no longer protecting their individual interests (Lipset, 1959). Yet another factor was external pressure from international organizations, governments, and non governmental institutions criticizing human rights violations (Paige, 1997; Stanley, 1996).

After years of heavy fighting and loss of life, both parties grew weary of combat and started discussing terms and conditions for arranging peace talks. In the late 1980’s and early 1990’s, serious peace talks were under consideration by both sides to the war (Paige, 1997; Wood, 2001). Realizing this, both warring parties agreed to a peaceful end of the war in 1990. In 1992, the Frente Farabundo Martí para la Liberación Nacional (Farabundo Martí Front for the National Liberation; FMLN) and the government signed a peace agreement which both sides felt each could honor, ending twelve years of fighting. With the signing of the peace accords, both parties agreed to establish a transition to democracy by a series of steps designed to introduce democratic rule (Williams & Walter, 1997).

The focus of this document is to investigate how the Salvadorean peace accord negotiations influenced its wording and implementation. It examines how the negotiations between the negotiating parties affected the accords’ language. Furthermore, it explores the intra-group dynamics of the negotiations. An analysis of the peace accords negotiations’ influence on language and implementation is applied and seen through the frameworks by Fisher and Ury’s (1981) three methods of negotiations and Allison and Zelikow’s (1999)
three models of explaining the negotiations. The document details how process of negotiations, making possible the path to democracy, also encountered barriers to implementing the accords. The dynamics of the negotiations created barriers that were overcome with intra-group negotiations and between the groups themselves.

The following sections cover the historical background of El Salvador’s civil war prior to signing the peace accord, historic barriers to democracy, the civil war, the peace accords, research questions, investigative techniques utilized to conduct this investigation, and a conclusion about the end results of the peace accords interpretation and implementation.

Historic Barriers to Democracy

Ever since the state of El Salvador gained its independence from Spain, it has had difficulties maintaining a stable government. Since its independence, El Salvador has experienced political uprisings, instability, and military coups. In 1932, El Salvador experienced its first major guerrilla revolution (Stanley, 1996). This revolution was first of its kind because it affected the state’s oligarchic position. The Salvadorean oligarchy has always been in power and had never experienced a strong and organized political opposition until the 1932 guerrilla revolution (Wood, 2001).

The revolution emanated from land disputes, political injustices, and lack of representation in the political arena for landless peasants (Wood, 2002). In 1932, a peasant with ties to other revolutionaries in Mexico and Guatemala organized a Salvadorean revolution. The revolutionary, Farabundo Martí, achieved what had not been achieved before. Martí was able to stand up to the oligarchy and put up a strong resistant movement. Even though Martí was able to give the Salvadorean oligarchy a scare, Martí’s revolution was crushed in January 1932 (Paige, 1997; Sevilla, 1985).
After crushing Martí’s rebellion in January 1932, El Salvador’s political conditions remained the same. Throughout the decades of the 1940’s into the 1970’s, El Salvador experienced a series of military coup d’etat (Stanley, 1996; Wood, 2001). The reasons for these coup d’état are the same as the ones that gave rise to the 1932 revolution; lack of political representation of the under privileged class, lack of basic life necessities for the popular masses, human rights abuses, and oppressive regimes not respecting the liberties of the Salvadorean citizens (Stanley, 1996).

Between the periods of the 1920’s up until the 1980 civil war, military juntas or military officials had been in power. Military officials had their own political party, the Partido de Conciliación Nacional (National Conciliation Party; PCN) which ruled by tightly controlling elections. The PCN allowed the landed elites to control economic policy by appointing them as ministers to various cabinet posts. Although both military officials and the oligarchy had some political differences, they did have one goal in common: the maintenance of the state’s rigid class structure and exclusionary political regime (Wood, 2001). There were a few attempts at political reforms in the 1940’s, 1960’s, and then again in the early 1970’s in the economic and agricultural sectors but the military hardliners always defeated these reform attempts (Stanley, 1996).

One result of the longstanding oligarchic alliance was an unequal distribution of land and a high incidence of poverty, especially in the rural areas of the state. Most rural Salvadoreans labored for a meager wage and had limited access to educational and or medical services (Wood, 2001). In the mid 1940’s, El Salvador’s population increased and as a result, the number of landless peasants also increased. The number of the capable and active agricultural landless population increased from 40% to 52% between 1961 and 1971 (Wood, 2001). After 1971, the number of the landless grew even more as Salvadoreans returned from Honduras after a brief war between the two states (Stanley, 1996; Wood, 2001).
war was over a dispute over a soccer match. It lasted only about one hundred hours (Anderson, 1981).

A limited process of regime liberalization began in the 1960’s. Minor political parties with little, if any, organization had been in existence since the 1940’s, but they exerted little influence on the Salvadorean political arena. These parties had been tolerated, but not given a chance to fully and competitively participate in the political sphere until the 1964 elections (Wood, 2001). In 1964, opposition parties were given the opportunity to participate in competitive elections for seats in the legislative assembly and mayoral offices. José Napoleón Duarte and his Partido Demócrata Cristiano (Christian Democratic Party; PDC) party built up a significant opposition to the PCN and managed to win three terms to the San Salvador mayoralship (Karl, 1986). From March 1964 to March 1970, Duarte remained mayor of San Salvador. In 1973, Duarte won the presidential elections but was denied the presidency by the extreme right claiming election fraud (Wood, 2001). This was followed by widespread protests in the streets of San Salvador encouraging intellectuals and urban youth to found or become part of small clandestine guerrilla movements (Wood, 2001).

The response from the government to these movements was brutal repression (Stanley, 1996; Wood, 2001). This repressive response by the government led to even more popular support for the tiny rebellious guerrilla forces (Wood, 2001). The threat posed by popular mobilization and the increasing potential for an armed conflict led reformist military officials to carry out a coup d'état in 1979 (Stanley, 1996). The coup caused the alliance between the elite and military officials to dissolve. However, the break up of the alliance did not stop government forces from seeking to violently crush any popular organization. In fact, violence only worsened in the wake of the coup (Stanley, 1996).

As the violence increased from the mid 1970’s, the government feared a strong opposition and took measures to secure its power. With Salvadorean elites living in exile in
the United States, one military official, Major Roberto D’Aubuisson, organized death squads to intimidate political rivals. Death squads began to function as early as 1963 when ten US Special Forces units were sent to El Salvador to help General Jose Alberto Medrano set up Organización Democrática Nacionalista (Nationalist Democratic Organization; ORDEN) (http://www.whale.to/b/kirsch.html). These Special Forces assisted in the organization and indoctrination of rural civic squads gathering intelligence and carrying out political assassinations in coordination with the Salvadoran military. The indiscriminate and brutal nature of the violence perpetrated by government forces upon its opposition attracted even more civilians to join guerrilla forces which were establishing themselves as allied and organized groups, eventually becoming the FMLN (Wood 2001; 2002). The FMLN maintained, at the beginning of the war, significant presence across the country; developing rural intelligence abilities that outperformed the government’s (Bacevich et al., 1988). What was an unorganized rebellion became a structured and highly organized war. The FMLN provided the five different factions structure and organization to carry out its political objectives.

The 1979-1992 Civil War

In 1979, university students, civilians, and peasants formed the FMLN and orchestrated an uprising. This time the guerrilla activity developed in the countryside from which it was launched (Stanley, 1996). This uprising was arranged by a coalition which in essence had been coming together since the early 1970’s. As years passed and with military and logistical support from foreign governments, these guerrilla members became very adept at arranging and launching military attacks (Stanley, 1996; Wood, 2001, 2002). As guerrilla membership increased, guerrilla forces became organized. Organization allowed guerrilla leadership an opportunity to attract large civilian support.
Throughout the late 1970’s, guerrilla factions had military confrontations in the countryside with government forces (Stanley, 1996). However, it was in 1980 that the FMLN formally declared war on the government. As a result, the government considered the guerrilla forces insurgents and formally acknowledged that the State engaged in a civil war (Stanley, 1996; Wood, 2001). The civil war lasted 12 years. The war caused 100,000 casualties, both civilian and combatants (Stanley, 1996; Wood, 2002).

During the 12 year war, there were several attempts at negotiating peace. In 1986 the government and the FMLN met in San Jose, Costa Rica to try to put an end to the violence by drawing up a peace agreement (Wood, 2002). Nothing came of these talks. Another attempt took place in New York City three years later. Again, not much success was drawn from this meeting (Wood, 2001). During these attempts of peace talks, cease fires were put in effect. Frustrated with both attempts, the FMLN decided to take up arms again and go back to the mountains to continue its revolution (Wood, 2002). In November 1989, FMLN guerrilla forces launched an offensive into the capital city of San Salvador eventually taking over the city.

By the late 1980’s and early 1990’s the Reagan and Bush administrations were pressuring the Salvadorean government to negotiate a peace accord or the supply of military aid would cease (Wood, 2001). In 1991 the government and FMLN representatives sat across from each other to negotiate a peace agreement in New York City. It was at this meeting that each side made their demands known. It was also at this beginning stage of the peace process that allowed the parties with a vested interest in the accords to design measures on how the country would transition to peace.

The beginning of the end of the Salvadorean 12 year civil war was largely due to a reevaluation of priorities, military capabilities, and opportunities and options for both the FMLN and the government. Both sides were forced to consider a negotiated settlement due
to external factors and their relative positions in the armed conflict (Corr, 1995). For the FMLN’s rebels and its leadership, the reasons for having a change in priorities was due to its failed military offensive, changes in the international power balance between the USA and the Union of Soviet Socialist Republics (USSR), inability to continue funding their revolutionary movement, and political opportunities (Corr, 1995). A major military offensive by the FMLN in 1989 November was designed to demonstrate its capability to withstand the USA’s military backed government soldiers. The FMLN offensive proved it was stronger and organized than the government assumed. It launched an offensive in November 11, 1989 taking over a number of homes of wealthy elites in the capital (Corr, 1995). Yet the offensive was defeated by government forces and made the FMLN realize that it would probably not defeat the Salvadorean forces anytime soon.

With the fall of the USSR, the balance of power between the USA and the USSR left the FMLN without strong allies. Also the fall of Communism decreased the funding from Communist regimes (Moyne, 1989). The changing power structure heavily influenced the FMLN’s financial and military assistance as the supply of arms, ammunition, and military training from the USSR, Cuba, Nicaragua, and Vietnam decreased (Moyne, 1989). With the USSR crumbling and the Cold War ending, the FMLN started prioritizing its objectives and sought to take advantage of opportunities coming its way. FMLN leaders realized that successive elections of moderate politicians, e. g., Jose Napoleon Duarte of the Christian Democratic Party, during the middle of the 1980’s and the offer of a UN observation mission to guarantee the protection of human rights and open and free elections was an option it thought could actually work to its benefit (Corr, 1995). Elections began to change the norm and altered the power balance between both opposing sides. However, with historical electoral changes taking place, the legitimacy and truly democratic nature of these elections did not go uncontested (Villalobos, 2005).
The Salvadorean government began to realize that ending the war through negotiations was not an option but a must as it began to experience pressure from the USA to negotiate a peace treaty or face a drastic decrease in military assistance (Zartman, 2000). Diplomatic pressures to improve human rights abuses and disassociate itself from ties to paramilitary death squads and involvement in the murder of six Jesuit priests were concerns facing the government (Zartman, 2000). All of these external pressures and a seemingly militarily well organized opposition motivated the Salvadorean government to reassess its military strategy and look favorably to a negotiated peace treaty (Zartman, 1989).

The USA government decreased its military aid to the Salvadorean government in order to pressure it to adopt human rights reforms and improve its international image by adopting political reforms (Corr, 1995). The government was asked to cut its ties to death squads as this link was decreasing the regime’s legitimacy. In 1990, the US Congress cut military aid to El Salvador by 50% in order to force it to agree to a negotiated peace accord (Corr, 1995). The USA also asked the Salvadorean government to investigate fully the murder of six Jesuit priests by death squads tied to the military. After experiencing heavy losses than expected, the Salvadorean military’s victory in defeating the FMLN’s November 1989 offensive made it realize that the FMLN was stronger than previously believed (Corr, 1995). Realizing that FMLN rebels would present a tough group to defeat and a stalemate might likely develop between the two sides, a peace agreement seemed like it would be in its best interests (Zartman, 1989, 2000). Furthermore, the murder of the six Jesuit priests by the government sponsored death squad created an enormous outcry by the international community and domestically resulting in the USA threatening to reduce its military aid completely (Zartman, 1989, 2000). The military had no choice in accepting the terms of negotiations because by the time negotiations got under way, the Cristiani administration had
put the military under his control in order to improve his administration’s credibility and legitimacy (Zartman, 2000).

The Accords

The peace accords signed in January 16, 1992 did not mean that El Salvador’s challenges were over. The country was about to face the first of its many challenges as the country attempted to transition from a conflictual state to one cultivating democratic institutions. These challenges, faced by both negotiating parties, were to be dealt with by both parties with equal efforts. The factors that both parties agreed to meet were the restructuring and reduction of the armed forces, creation and strengthening of democratic institutions, economic and social development, and economic and social stabilization (Wood, 2001).

Under the terms of the peace accords, the state of El Salvador would transition to a democratic state by introducing democratic principles and institutions. This transition placed a heavy burden on the government because the government lacked funds with which to effect the negotiated peace terms. However, the government had a lot of international backing when it came to obtaining funds to implement changes in the country (Wood, 2002). The international community, supporting the transition to peace, financially supported challenges the state compromised itself to meet.

The international community committed itself to supporting a successful democratization transition because with stability and peace, a new government can make more progress in liberalization and reforms (Wilkerson, 2008). Increasing public security sets the way for democratic progress and an open political system allows even more security by respecting human rights and the rule of law (Wilkerson, 2008). El Salvador received support from the international community by guaranteeing security to both combatants and its citizenry. The sponsors of the Salvadorean peace accords were the USA, UN, and the World
Bank. Each one had its own agenda. For example, it was in the USA’s interests to improve its image domestically since the Democrats were pressuring the Reagan and Bush administrations to stop financing death squad murders through its military aid to El Salvador (Schwarz, 1991).

The UN’s involvement in ending the war peacefully was to establish peace in the region. Due to human rights violations and reports that the government was doing nothing to stop it, the UN actively began to take a part in the peace accord negotiations when asked by both sides to mediate the process (Vickers, 1992; Stanley, 1996). The international community expressed a strong interest for the reconstruction of El Salvador (Solis, 1993). The World Bank put together an advisory group meeting of potential donors for El Salvador. It expected both parties to the accords to work together and build a commonly agreed plan for postwar reconstruction and international assistance (Solis, 1993).

Implementing Democracy

For the past 20 years, ARENA leaders claim that El Salvador has moved forward and that people enjoy more civil liberties than what they were prior to ARENA governments coming to power. There have been improvements in the political arena of the country, but is this the only area in which improvement has been made? The country has started experimenting with democratic principles evidenced by the plurality of political parties participating in municipal, legislative, and presidential elections since the 1994 elections (Seligson & Córdova, 1995; Stanley, 1996; Stedman et al., 2002).

The 1994 Salvadorean elections were considered “The Elections of the Century” because it was the first time the FMLN participated in them as a legal political party, the presidential, legislative, and municipal elections all coincided at the same time, and where a record number of voters showed up to voting booths to cast their votes. The country has been moving forward with the peace agreement and with the implementation of the same to
achieve a full democratic transition. But is there a way to build upon what has already been established in the transition to democracy?

The implementation of the peace accords required the political will of the parties involved and the involvement of all actors with a vested interest in the political turnout. The peace accords were designed to transition El Salvador into a democratic state. It is of vital importance that the democratic transition from civil war to a democratic state be analyzed from various perspectives because this is the only way to determine whether the country has indeed experienced a full transition to democracy after implementing the peace accords. It is essential to investigate how the democratization and implementation process took place.

In El Salvador, the transition to democracy is moving along slowly. The transition is not easy to accomplish because both sides are still at odds with each other (Wantchekon, 1999). The relationship between the FMLN with ARENA is not a friendly one. The relationship has been volatile that at times the left has openly expressed the idea of taking up arms again and struggle it out in the mountains as they did 19 years ago. So how can the country move forward while both parties still look to each other with disdain? This is something we shall endeavor to find out.

There are numerous historical accounts of the events leading up to and during the peace accords. We know about the institutional choices of the organizations both inside and outside of El Salvador which led to finally holding negotiations. We also know a great deal of the personalities involved; we know their political and ideological beliefs and presumably their motives in conducting and then completing the negotiations. These are well documented in both official archives and academic studies. We know that, after off and on-negotiations spanning some eighteen months, a sudden flurry of activity in December 1991 yielded an accord that not only halted a civil war but also began the long journey toward democracy in El Salvador. Such last minute rushes to settlement are not unusual in collective
bargaining and in legislative decision-making. Yet to know that such a frenzied conclusion is common is not the same as to understand why that flurry occurs at that point. More importantly it does not tell us what issues will be taken up and what issues will be set aside.

What we do not know is how the internal and interpersonal dynamics within each side directed the outcome of the negotiations. Similarly, we do know what choice made in how to conduct the negotiations helped channel negotiations toward some outcomes and not others. To answer these questions we need more than the official historical record. We need to explore in depth the negotiations themselves. To do this, we must borrow from two bodies of literature; the literature of negotiations and bargaining and the literature of organizational dynamics and behavior. To address these issues two frameworks from the academic literature are applied to this historic event-the classic examination of negotiations and bargaining from Fisher and Ury (1981) and the ground-breaking analysis crisis decision-making by Allison and Zelikow (1999).

Why has the democracy transition in El Salvador had difficulties in complying with the peace accords and its implementation? Is it because the negotiation processes were not carefully drawn out? Did the negotiations focus on issues that were not of concern back then but are of concern today? Were the negotiations negotiated with differing interests in mind? Were the negotiations not negotiated according to Fisher and Ury’s (1981) principled method of negotiation? Or could it be perhaps that the negotiators were negotiating their own personal interests and are now having to renegotiate because their interests have been precluded due to too many interests involved and none can be met? What are the problems with implementation? Were there things left unsaid at the negotiation table that have yet to be worked out? Were some things said but both parties know they remain unsettled? Have the peace accords been implemented according to the negotiations between both parties at the negotiation table? Have they been honored as negotiated? Why or why not? Did the peace
accords provide both negotiating parties an opportunity to focus on each party’s interests or were the negotiations negotiated with each individual’s interests in mind?

Theoretical Framework

Setting the framework in perspective, the three major points we shall look at are the seriousness with which the parties negotiated, internal dynamics of the negotiations, and implementation process. The first is the seriousness with which each party negotiated the peace accords. The fact that each party signed off on the accords signifies that each was willing to agree to them. Each party bargained its interests in good faith. Both parties had different interests in mind and agreed to the negotiated peace accords even though each had their differences. The second point is the internal dynamics of the negotiations themselves. Negotiating at the negotiation table were members representing both the FMLN and the Salvadorean government. However, the fact that each side was represented by several individuals did not mean each representative held the same interests or views as the rest of the members. Each member within each side had personal interests to pursue. This translates into having more than two sides to this equation.

The third point making up the framework is the process, implementation, and results phase of the implementation of the peace accords. The peace accords were negotiated by persons and parties different than the ones doing the implementation. These being the case, the implementers only have second hand knowledge of the true intent of each point in the accords. In other words, the peace accords had two parties bargaining at the table. Anyone outside the scope of the negotiations may perceive the treaty different than the negotiating parties because they are the ones that negotiated according to their own interests.

What follows is an outline which shall be utilized as a matrix to explain the negotiation process and the implementation of the accords. Fisher and Ury (1981) developed three styles or approaches to negotiation.
The three styles/approaches are as follows:

- **The Soft Approach**
  - Dilemma occurs, parties may negotiate in a soft manner
  - One of the parties in the negotiations feels the need to avoid personal conflict/confrontation
  - By avoiding personal conflicts/confrontations, the soft negotiator readily concedes to reach agreement
  - The soft negotiator wants to reach a solution to a problem in an amicable manner
  - Consequences of the soft negotiator is that he/she feels bitter/exploited as a result

- **The Hard Approach**
  - Negotiator perceives any negotiation/situation as a contest of wills
  - Party taking extreme position fares better than others not in such position
  - Due to nature of contest of wills, party holding out the longest wins
  - Hard negotiator wants to win at any cost producing a hard response
  - It exhausts negotiating parties
  - Harms relationship among negotiating parties

- **Principled Approach**
  - Issues are solved on the merits
  - Seeks to solve issues where both parties mutually gain from negotiations
  - There is a fair standard placed independent of either side’s will
  - Designed to protect negotiating parties against unfair practices by either side
  - No one negotiating party can take advantage of one situation over the other
The second part to this theoretical framework is three models developed by Allison and Zelikow (1999).

The three models are as follows:

- **Model I-The Rational Actor Model**
  - Explains international events by recounting nation states’ or government’s aims and calculations
  - Imposes a rational outline when explaining an event
  - Assumes the actor is rational when explaining an international event
  - Explains actor’s behavior as motivated by conscious, careful, and cunning estimate of advantages actors’ behavior acquires
  - Assumes it is explaining an action
  - Assumes behavior reflects purpose or intention from actor
  - Assumes action taken is carefully drawn out decision to an issue

- **Model II-Organizational Process**
  - Organizational theory provides a foundation for this model
  - Emphasizes processes and procedures of large organizations constituting a government
  - Choices, decisions, and acts are considered as outputs from large organizations
  - Function with regular patterns of behavior
  - Uses organizational outputs as units of analysis-standard operating procedures, repertoires of organizations
  - Predictions identify trends reflecting established organizations and its procedures and programs

- **Model III-Governmental Politics**
  - Described as government behaving in bargaining games
  - Sees each individual as a player in a competitive game, the game of “politics”
  - Within government, bargaining among players, hierarchically positioned, takes place
  - Consists of many actors as players, not a single unitary actor
  - Players act according to national, organizational, and personal goals
  - Decisions are not necessarily rational and are based on the game of politics
Allison and Zelikow’s (1999) models explain the peace accord’s internal dynamics and processes of the implementation phase. The approaches and models combined create a matrix explaining how the negotiations came about and how its implementation affects the outcome of the peace accords.

Investigative Techniques

The investigatory techniques utilized in this investigation are qualitative in nature. In order to explore and answer the question posed for this study, the document will need to review the peace accords, political models explaining the democratization process, and negotiation procedures parties must work out in order to execute the democratic transition.

In order to identify El Salvador’s processes of democratization and democratic transition, the document will review studies, investigations, and surveys previously conducted by other authors. Secondary sources such as newspapers and local Salvadorean literature will make up other resources for this study’s investigations. Furthermore, the researcher will need to conduct research through books, journal articles, and personal reviews of local newspapers, library records, and governmental publications. Interviews with signatories to the accords shall also be conducted.

Conclusion

- El Salvador’s civil war forced the government in implementing democratic principles.
- Historically governed by military dictatorships.
- Peace negotiations started as early as 1986.
- Re-evaluation of priorities, military capabilities, and opportunities encouraged both sides to negotiate a peace accord.
- Three approaches to evaluate the peace agreement negotiations—soft, hard, principled.
Model III explains the dynamics of the negotiations.

In chapter two, the document discusses in detail literature written about negotiations and dynamics of negotiations. It is important to learn more about Fisher and Ury (1981) and Allison and Zelikow (1999) approaches and models before proceeding on to the research questions. Chapter two, the literature review chapter, details how both, approaches and models, make their application to the Salvadorean accords an ideal combination in explaining the accords’ negotiations and its influence on the implementation phase. Only after detailing the approaches and models will the research questions be refined and narrowed down to answer the specifics about this document.
CHAPTER II

LITERATURE REVIEW

Introduction

The war was a violent one where neither the FMLN could defeat the U.S. backed government nor could the government subdue the Cuban and Nicaraguan backed guerrilla forces. Realizing they could not defeat each other, both sides agreed to a truce in 1990 ahead of the peace accords. Two years later, a formal peace agreement was signed putting an official end to the war. It took many lost lives, several attempts at the negotiation table, and international community pressure for both sides to sit down, talk out their differences, and settle their disputes by negotiating.

By sitting down at the negotiating table, both parties to the accords aimed at establishing a democratic nation after years of military dictatorships (Williams & Walter, 1997). The FMLN was fighting for a more just government where democracy would prevail and democratic institutions would eventually rule over the country’s impoverished state. In order to achieve the desired democratization of the country, it takes more than just the signing of the peace accords. Even before considering signing the accords, several events took place before negotiating a transition to democracy through the peace accords. One of these events is an existing condition where a civil society is well established. Before change can take place and a democratic transition process implemented in a country where authoritarian
rule has been the rule of law, there had to exist in the country a breakdown of the prior regime (Gill, 2000). The regime may break down for various reasons. It could be that it encountered an economic crisis from which it cannot recover. Another possibility for its breakdown may be that massive internal pressure becomes unbearable on the regime. Massive internal pressure emanates from the few elite government supporters whose interests are no longer protected by the government (Lipset, 1959). Externally, international pressure mounting on the ruling regime may come from states aiding it economically and pressure may be in the form of economic and ideological. However, international pressure does not necessarily have to be from allied regimes (Gill, 2000). Yet another event that may cause a nation to experience a transition from a non democratic to a democratic regime is the splitting of the regime itself. The regime may experience disunity within its ranks and cause its dissidents to divide into its own faction (Dix, 1982).

One certainty about regimes is that the transition is not always from a non democratic to a democratic one. The transition may be a transfer from a non democratic one to another non democratic one as has been the case in the history of El Salvador (Williams & Walter, 1997). When a country goes through a governmental transition, there are phases that it must go through. There are conditions that must exist or be met when transitioning from one regime to another (Gill, 2000; Rustow, 1970). According to O’Donnell, Schmitter, and Whitehead (1986), when transitioning from authoritarian rule to a democratic one, the country goes through a process of liberalization, regime disunity, pacts, and international influences.

The FMLN and government officials were the involved parties in the peace accords. These two parties are comprised by individuals belonging to middle class or elite groups of Salvadorean affluent society (Paige, 1997). For government officials, many of them belong to the oligarchy or are heavily influenced by them. In the FMLN, its leadership members
come from middle class backgrounds, are intellectuals, or may even belong to the same elite group as the oligarchy, except that they may adhere to a different political ideology (Paige, 1997). In the words of Huntington (1991, p. 165),

“Negotiations and compromise among political elites were at the heart of the democratization processes. The leaders of the key political forces and social groups in society bargained with each other, explicitly or implicitly, and worked out acceptable if not satisfying arrangements for the transition to democracy”.

In essence, what happened in El Salvador is that elites with other elites negotiated the accords between each other. Both groups belonging to the middle or upper echelon negotiated the destiny of seven million Salvadorean citizens without necessarily taking the citizenry’s input in the process.

Another event occurring prior to signing the accords and the transition process is the negotiations of the peace accords themselves. Negotiations have standards in place regardless of the kind under consideration. According to Fisher and Ury (1981), there are three ways to negotiate. One way is negotiating softly, where the soft negotiator, in order to avoid personal conflict, accedes to the other party’s demands to make coming to an agreement easy. The hard negotiator, the second way of negotiating, sees the negotiating situation as a contest of will and the longer he or she holds out, that individual will fare on top (Fisher & Ury, 1981). There is a third way of negotiating, which is both soft and hard. This method of negotiation is called principled negotiation developed by Harvard Negotiation Project where issues are decided on the merits rather than on what each side will or will not do (Fisher & Ury, 1981). The principled negotiation looks for mutual gains wherever possible, and when mutual gain is not possible, there should at least be a standard, a fair one, independent of either side’s will (Fisher & Ury, 1981). The principled negotiation method is designed to protect the negotiating parties against unfair practices by either side and from one party taking advantage of one situation over the other.
All negotiations are different indeed, but they all have same elements regardless of whether there are two or multiple parties and or two or multiple issues involved. The principled method of negotiation is applicable to experienced negotiators or anyone new at it. This method is a strategy that is utilized often when parties are negotiating political agreements. According to Fisher and Ury (1981), all negotiations have a problem to which positions should not be bargained. Furthermore, when negotiating the parties involved must separate the people from the problem, focus on each other’s interests instead of each party’s position, come up with solutions where all parties can gain mutually, and utilize objective criteria in order for all parties involved feel there is fairness in the outcome.

Yet another concept this chapter investigates is the explaining of why the negotiations turned out as it did. The rational actor model (RAM) or model I and the governmental politics model (GPM) or model III shall be used to explicate why the parties in the peace accords negotiated the democratic transition as they did (Allison & Zelikow, 1999). RAM draws its support, reasoning, and justifications mostly from foreign affairs events. It incorporates insights from psychology, rational choice, and game theory to clarify its reasoning behind its explications. Model I explains international events by carefully considering the aims and calculations of nations or governments (Allison & Zelikow, 1999). GPM draws upon recent public policy studies and government experience clarifying the importance of the interested parties’ performance (Allison & Zelikow, 1999).

Background Literature

Certain conditions must exist in a nation that has been under authoritarian rule and then makes the transition to democracy. First the nation has to have a civil society in place in order for the change in regime to successfully be executed. Gill (2000, p. 5) states that a civil society is defined as, “a society in which there are autonomous groups which aggregate the views and activities of individuals, and which act to promote and defend the interests of those
people, including those against the state”. Accordingly, in a civil society where public issues affect the public, these issues are discussed as a community rather than decided upon by the few elites in power (Gill, 2000). In order for a civil society to exist under an authoritarian regime, there must be a legitimate recognition of the organizations representing the publics’ interests and vice versa. This legitimate recognition of both entities allows them both the right to act without any impediments within defined spheres of competence (Gill, 2000). For a civil society to exist, it must be able to defend the interests of the group which it represents, but most importantly, it must be able to defend the interests more generally in society as a whole.

If these politically oriented organizations are not able to freely function under an authoritarian regime, then there is no civil society in coexistence with the authoritarian regime (Gill, 2000). It also means that they are not able to defend their members’ interests politically. According to Gill (2000), civil society is an important element whenever a regime change is under consideration because, in a democratic state, it is seen as a mediator between the regime and the general population. The notion of what democracy means is established through civil society and its institutions by popularly and actively participating in the political and social realm (Gill, 2000). Therefore, civil society is an important mechanism for the transition of democracy to triumph in any society. Gill argues that civil society constitutes a connection between development and democracy (2000).

Any political reforms introduced in a country are preceded by a breakdown of the regime in power. Before change can take place, especially when authoritarian rule has been the norm, any transition to democracy precedes a breakdown of the regime in power (Gill 2000; Huntington 1991). Various reasons are given by Huntington (1991) and Gill (2000) as to why regimes break down; most notably is regime performance. Slow economic growth is one major component contributing to regime breakdown. When economic growth affects a
nation, it affects all sectors of the citizenry including those groups which the regime relies upon for popular support, e.g. elite group members (Gill, 2000).

Economic difficulties have been important elements for authoritarian regimes’ demise and its eventual replacement by democratic ones. Haggard and Kaufman (1995) conducted a comparative study between 1970 and 1990 looking at 27 cases of democratic transition where 23 of the 27 experienced declining economic growth, increasing inflation, or even both prior to transitioning to a democratic regime. Another South American study between the periods of 1945 and 1988 found that authoritarian regimes did not survive three years consecutively of decreasing economic activity (Linz & Stepan, 1996). Based on these qualitative studies, Gill (2000) argues that during a democratic transition from authoritarianism to democracy, economic difficulties had a direct and very impacting effect on the replaced regime and those members of the elite group.

The economic downturn in many cases under study established that the difficulties came from the manner in which the economy was run by the regime, the political economy the authoritarian regime was implementing, and the economic policies pursued by such regime (Gill, 2000). In other words, the economic difficulties that authoritarian regimes encounter during their reign in power are self-imposed and internally developed. The difficulties are clearly linked to the way the regime manages the economy. There are implications that the regime encounters when it faces an economic crisis. For example, the regime’s credibility and its ability to rule are called into question. The regime may encounter opposition questioning its leaders about their competence and ability to rule (Gill, 2000). Another implication the regime may encounter, especially if its economic policies are called into question, is the changing of economic policies which may not be conducive for certain sectors of the economic elite. If the regime changes economic policies under an uncertain political environment negatively affecting the elite commercial and industrial sectors, the
relations between these two entities can easily rupture and may cause antagonistic feelings toward the regime from the elites (Gill, 2000).

Another reason why authoritarian regimes experience a breakdown is due to political mobilization. According to Perlmutter (1981), one of the elements upon which authoritarian regimes depend on is popular mobilization. This kind of popular mobilization differs from the one many democratic regimes receive from their citizenry. It differs because authoritarian regimes often have exclusive, limited to certain groups, and restrictive popular mobilization. When economic crises hit an authoritarian regime, political mobilization creates internal division within the ruling elite, those that advocate reform and those that want to exercise tighter control of the economic system and its policies. When internal divisions ensue, it promotes the creation of a new class of elites seeking interests different from those more orthodox (Perlmutter, 1981).

Faced with economic difficulties, reformers may wish to expand their economic interests by introducing reform oriented economic policies into the economic realm. By so doing it becomes necessary that significant amounts of foreign capital be invested in the economy. This entails capital from foreign investors because local regimes are often not able to inject into the economy what foreign investors may (Cardoso, 1986; Gill, 2000). When foreign capital becomes involved in a domestic economy, an international actor becomes involved in the political mobilization movement. For the regime, it is crucial that they keep these groups on their side for its success and survival because if the groups dissent from the regime’s interests, the support base for the regime narrows and could increasingly become isolated which eventually may cause a complete regime breakdown (Gill, 2000).

A third cause of regime breakdown is attributed to international pressure upon the non democratic regime by democratic nations. It is common practice in international politics that countries seek to exert pressure on other countries via policies they pursue. Such pressure is
often times directed at influencing change in the behavior of the oppressive state (Gill, 2000). International pressure by democratic states upon non democratic states may also be to motivate the non democratic states to implement democratic reforms internally. Pressure may come in military, economic, and ideological form (Gill, 2000). Military pressure may consist of threats to full blown invasion such as in the case of Grenada in 1983 and Panama in 1989. One example of economic pressure is the economic embargo in place on Cuba since 1962 where the USA does not have economic, financial, and commercial transactions with Cuba. Another example of economic pressure exerted on non democratic regimes is when the USA and its allies consistently used their superior economic performance against Communist regimes during the Cold War in order to impact their economic performance and ultimately bring breakdown the regime (Gill, 2000). An ideological example of international pressure would be members of the United Nations affirming that Myanmar continues to violate human rights on its citizens.

There is another source of international pressure that is not necessarily emanating from states. Often times non state organizations may exert influence on non democratic regimes for reform (Huntington, 1991). One very powerful non state organization is the Catholic Church. There is nothing comparable to the Catholic Church in its staunch stance on democracy over authoritarianism (Huntington, 1991). In the 1980’s, the Catholic Church acted as a catalyst for democratic change in Central America and in Poland in the late 1980’s (Whitehead, 1986). However, the Catholic Church does have a history of being very close to authoritarian regimes.

Above, political mobilization was discussed and how internal divisions divide the regime based on economic interests. There is also another cause of regime disunity which is not based on economic interests. One of the main features of regime breakdown is regime disunity (Dix, 1982). When disunity within the regime occurs, it narrows the regime’s
support base consequently causing it a total loss of support and its eventual breakdown (Dix, 1982). Except under circumstances when the military overthrows the regime, disunity within the regime precedes a transition to democracy (Gill, 2000). What exactly causes disunity within a regime? Does a transition to democracy from an authoritarian regime have commonalities found in all authoritarian regimes? According to Perlmutter (1981), regime disunity has common elements to be found in a transition to democracy.

One potential source of regime disunity is the regime’s structure. In regimes ruled by several individuals instead of having a single ruler, power lies in the hands of several rulers coming from different institutional structures in society. Differences among leaders are bound to happen when several share power (Gill, 2000). It is unavoidable to not have differences among leaders when several share power and may have differences in political, economic, commercial, and financial interests. Questions of succession and rotating positions among junta leaders are both sources of conflict (Gill, 2000). Therefore, institutional differences are a strong source of conflict within a regime.

A second source of regime disunity is the aims, goals, and objectives of the regime. Of particular concern is the tension that may exist between those that see their regime as one that is temporary in nature, being a prelude to a return to democracy and those that see their regime constituting a viable long-term system in the country (Gill, 2000). A good example would be Mussolini’s Fascist Italy where he believed that Fascism would outlast the Second Great War. Yet another source of regime disunity is differences in policies. In any regime, there will be policy differences due to the fact that not all regimes and its leaders share the same vision, goals, and perceptions. Furthermore, individual political actors have individual outlooks and ambitions based upon the institutions they represent (Gill, 2000). For example, in a regime where the military and technocrats may share power, the military may view
security as a priority or as having importance whilst technocrats may consider economic development more important than the issue of security.

When transitioning to a democratic regime from a non democratic one, there are players involved in the transition that is not necessarily from within the regime. What is meant by this is that when a transition to democratic government takes place, there is a division or a split within the regime or between the regime and social forces in the political community (Gill, 2000). The players involved in the transition may come from within the regime or they may be social forces from the country’s other groups in society opposed to the regime’s rule (Gill, 2000). When splits occur, prior to a transition of regimes, within the regime or between the regime and social groups in the country’s political community, the issues causing it to split or pursue different paths are over differences each side perceives as important to its own interests (Rustow, 1970). From differences between two opposing entities emerges dialogue between the parties involved in the discussions of the transition of regimes. The parties involved belong to elite groups as most authoritarian regimes have historically been often backed by the oligarchy or military (Gill, 2000).

Rustow (1970) developed a model showing the background condition necessary to execute a regime transition and three phases the transition goes through in order to complete it. First of all, the background condition necessary in a regime transition is national unity. According to Rustow (1970), national unity is an agreement among the citizenry in the state that they are all one in the same political community. In other words, the citizenry in the state is in accordance that they all belong to the same political community (Rustow, 1970). Rustow’s (1970, p. 353) first phase of his model is the preparatory phase characterized by “a prolonged and inconclusive political struggle” between parties representing firm class issues they deem important. Consequently, a polarization of political life is the end result (Gill, 2000).
The second phase in Rustow’s (1970) model is the decision phase which practically sees the leaders of the opposing groups accepting that a diverse view of issues will exist. This obligates the groups to institutionalize some kind of democratic procedure in the transition process in order to foster structure and scope of the existing diversity. The third phase in Rustow’s regime transition model is the habituation phase (1970). The habituation phase sees to it that the regime and group leaders learn from successful solutions of some pertinent issues they resolved. This permits the groups’ and regime leaders to put trust in the new rules and procedures, new political players put in the new political structure, and the mass of the populace put into the political structure by the new parties involved in the new political regime (Gill, 2000).

Complementing Rustow’s (1970) model is the work of O’Donnell, Schmitter, and Whitehead (1986) explaining the dynamics of a democratic transition. According to O’Donnell et al. (1986), liberalization, regime disunity, pacts, civil society, and international influences are categories of a democratic transition. Keep in mind that these are categories affecting the elite groups in the transition phase to a democratic regime. Gill (2000) explains that liberalization is “the process of making effective certain rights that protect both individuals and social groups from arbitrary or illegal acts committed by the state or third parties” (p. 46). At the individual level, the rights guaranteed and protected are habeas corpus, sanctity of private home, defense in a fair trial according to established laws, freedom of movement, petition, and speech, among others (Gill, 2000). At the group level, rights guaranteed and protected are freedom from punishment for expressions of collective dissent from government policy, freedom to associate with other citizens voluntarily, and from censorship of the means of communication (Gill, 2000). Essentially, what liberalization means is “making progress in the achievements of these rights” (Gill, 2000, p. 46-47). The concept of liberalization opens the political system to allow independent activity from the
public, groups within the regime in opposition, or other elite groups (Gill, 2000). The process of liberalization is allowed because it does not in any way challenge nor alters the ruling regime’s authority.

Liberalization occurs when authoritarian regimes encounter internal divisions within the regime. It is often the case that splits within regimes is divided between hardliners and softliners (Gill, 2000). Hardliners oppose liberalization whilst softliners favor it. This split in the regime occurs due to a lack of consensus between the two groups about what to do in case of encountered crises (Gill, 2000). Whereas hardliners may view the crises as not meriting any political risks in the partial opening of the regime, softliners may view the crises as posing a danger to the regime unless it broadens its support base by granting the people some opportunity to play in political life (Gill, 2000). Softliners view the liberalization process as a measure to stabilize the regime by involving the opposition in political activity whilst seeing that it does not have any effect on the regime’s power structure (Gill, 2000).

Important in the process of transitions have been pacts between the parties involved. Pacts and their outcomes depend largely upon strength and unity of the regime on the one hand and of the opposition on the other (Gill, 2000). A Pact is defined by O’Donnell et al. (1986, p. 37) as “an explicit but not always publicly explicated or justified, agreement among a select set of actors which seeks to define rules governing the exercise of power on the basis of mutual guarantees for the ‘vital interests’ of those entering into it”. Pacts provide a certain degree of certainty during the transition guaranteeing the parties involved that their interests will be protected and not have any adverse consequences for them (Gill, 2000). Pacts may be of a specified certain duration and considered as temporary (O’Donnell et al., 1986).

As mentioned earlier, the relationship between civil society and regime elites is crucial in a transition to democracy. Earlier in this chapter, it was mentioned that civil society exists when there is activity outside direct state control in which the citizenry
organizes to pursue its own interests the way they deem most effective (Gill, 2000). Furthermore, civil society’s organizations are legitimately recognized and accepted with their right to pursue their interests through political activity (Gill, 2000). Connecting civil society and regime transformation, there is a need to recognize, legitimate, and allow for civil society’s organizations to participate in the transition to democracy via political means. In an authoritarian regime, the process of allowing a civil society and its organizations to exist is through liberalization (Gill, 2000). An example of how civil society functions when regime transformation takes place is allowing political parties and or labor unions to exist legally, permitting strikes and or rallies to take place, and prohibiting press censorship.

Having legitimacy, standing, credibility, and being in leadership positions allows for civil society’s organizations to negotiate with authoritarian regimes (Gill, 2000). Civil society’s organizations eventually turn into political parties representing a segment of civil society’s interests. The growth of a stable party system is very important when establishing a successful democratic regime because political parties play an important, logical, and prominent role in the transition process (Gill, 2000).

The final category explaining regime transition is international influence. International influence takes a number of forms. One of the forms is by exerting economic pressure on the authoritarian regime. Such pressure may be economic in the form of economic sanctions or withholding economic privileges such as trading, aid, and investments (O’Donnell et al., 1986). Another type of pressure exerted on regimes is by voicing public support of the opposition, threats of international isolation, ending of arms supplies, and the mobilization and deployment of military forces short of invasion (Gill, 2000). Yet another tactic of exerting international pressure on non democratic regimes is by providing direct support to those governments seeking change to democracy. One way of providing direct support to those individuals seeking change to democracy is by granting safe haven to
opposition leaders in order to continue playing their part in politics in their home country (Gill, 2000). Promising benefits after fully establishing a democratic regime is another common strategy utilized by the international community on non democratic regimes. When transitioning from a non democratic regime to a democratic one, there are reasons why authoritarian regimes break down, parties involved when the transition takes place, and negotiations take place between the ruling regime and the new democratic regime. Earlier there was mention of certain standards of negotiation; it to this theme that the following paragraphs discuss.

Negotiations are a basic means of getting what one party wants from another. It is a two way method of communication designed to reach an agreement when two parties share interests whilst opposing others (Fisher & Ury, 1981). Individuals differ and engage in negotiations to settle their differences. Whether in business, government, or even in families, individuals reach most decisions by way of negotiations (Lebow, 1996). Many individuals negotiate based on positions. However, positional negotiations are not the most effective means of arriving at a just, fair, and equally beneficial agreement. There is another method designed to arrive at a mutually satisfying agreement among the parties negotiating. The principled negotiation method focuses on basic interests, fair standards culminating in a wise agreement where all parties involved feel the process and results of the negotiations are satisfying to all (Fisher & Ury, 1981). The principled method of negotiation consists of four basic principles: 1) Separate the people from the problem, 2) Focus on interests, not the on the positions, 3) Invent options for mutual gain, and 4) Criteria, insist on using objective criteria when arriving at an agreement.

The first principle is to separate the negotiators from the problem. The best and most effective method of separating the negotiators from the problem is by changing the negotiators’ perceptions. In order to appreciate the problem at hand, the negotiators must be
able to see the issue objectively without treating the parties and the issue as one (Fisher & Ury, 1981). Negotiators must realize that conflict lies in the perceptions each holds regarding the issue. The ability to see each other’s issue from the point of view of the opposing party in a negotiation assists in appreciating the issue more realistically and allows all parties involved to focus on the issue not the parties (Zartman, 1988). Fisher and Ury (1981) argue that by appreciating and understanding the opponent’s viewpoint does not mean that one agrees with it, it only enhances each party to understand the standpoint from which the opposing party stands. Realizing, appreciating, and understanding the opponents’ viewpoint benefits all parties involved because it reduces the area of conflict (Fisher & Ury, 1981).

Another important point to keep in mind is the inclusion of all parties involved when conducting a negotiation. All parties need to have a stake in the outcome, and the best way of assuring this is by including all parties in the negotiation process. This is extremely important because if not all parties participate in the negotiation process, the ones left out of the process will most likely not approve the end product of the negotiations (Fisher & Ury 1981; Lebow 1996). An example of why the inclusion of all involved in negotiations is important is South Africa’s move for abolishing discriminatory laws. In South Africa, an all-white parliamentary committee met to discuss proposals on abolishing laws discriminating against Blacks. However, Blacks were not included in the decision-making process, as a consequence, the proposals were rejected by Blacks because they felt that whites were determining their future without taking into account the needs directly from the victims of the discriminatory laws (Fisher & Ury, 1981). South African Blacks wanted to partake in the negotiation process; they wanted to feel like they were determining their fate alongside their counterparts. Fisher and Ury (1981) argue that in order for all parties to feel they are part of the negotiation process, they must have a sense of ownership in the negotiations by participating in them.
Communication is yet another crucial factor to separating the negotiators from the issue. Without communication there is no negotiation. When communicating among negotiators, they must and foremost talk to each other in a manner that each understands what the other is saying (Sjöstedt, Spector, & Zartman, 1994). In order to understand each other all negotiating parties should be very attentive with their listening skills. If parties do not pay close attention to each other they do not hear what their opposing party has to say (Lebow, 1996). Hearing what the opposing party says enhances each the ability to not misinterpret what is being negotiated. The most effective way to insure that the parties are not misinterpreting each other is by actively listening and acknowledging what is being discussed (Lebow, 1996).

The aforementioned techniques for separating the negotiators from the issues work well under the guidelines stipulated by Fisher and Ury (1981). Nevertheless, the best way of handling this kind of issue is to avoid it before it becomes a major issue for the negotiating teams. Put in another way, the negotiators need to face the problem and not each other. To do this, they must not view themselves as adversaries in a face to face confrontation, but as individuals with a common goal in mind (Fisher & Ury, 1981). The most effective way of settling differences and coming up with an agreeable solution for all parties is to view and approach the problem as partners looking for a fair accord where all can benefit (Fisher & Ury, 1981).

Fisher and Ury’s (1981) second principle to the principled method of negotiation is to focus on the negotiating parties’ interests instead of the positions. Fisher and Ury (1981, p. 42) state that “the basic problem in a negotiation…lies…between each side’s needs, desires, concerns, and fears”. Such needs, desires, concerns, and fears are interests each party in the negotiations have. Each party’s interests are the prime motivators that force all involved to decide upon an agreement (Churchman, 1995). Focusing on interests works for two reasons.
First of all, for every interest there is usually more than one possible solution that could possibly satisfy each party involved (Fisher & Ury, 1981). Second, behind all opposed positions lie more interests than conflicting ones. In other words, one can clearly see by closely looking at any negotiation that there are many more shared interests among parties than opposing ones.

One effective way of identifying interests is by putting oneself in the shoes of the opposition and examining the situation from the opposing side’s point of view (Lebow, 1996). Any negotiator wanting to identify the opposition’s interests must realize that there is more than one interest involved when negotiating. Another way of identifying what interests each party has is to distinctly explain them (Lebow, 1996). Interests must be fully explained and acknowledged by all in order to not overlook and downplay the interests of the opposition. It is important to let the other side know that their interests are appreciated because this shows the other side their interests are taken into account and will reciprocate by appreciating their opponents’ interests as well (Fisher & Ury, 1981).

When negotiations develop, it is always wise and recommended that all parties look forward instead of backward. All parties will satisfy their interests more readily if they discuss where they would like to go with their negotiations instead of discussing where they have been (Fisher & Ury, 1981). It is always productive to look to the future when negotiating. Looking forward helps all parties at the negotiating table make progress and move forward. No negotiator should ever come down soft on his or her interests. On the contrary, Fisher and Ury (1981) advise that negotiators should be hard on their interests. However, they should go soft on their positions in order to make progress in the negotiations. Often the wisest solutions to negotiations are made when parties advocate strongly on their interests.

The third principle of negotiations is the invention of options for mutual gain. In very
complex and difficult situations, it is very important and necessary to be creative when inventing options for mutual gain. Inventing options opens doors and produces a range of potential accords that may be satisfactory to each party in the negotiations (Fisher & Ury, 1981). Therefore, it is beneficial for all parties involved in the negotiations to invent as many options as possible in order to select the best one where all will benefit from it (Fisher & Ury, 1981). By inventing different options for a mutually agreed solution to a negotiation, all interested parties seek for shared interests that they have in common. Deciding on a mutually agreed accord becomes easy when shared interests dovetail (Raiffa, 1982).

The most efficient manner of inventing options for mutual gain, according to Fisher and Ury (1981) is through the application of the following four criteria: 1) Separating the act of inventing options from the act of judging them; 2) Broaden the options instead of looking for one answer; 3) Search for mutual gains; 4) Make the decisions easy for all interested parties.

When inventing options for mutual gain, it is vital that negotiators separate the inventing of options from judging those options. By separating the process of formulating possible decisions from the process of selecting among those decisions, negotiators are first inventing options before deciding on the options invented (Fisher & Ury, 1981). By necessity, when inventing options, negotiating parties are required to think about options not necessarily in their best interests but an option nevertheless. The most efficient and effective manner of inventing new options is putting together a brainstorming session of several individuals with an interest in the negotiations process and outcomes (Fraser & Hipel, 1984). These brainstorming sessions should assist individuals in the brainstorming session to effectively separate inventing from deciding.

The brainstorming session should produce as many ideas as possible to the solution of the issue at hand. The main objective of the brainstorming session is to conceive many
options to the solution of the concerning problem without criticizing and evaluating all ideas invented (Fisher & Ury, 1981). The criticism and evaluating of the invented options is postponed for a later time. During the brainstorming sessions, the purpose of the negotiations is clearly defined. All participants in the brainstorming session have the opportunity to think of what they would like to walk away with whilst brainstorming (Fisher & Ury, 1981). After the brainstorming session, Fisher and Ury (1981) recommend that at this stage of inventing new options the criticism and evaluating of the options should come into play. The most promising options should be carefully selected, critiqued, and evaluated as well. After selecting all promising options they should be refined and improved in order to make them an option for the solution to the negotiations (Fraser & Hipel, 1984).

The second criteria for inventing new options for negotiations are the broadening of options. In the brainstorming phase of inventing new options, the process allows negotiators to develop room within which to negotiate. By having many ideas with which to negotiate, negotiators are expanding their options from which to choose when the time comes to decide on a final agreement (Fisher & Ury, 1981; Fraser & Hipel, 1984). In this phase, the brainstorming individuals are not looking or focusing on one best path. Instead, the idea of broadening the options is to make room from which to negotiate. Fisher and Ury (1981) and Fraser and Hipel (1984) state that the key to wise negotiations and therefore wise decision making lies in the number and variety of options from which to choose.

When broadening the options, the negotiating parties benefit greatly if they see the problem at hand from the perspective of the different interested parties’ point of view (Fisher & Ury, 1981). Furthermore, examining the problem from various perspectives is another way of generating multiple options from which to choose when arriving at a decision. Depending on the problem being negotiated upon, it is recommended that the options considered be looked at from the perspective of the interested individuals or those involved in this discipline.
or profession (Fisher & Ury, 1981). For example, if negotiating a business contract, it is advisable to look at the problem from a banker, labor leader, tax expert, economist, or stockbroker’s point of view and invent options from the same points of view (Fisher & Ury, 1981).

Inventing new options with mutual gain in mind is the third criteria. Under this criterion, all parties with an interest in the outcome of the negotiations are to look for shared interests in order to produce an outcome where all parties can come out as winners (Fisher & Ury, 1981). Fisher and Ury (1981) recommend all negotiators to look for solutions that will leave the other side satisfied with the agreement’s outcome. One way of making sure that all parties in the negotiations are satisfied with the outcome is to ask them for their preferences (Fisher & Ury, 1981). At this phase of inventing new options, the negotiators invent several options that are equally acceptable to all parties and ask them for their preferences. All that this criterion is trying to do is to assess what is preferable to all parties, not necessarily what is acceptable (Fisher & Ury, 1981). Once all parties have had a chance to express their preferences, then all can go back to working out more on the options preferred and again present the new variants to assess once again which they prefer.

It is through this method of looking for mutual interests that all negotiators will be able to agree to an equally acceptable agreement (Fisher & Ury, 1981). Under this phase, no decision has been finalized. Furthermore, a plan is being developed and improved until no more gains are found by the negotiating parties.

The fourth criterion for inventing new options from which negotiators can choose is to make all parties’ decision easy. According to Fisher and Ury (1981), success in negotiations depends upon the other parties’ making the decision acceptable to all involved. Bearing this in mind, all negotiators should do whatever necessary to make agreeing to a decision an easy one for all (Fisher & Ury, 1981). To overcome one’s biases by narrowly
looking at the situation from one’s interests, Fisher and Ury (1981) recommend all parties to put themselves in the rest of the negotiators’ shoes. If there is no option appealing to the opposing parties there is likely to be no agreement at all (Raiffa, 1982).

Regardless of the complexity of the issue at hand, by putting oneself in the shoes of the opponents one is prone to understanding better the opposition’s side. By putting oneself in the opponents’ shoes, all parties can appreciate the problem from their point of view (Raiffa, 1982). Placing oneself in the opponents’ situation, all involved in the negotiations can appreciate the role in a totally different light than when looking at the situation from one’s own interests.

The fourth principle of principled negotiation is using objective criteria when negotiating. Typically, negotiators try solving conflicts by positional bargaining. In other words, they test the will of the opposing party. They test each other out by talking what each is willing to accept and not accept (Fisher & Ury, 1981). As a consequence, trying to come to an agreement based on the participants’ will is very costly, inefficient, and unproductive. If an agreement is indeed reached by testing each other’s will, no wise agreement arises because there is no objective criteria used in the negotiations. The best solution for reaching a wise, efficient, and fair agreement between the negotiating parties is to use objective criteria independent of the will of either side.

The approach to using objective criteria is to reach an agreement based on the principle of objectivity. To negotiate based on objectivity, Fisher and Ury (1981) state that it is important to concentrate on the merits of the issue being negotiated. The more objective standards are used in negotiations, the more fairness, efficiency, and effective will the results be. Bringing standards of fairness, objectivity, and efficiency to bear on the negotiations will likely produce a final outcome that is fair and wise for all (Fisher & Ury, 1981).
When using objective criteria in negotiations, Fisher and Ury (1981) state that some alternatives need developed beforehand in order to arrive at a fair agreement. There are several ways of developing objective criterion as a basis for agreement. When looking for fair standards, there are usually several ways of establishing them. Depending on the issue, negotiators may propose an agreement based upon precedent, market value, costs, tradition, reciprocity, efficiency, and or professional standards (Fisher & Ury, 1981; Fraser & Hipel, 1984; Raiffa, 1982). At a minimum, objective criteria need to be independent of each side’s will. Ideally, the objective criteria should be practical and legitimate in order for all interested parties in the negotiations feel that fair standards are indeed used (Fisher & Ury, 1981).

Fisher and Ury (1981) caution their readers that when selecting fair standards fair procedures should be the method of selecting the standards. When using fair procedures for selecting fair standards of negotiations, several are available. Few examples of fair procedures for selecting fair standards of negotiations is taking turns, drawing lots, letting someone else decide, or flipping a coin (Fisher & Ury, 1981). When letting someone else participate or play a key role in the selection of fair standards, negotiating parties agree to submit to the decision of the chosen individual, expert, or arbitrator.

The third concept this chapter examines are two models used to explain why events turned out as they did. For purposes of this dissertation, two models are presented as two ways of explaining the events occurring in the democratic transition in El Salvador. The RAM is used as one alternative explaining how the parties to the accords arrived upon the agreements signed. The first model is termed model I. It explains international events by recounting the aims and calculations of nation states or governments (Allison & Zelikow, 1999). It also explains events by imposing a rational outline to whatever event is being explained. This model requires as a previous condition an intelligible and rational continuum.
regardless of the actors’ motives, preferences, intellectual, and moral qualities (Allison & Zelikow, 1999). When explaining an international event between two nations or governments, model I assumes that the actor is rational. It explains the actors’ behavior not as being an intelligent one but as motivated by a conscious, careful, and cunning estimate of the advantages the actors’ behavior acquires (Schelling, 1960). What this means is that actor one influences the choices actor two makes and does so by influencing the expectations of actor two on how actor one will behave (Schelling, 1960).

Model I assumes that what must be explained is an action. It assumes that behavior reflects purpose or intention from the actors’ part. Furthermore, it assumes that the action taken is a carefully drawn out decision to a strategic issue (Allison & Zelikow, 1999). Note how model I adherents explain the actors’ actions by showing that there is a certain goal the actor was after and this being so influenced the actors’ choice of behavior. Additionally, the actors’ choice of behavior is further influenced by its objectives (Allison & Zelikow, 1999; Schelling, 1960). According to Allison and Zelikow (1999), the purpose behind an actor’s choice of behavior is enhanced by consistency. In other words, there is consistency in any particular action undertaken by any actor relative to its goals and objectives. There is even consistency in the application of principles in order to select the best alternative of options. Model I’s rationality “denotes behavior that is appropriate to specified goals in the context of a given situation” (Allison & Zelikow, 1999, p. 17).

Model I has core concepts that explain the process the rational actor goes through when decision making. The first concept is the rational actor’s goals and objectives. Under this concept, “the interests and values of the actor are translated into a payoff, utility, or preference function” (Allison & Zelikow, 1999, p. 18). This represents the need of alternative sets of consequences. At this phase of model I, at the outset of any decision needing to be taken, the actor ranks all alternative sets of consequences considering first his
or her values and objectives (Vickers, 1995). During the ranking of alternative sets of consequences, the actor ranks them in order of preference paying close consideration to results that might occur from a particular action taken (Allison & Zelikow, 1999).

The next concept is the alternatives. Under this concept, the actor must choose from all alternatives available to him or her under the particular situation from which the decision to choose is made. Then there is the consequences concept. Under this concept, to each alternative is attached a set of outcomes or consequences of choice that may come about if indeed that particular alternative is chosen (Allison & Zelikow, 1999). At this point, there are variations generated by making various assumptions about the accuracy the actor predicts about the consequences from the variety of options available (Allison & Zelikow, 1999). The last concept is choice. A choice, a rational choice, consists of “selecting that alternative whose consequences rank highest in the decision maker’s payoff function” (Allison & Zelikow, 1999, p. 18).

The foregoing concepts formalize model I or RAM, underlying the assumption of human purposiveness in both individual behavior and in international relations. Rational actor refers to “consistent, value maximizing choice within specified constraints” (Allison & Zelikow, 1999, p. 18). John Harsanyi (1966, p. 1), a rationality theorist, stated, “The concept of rational behavior is often a very powerful explanatory principle because it can account for a large number of empirical facts about people’s behavior in terms of a few simple assumptions about the goals or ends people are trying to achieve”. According to Harsanyi (1966), when a social scientist predicts and explains human behavior, the concept of rationality is very important because if a person acts rationally this rational behavior can be fully explained in terms of the rational actor’s goals and objectives aspired for.

As mentioned earlier, the RAM is widely used in explaining government behavior and international relations. The purpose for the following example of the rational actor model is
to provide an example of the RAM’s application. For this specific example, let us suppose that the assignment is to explain why the Union of Soviet Socialist Republics (USSR) installed nuclear missiles in La Habana, Cuba in 1962 October. The problem or phenomenon is the USSR’s action of installing missiles in La Habana, Cuba. The USSR is a unified actor with a useful function. The USSR acts according to what it perceives as threats and opportunities. As a consequence, the USSR’s action and decision of installing nuclear missiles in La Habana, Cuba is determined by its ability to calculate a maximization of its values and interests.

Explaining the USSR’s action and decision it took regarding the installation of missiles in La Habana from the rational actor model’s perspective, it would be that the USSR acted and decided as it did because it perceived the threat of an imbalance of strategic nuclear power. The actor in this case is the USSR with its utility function of maximizing the strategic nuclear power balance whilst at the same time minimizing the threat of the imbalance of power. The USSR, in order to maximize its objective of balancing the power of nuclear missiles between its perceived threats, chooses, under the specified conditions, its best alternative of installing nuclear armed missiles in La Habana.

Put in its simplest form, the RAM links purpose and action. This translates to in knowing an actor’s objective, one can predict or closely estimate the actor’s likely action or decision to take. Observing and taking into account what the actor’s objective may be using the RAM one can create a hypothesis about why the actor acted as he or she did. Additionally, the RAM also includes calculations about the situation in which the actor finds himself or herself. Under the circumstances in which the actor finds himself or herself, he or she chooses the alternative that advances his or her interests. In explaining what an agent did, or might likely do, an analyst using the RAM must take into consideration the actor’s objectives, the identified alternatives, the costs and benefits estimated to follow each
alternative, and the willingness, readiness, or reluctance to take any risk involved.

The second model examined is known as the Governmental Politics Model or simply model III. Model III shall provide an alternative explanation to the decisions made by the parties in the accords and why each made the decisions they made when deciding on transforming the country from authoritarian to a democracy. Model III can best be understood as government behaving in bargaining games. It sees each individual in government as a player in a competitive game (Allison & Zelikow, 1999). Of course that game is called politics. Within government, a lot of bargaining among players, whom are hierarchically positioned, takes place. Model III sees the actor not as a single unitary actor but rather many actors as players (Allison & Zelikow, 1999). These players focus on many diverse intranational and international issues and act according to various national, organizational, and personal goals. As a consequence, they make government decisions by playing the game of politics. This translates into players making decisions not necessarily rational and based on a single choice but rather by “pulling and hauling that is politics” (Allison & Zelikow, 1999, p. 255).

When actors, players, or political leaders make decisions, they are joined by other officials occupying positions at the top of major organizations. They form the circle of players that make up organizational goals leaders take into account when decision making. These other officials are central in relation to the decision or outcome one seeks to explain. Below these officials are lower level players encompassing officials from non governmental organizations and the public (Allison & Zelikow, 1999). To put it in simple terms, model III focuses on those actors that actually take part in the decision making process.

In order to have a better understanding of model III, and appreciate and explain why a particular governmental decision was made or why that government engaged in the behavior it did, it is necessary to identify the actors and “games,” and know the coalitions, bargains,
and compromises in which they engage. Model III analysis begins with the proposition that knowing the leader’s preferences is rarely a sufficient guide for explaining or predicting group behavior (Allison & Zelikow, 1999). This proposition is based on the fact that authoritative power is shared among a group of individuals. Government decision making is a complex process involving multiple participants in the process. In this process, there are certain characteristics of group decision making processes having consequences from the decision and actions emerging from the same (Allison & Zelikow, 1999). In other words, a wide array of causal factors must be taken into consideration when explaining results of group decision making. Below are factors needing consideration when explaining group decision making:

1. Quality decisions
2. The agency problem: principals, agents, and players
3. Participants: who plays?
4. Decision rules
5. Groupthink

Quality Decisions

In group decision making, there is a great likelihood of producing quality decisions when brainstorming as a group since this multi person process undergoes a thorough analysis of the information regarding the situation or issue at hand. Also, group thinking allows for a fuller consideration of the wide array of relevant values and interests (Allison & Zelikow, 1999). There is a greater chance of identifying and perhaps even inventing options for reaching consensus on decisions to be made. Additionally, there are more accurate estimates of costs and benefits and greater sensitivity to possible failures (Allison & Zelikow, 1999). Of course the foregoing is not always necessarily true in every occasion; however, it is the case in most situations when government decisions are made.
The Agency Problem: Principals, Agents, and Players

The second causal factor is the agency problem. This problem involves principals, agents, and players who are competing amongst each other for objectives. Increasing more than one mind in decision making can be advantageous because two minds can perceive whatever pitfall there might be better than one. Two or more minds are less likely to misconceive the issue, miscalculate any consequences, neglect important interests when settling on an objective when decision making, among other concerns deemed important to the players involved (Rakove, 1996). All the foregoing is definitely nice to have and beneficial at the same time, but there is a price to pay when more than one mind engage in decision making. Basically, whenever there is more than one individual at the bargaining table, there is also more than one interest involved. Interests players have and bring to the negotiating table will shift in preference, become distorted, and some players’ preferences will dominate over others (Rakove, 1996). Shepsle and Bonchek (1997, p. 71) summarize succinctly the causal factor by stating, “Individuals are rational, but a group is not, since it may not even have transitively ordered preferences”.

The array of minds engaging in decision making is indeed troublesome; however, there is an even greater problem, the principal-agent problem. In the field of economics, the principal is known as the decision maker (Allison & Zelikow, 1999). The principal engages additional participants in the decision making process; these additional participants become the agents. Agents provide the principal with advice or assist in the taking of actions. In theory, the agent becomes the principal’s right hand assistant by instructing the principal to perform a desired function. For instance, the agent may advice the principal or provides more information assisting the principal determine how best to decide to implement a policy.
Participants: Who Plays?

The participants and who plays is the next causal factor. As noted in the foregoing paragraph, the more minds engage in decision making, the greater the difficulty in deciding how to decide and who has greater weight as far as the players’ interests are concerned. Under this causal factor, results of a multi-person decision making process are impossible to discern unless it is known who the players are and under what capacity are they acting (Allison & Zelikow, 1999). One simple example is when attorneys select jurors for jury trials. Attorneys select jurors knowing well in advance how each juror may vote in the case at hand. Yet another example is how Caucasian men living in Mississippi in 1963 would arrogantly claim that no Caucasian juror would convict another Caucasian man for murdering a Negro man in said state (Allison & Zelikow, 1999). These two examples alone provide a clear explanation of how the identity of participants in group choices affects the outcome of a decision. Indeed, choices about participation become a crucial variable in the decision making process for all players.

Decision Rules

The fourth causal factor explaining group decision making is decision rules. When decision making in a group setting, the clearest manner evidencing how important rules are is through formal voting (Allison & Zelikow, 1999). Issues decided upon through voting one way under a set of rules can be decided differently if made under a whole set of different rules (Allison & Zelikow, 1999). The following local example clarifies how the decision rules causal factor functions. The USA considers treaties as binding it with full responsibilities. When a treaty needs ratification by the USA, its Constitution requires it that it be ratified by two thirds of the Senate vote before it can take effect. Both formal and informal rules shape all players’ expectations about how they are to interact when decision
making in a multi-person setting (Allison & Zelikow, 1999). Rules dictate everything from questions permitted to ask, any discord allowed within the group, and proper manner of expressing alternative views. Other rules may include how much voting power each player within the group possesses, the number of votes per player, veto power from any of the players, majority rule or unanimity rule, formulation of issues on the agenda, among others. One very important issue to keep in mind is the fact that when decision rules dictate the decision making process, delays may occur if unanimity or near unanimity, compared to a single ruler decision, is required for the final decision.

Groupthink

The last causal factor is groupthink. Groupthink is a term derived from social psychology for government decision making by Irving Janis (1982). Janis and Mann (1977) argue that major government decisions are often made by small groups. The number of players in major government decisions may consist anywhere from six to twelve key players. When a group as small as this meet to discuss and make decisions there exists a high degree of cohesion among all members of the group (Janis & Mann, 1977). Analyzing this phenomenon from a negative perspective, cohesion produces a desire for consensus which silences any consideration for alternative ideas and values. Furthermore, it discourages members from voicing any dissent among all (Janis & Mann, 1977).

Conflicts arise from group thinking, especially when they share power among such small group. Nevertheless, there are other conflicts confronting all members of the group such as conflicts within the self of each participant (Janis & Mann, 1977). Symptoms most commonly experienced by members of a group of decision makers are hesitation, vacillation, feelings of uncertainty, and emotional stress when it comes to making a final decision on an issue (Janis & Mann, 1977). When members of a group must decide on a major government issue, there is peer pressure on all to conform to the “group thinking” leading them all to
resort to defensive avoidance. Defensive avoidance is basically the downplaying of unfavorable consequences, denying any uneasy feelings, downplaying personal responsibility, among others (Allison & Zelikow, 1999).

Post Accord Implementation

The United Nations Observation team was a major player in the transition process (Wood, 2001; 2002). From 1991 to 1995, the observers’ mission in El Salvador was to mediate the peace process, verify human rights conditions throughout the state, ensure compliance with the peace accords by both parties, and institution building. There was also a significant amount of support on the part of individual states; bilateral and multilateral donors compromised themselves in providing financial support to facilitate the transitional peace process and the reconstruction of the country (Boyce, 1996; Orr, 2001). The purpose of the donors had two effects on the peace process. One was to provide funding for the country’s transition to a democratic state making the transition easier to effectuate and the other was to closely monitor the compliance of the peace agreements by both sides to the accords.

A challenge the peace accord posed for both parties was the agreement’s interpretation. Both parties interpreted the peace agreements according to whatever favored each. When both parties interpreted the peace accords according to their own interpretation and self interests, significant delays ensued (Popkin, 2000). A major crisis rose out of this critical situation because the government showed reluctance to break up the National Guard. The misinterpretation of the accords put a halt to the transition. In order to solve the issue of interpreting the accords correctly without any disagreements between the parties, both agreed to create a commission comprised by government personnel, FMLN representatives, and other minor political party representatives (Wood, 2001). All three entities composed the Comisión Nacional para la Consolidación de la Paz (COPAZ) (National Commission for the Consolidation of Peace).
COPAZ was in charge of supervising the implementation of the peace accords. Furthermore, in order to enforce the peace agreements between the parties, the commission was also in charge of verifying that each party live up to its responsibilities. In the event that both parties were not in accord with the commission’s interpretation and enforcement of the peace agreements, the commission was granted authority to draft any necessary legislation it deemed appropriate. These measures make the peace agreement look very rosy and easy to live up to. However, often times there were negotiations behind closed doors between the FMLN and government representatives which superseded whatever recommendations COPAZ made (Wood, 2001).

To move the peace transition forward, the government broke the close alliance it had with the military. It did not allow the military to have political influence. The government even asked military officials to withdraw and refrain from participating in politics. The peace accord affirmed the ban on military political participation as former guerrilla leaders made their way into the Salvadorean political arena (Stanley, 1996; Williams & Walter, 1997; Wood, 2001). Since 1992, the government, in compliance with the democratization process, started getting rid of selected top level military personnel considered corrupt and hence undesirable. The purging was not at all well received by military officials; nevertheless they accepted it as long as selected top level officials remained in their posts. Furthermore, the government significantly reduced its size, budget, and influence (Call, 1999). Although the government asked and disallowed military officials from political participation, the military continues to have a high degree of institutional autonomy.

The other method of transitioning El Salvador to a democratic state is through the political inclusion and competition of former guerrilla leaders. The political inclusion and competitiveness of the left wing party is one of the accords’ major stipulations. In order to have true democratic transition and political competition, the government agreed to include
the FMLN in competitive elections. Since 1994, the FMLN has participated in democratic, competitive, and open elections (Montgomery, 1995). The transition has been significant for the FMLN because prior to the 1994 elections, they were always pursuing their political agendas via insurgent movements.

The FMLN is pursuing its political agendas via the democratic method (e.g., popular and competitive elections). Since its inception, the left has gained popular support from the citizenry. The degree of electoral competition is increasing across the country in both rural and urban sectors and in national as well as municipal levels. In the 1994 presidential and legislative elections, the FMLN was able to obtain 21 seats in the legislative assembly (Montgomery, 1995). The Salvadorean legislative assembly has a total of 84 seats, 21 of which belonged to the FMLN in 1994 demonstrating how influential their first time in competitive elections and influence in the nation’s democratization process has been.

Almost a quarter of the nation’s legislative assembly seats were controlled by the FMLN in their first elections as a legitimate political party. In the 1997 legislative assembly elections, again, the FMLN made headway as it won 27 seats in the legislature. This was a significant number of seats because the party in power at that time, ARENA, had beaten FMLN by only one seat. The ARENA party was able to garner 28 seats of the 84 seats up for competition (Wood, 2001). Of even more significance is the fact that the FMLN party has been gaining popularity among the masses. An example of the party’s increase in popularity is the results of the 2000 legislative elections where FMLN participants won a plurality of seats as a political party in the legislative assembly with 31 seats. This number of seats put the party in power, ARENA, behind by two seats, and in second place, as it was able to win 29 seats in the legislature.

It must be noted that even though the FMLN has experienced an increase in its number of seats in the legislature and in its popularity among the masses, it still does not
exert the influence it seeks because the legislature has 5 political parties representing the citizenry. All five political parties do not have the same number of legislative seats. When the parties with a minority number of seats want a policy passed, they must negotiate with parties having a greater number of seats and enter into coalitions in order to pass whatever policy the parties with lesser number of seats support. In the case of ARENA, the party that has traditionally been associated as the party dominated by military officers is the PCN which has been ARENA’s ally since it took power in 1989. The PCN has always supported ARENA and often form coalitions in order to continue a strong opposition against FMLN initiatives (Spence, Lanchin, & Thale, 2001). What this translates into is that the FMLN may have a greater number of seats in the legislature but does not have the power to override the combined power of ARENA and the PCN.

As mentioned earlier, the FMLN’s popularity has been on the rise ever since it began participating in democratic competitive elections. The transition to democracy has been beneficial for the FMLN. It has been able to win many mayoral offices throughout the country. Since it began participating in competitive elections in 1994, the FMLN has successfully experienced an increase in winning mayoral offices. In 1994, the FMLN won just over 6 percent of mayoral offices. By 1997, this number increased to 21 percent and three years later the number went up to 28 percent (Spence et al., 2001). Of significance is the fact that the FMLN has held the San Salvador mayoral office since 1997. It has held this office as its own political party or in coalition with other minor political parties. In 2000, the FMLN managed to win 13 of the 15 largest Salvadorean municipalities whilst ARENA did not win a single one. The party has been able to sustain a stronghold in the areas where it began and sought refuge, the mountains and remote areas of the country.

The 2004 presidential elections were very intense for both major parties. The citizenry started showing an interest for change in the way the country was led. Women
voters made up more than half, 53.0%, of the registered voters for the election (El Diario de Hoy, 2004). But they were not the only determinant group that would tip the scale. Young voters, male and female, younger than 30 years of age, also made up a significant percentage in determining presidential election turn out (Cruz, 2004). Included in this group were first time voters totaling 39.4% (El Diario de Hoy, 2004). The four presidential hopefuls contending for the highest office were Tony Saca for ARENA, Schafick Handal for the FMLN, Hector Silva for the CDU-PDC party coalition, and Rafael Machuca for the PCN (El Dario de Hoy, 2004). The biggest challenge for these contenders was to motivate the masses because in the two prior elections voter turn out barely reached 40% (El Diario de Hoy, 2004). Tony Saca of the ARENA party won the presidential elections with 57.7% of the popular vote whilst the FMLN contender received 35.68% of the vote, and third place was the CDU-PDC with 3.9% (Cruz, 2004).

The ARENA party had been in power since 1989. Throughout the twenty years in power, ARENA has had an advantage over municipal and presidential elections (Luers, 2009). However, over the years, the advantage ARENA has had over municipal and presidential elections started declining (Teonorio & Martinez, 2009). In the 2009 legislative and presidential elections, the tables turned for both major parties as the FMLN lost the mayorship in the capital of San Salvador and ARENA lost the executive after holding it for twenty years (Luers, 2009). The FMLN lost the capital to ARENA after holding the capital’s mayorship for twelve consecutive years. Although the FMLN lost the mayorship to ARENA, it nevertheless won the executive after being held by four consecutive ARENA administrations (Garcia, 2009; Teonorio & Martinez, 2009). For the first time in Salvadorean history the country has a leftist government popularly elected. In March 15, 2009, El Salvador held legislative and executive elections giving the executive office to Mauricio
Funes with a total popular vote of 1,354,000 (51.32%) million votes whilst ARENA obtained 1,284,588 (48.60%) (Garcia, 2009).

Democratic elections have been held in El Salvador since 1984. Not all elections were deemed fair by the participating political parties but the winning candidate has been allowed to complete his term (Stanley, 1996). During the Cristiani administration, known as the president that conquered peace and under whose administration the peace accords were signed, the peace accord implementation began to unfold.

The main focus of this research is to explain how the negotiations of the peace accords influenced its implementation and why the country’s transition to democracy resulted as it did. In particular, the main research question is:

- How do the negotiations of the peace accords influence its implementation?

Sub questions posed are:

- How did intra-group politics influence the language of the Salvadorean peace accords?
- How did intra-group disagreement generate soft outcomes that have inhibited implementation?
- What has been the impact of language ambiguities encountered in the accords’ provisions during their implementation?”
CHAPTER III

METHODOLOGY

Introduction

El Salvador was introduced to democratic principles in 1992 after parties to the peace accords signed an agreement to democratically transition El Salvador into a democracy ending the 12 year long civil war. As a consequence, democracy is new to El Salvador. To date, many studies exist indicating how El Salvador has made progress in its political, economic, and social areas. However, few studies explore how the negotiations and intra-group conflict among the negotiating parties influenced the accords implementation. Furthermore, even fewer studies exist in the literature focusing on why the negotiations influenced implementation as it did in El Salvador. In the literature very few studies emphasize or explain the impact the negotiations, as a specific outcome, had on implementation.

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What has been the impact of language ambiguities encountered in the accords’ provisions during their implementation?”

There are no ready sources of information to answer these questions. Much is known historically and there are many number of interpretations of the peace accord as a document, but little is known about the internal dynamics of creating the accord. The two theoretical frameworks; Fisher and Ury’s (1981) theories of the negotiation process and Allison and Zelikow’s (1999) critique of governmental or organizational decision-making both require an exploration of the individual and collective choices made by the participants in the creation of the accord. Therefore, it is understandings, expectations, and viewpoints of those that must be explored. Because there is no way of knowing in advance, what those understandings, expectations, and viewpoints might be, forced choice questionnaires are inappropriate because they presume a level of knowledge of affairs that do not exist. Therefore, open-ended interviews with persons with an active part in the negotiations are vital.

The qualitative research method consists of five traditions of inquiry (Creswell, 1998). These five traditions are phenomenology, case study, grounded theory, ethnography, and biography. The tradition utilized in this investigation is the case study approach. The case study approach is used because it appropriately explains the essence of the processes, activities, and events occurring in El Salvador in the transition to democracy. The case study approach will assist the document in identifying in depth the essence of the various processes, events, and activities explaining the end result of the democratic transition.

Defining Qualitative Research Methods

This dissertation employs the qualitative research method to investigate the above posed research question. Creswell (1998, P. 15) defines qualitative research as:

“…an inquiry process of understanding based on distinct methodological traditions of inquiry that explores a social or human problem. The researcher builds a complex, holistic picture, analyzes words, reports detailed views of informants, and conducts the study in a natural setting”.

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In his definition, Creswell (1998) emphasizes the terms “complex, holistic picture” because a qualitative investigation exposes the reader to multiple dimensions of a study. Looking and examining an issue or problem from multiple views displays all of its complexities (Creswell, 1994, 1998). Qualitative authors have often compared qualitative and quantitative research methods when defining qualitative methods. In general terms however, Ragin (1987) accurately characterizes a key difference when he states that users of the quantitative research method works with few variables and many cases whilst qualitative research method users often focus on a few cases and multiple variables.

A case study is an investigation of a case or multiple cases over a time period through an in depth, detailed data collection (Creswell, 1998). The data collection involves multiple sources of information that are rich in content and context. The case study is bounded by a time period and setting or place. The case being studied may be a program, event, activity, individual, or multiple individuals (Creswell, 1998). The multiple sources of information come from journal articles, government documents, interviews, audio-visual material, periodical reports, and even personal observations.

The context of the case study entails placing the case within its own setting (Creswell, 1998). The case study’s setting may be a physical setting or within a social, historical, and or economic setting (Creswell, 1998). A case study may require that the focus of the study be the case itself because of its uniqueness or it may be an issue or multiple issues. If issues related to the case are studied, then the case is used instrumentally to illustrate the issue (Stake, 1995).

Case studies have a long history across many academic disciplines. According to Hamel (1993), case studies are traced back to its origin in anthropology and sociology. For example, Hamel (1993) traces anthropologist Malinowski’s case study of the Trobriand Islands and LePlay’s case study of families to the origins of the case study research. Many
disciplines have had their fair share of case studies evidenced by the array of studies conducted from the field of law (e.g., case law), psychology (Freud), medicine (e.g., case analysis of a medical concern or issue), and political science (Creswell, 1998).

Reasons for Using Qualitative Research Methods

There are three reasons for employing the qualitative research approach for this study. Reason one is because this topic needs to be explored. There are not many studies investigating El Salvador’s peace accord negotiations and its impact on its implementation. There are many studies exploring the political conditions after the signing of the peace accords, but very few focus on the transition to democracy and its aftermath. The second reason for using the qualitative research method for this dissertation is because it allows the document to present a detailed view of the topic from various angles. Third, the document wishes to present the information from experts writing on the topic. The document wishes to present the information from the participants’ viewpoint as well (Creswell, 1998). Because this research is at an early stage, it may generate more questions than answers. Creswell (1998) states that topics that need further investigation are ones with undeveloped theories and not easily identified variables.

Data Collection

Two primary sources of information and data gathered to support this research were: academic and contemporary data from newspapers, books, and journals; and interviews with persons who participated in the negotiations. Much of the written data came from searches in El Salvador itself.

Selecting persons for interviews was somewhat more complicated. At various times as many as a dozen persons might be present and actively engaged in the process (http://www.usip.org/publications/peace-agreements-el-salvador). Ultimately, more than
thirty persons were involved, though fewer than a dozen in total could be said to be consistent participants (http://www.usip.org/publications/peace-agreements-el-salvador). To gain an understanding of the thinking of the “sides” it was critical that the interviews involve at least one important participant. Some of those engaged in the negotiations are no longer living. Others were reluctant to participate. Ultimately two persons were interviewed. (Refer to appendix C and D for an explanation of the reasons why only these two interviewees were interviewed). The open ended interviews were conducted on December 18, 2009 and January 9, 2010. Each lasted more than two hours. With permission of the interviewees, they were recorded and transcribed. The interview records are in Spanish.

Allison and Zelikow (1999) require inside knowledge to be effective as an analytic tool. The same applies to Fisher and Ury (1981). In order to analyze the negotiations process between the two negotiating parties, FMLN and the Salvadorean Government, it is necessary to recognize that both parties had an active, engaging, and important part in the negotiations. The government, made up of political representatives occupying positions of power and influence were members of the negotiating team (http://www.usip.org/publications/peace-agreements-el-salvador). These top political officials held important views, opinions, and played a key role in the negotiations’ development. They were all central players in the negotiations process.

The same applies to the FMLN negotiating team. All members of the guerrilla turned negotiating team were former commanders, leaders, and top officials on the guerrilla side (Interview with interviewee two, January 9, 2010). These same individuals that were once in combat against their opposition came together at the negotiating table to settle on issues both felt needed to be addressed in order to sign a peace accord (Interview with interviewee one, December 18, 2009; Interview with interviewee two, January 9, 2010). Some of the former guerrilla team members, after peace was signed, either deserted the country, defected to the
opposition, or moved on and lived a life out of politics. There were members of the negotiating teams, from both negotiating parties, that were offered the opportunity to live in countries friendly to the negotiating parties (Interview with interviewee one, December 18, 2009; Interview with interviewee two, January 9, 2010).

In order to gather inside information to conduct an analysis of the negotiations and its impact on the accord’s implementation, it was necessary to personally interview those individuals holding top and key positions in their negotiating part. There are some individuals that were members of a negotiating team that are no longer alive (Interview with interviewee two, January 9, 2010). These individuals once held or still hold information about the events that took place over the term of the negotiations phase. The information these individuals have is plentiful, rich in detail, and vividly explained. Having at least one individual tell and recount the details about what took place over the negotiations is crucial to be able to write in detail an analytical account using Fisher and Ury’s (1981) negotiations approaches and Allison and Zelikow’s (1999) model III.

In order for this document to conduct a detailed analysis of the events of the negotiations, it needed to include at least a detailed account from one member of both negotiating parties. Unfortunately, some of the members of the negotiating parties have passed on. At the time of collecting data for this research, the writer approached several of the negotiating parties’ offices to ask for an interview in order to provide an account from both parties’ perspectives. Several attempts were made in contacting the Vice-President of El Salvador and requesting an audience with him but it became impossible at the time due to his tight agenda and responsibilities. The two interviews appearing on this dissertation are no less important. Both members played an active part in the negotiations. Both held important positions in their respective team’s apparatus. These two participants’ recollections about the
events occurring during the negotiations are crucial in analyzing the negotiations using Fisher and Ury’s (1981) and Allison and Zelikow’s (1999) tools and methods.

Data Analysis

The dissertation follows the following organization. In the following chapter, the behind the scenes of the negotiations are discussed. The dissertation shall discuss what was and what was not negotiated between the parties to the accords. There were several negotiations that took place behind the scenes that were not made public when negotiations were undertaken. The parties to the accords made agreements behind closed doors that were not publicly revealed until the accords were signed. What was made public was part of the agreements that portrayed a positive outcome for all parties involved. For example, the granting of amnesty to political officials involved in murders, forced disappearances, and death squad leaders were all negotiated behind closed doors in order to agree and sign the accords. After revealing the behind the scenes agreements accorded to by the parties, the dissertation shall then discuss how the accorded agreements after implementation democratized the nation and how it affected its economic and social conditions.

The manner in which the dissertation demonstrates the transition to democracy and its effects on the nation’s current conditions is by applying two main frames of reference. Fisher and Ury (1981) and Allison and Zelikow (1999) are the two main frames of reference utilized for the dissertation’s organization. Fisher and Ury’s (1981) negotiation processes and procedures are used as a framework from which to measure the peace accords and its implementation. The negotiation framework helps explain how negotiations take place, the most efficient manner to negotiate, rules and phases used in negotiations providing productive end results, and how negotiations arrived at can benefit all parties involved. The document shall use this framework and compare how the Salvadorean, behind closed doors, negotiations took place, its end results, and current conditions to Fisher and Ury’s (1981)
framework in order to see whether the negotiations were indeed conducted as they should have. The framework will function as an evaluation tool from which to compare and determine whether the negotiations were executed according to successful negotiation guidelines.

Allison and Zelikow’s (1999) two models are used here to justify the explanations of the end results of the negotiations. Allison and Zelikow’s (1999) models explain the reasons why the negotiations took the turn they did and why they resulted as they did. Each model provides an explanation of the accorded results of the peace agreements and does so from the rational actor model and the governmental political model viewpoints respectively.

Conclusion

The dissertation embarks on a theme that has been scarcely explored. Democracy in El Salvador is new to its citizens as well as to its leaders. There seems to exist in El Salvador uncertainty about how to proceed forward on the part of the leaders after signing the peace accords. Since the country has for so long lived under military rule, the leaders have no knowledge of how to move the country forward now that peace has been conquered. Being new to democracy, El Salvador's leaders are still in the experimenting stages of fully establishing a democratic state. It seems that neither the ARENA nor the FMLN parties are knowledgeable enough to know how to proceed successfully in order for the country fully democratize.

The qualitative research method was chosen to assist the document explore how the democratic transition in El Salvador came about. The principal focus of the dissertation is to explain why the state’s conditions, after signing the peace accords, resulted as they exist currently. By applying the negotiation phases as laid out by Fisher and Ury (1981) and models I and II as espoused by Allison and Zelikow (1999), the document will show that the democratization transition is still taking place in El Salvador.
The following chapter will show the results and findings regarding the principal research question posed in this dissertation. The findings, the negotiation phases, and models will all be laid out in the next chapter and explain how the Salvadorean democratic transition currently affects the country’s political, social, and economic conditions. As stated above, it is expected that this dissertation will show that democracy has yet to be fully implemented in the country as it is in its beginning stages of developing into a democracy. After being under military rule for more than one hundred years, the country needs time to adjust to democracy, learn what it means to live under democracy, and work toward changes to bringing about democracy in the most democratic way.
CHAPTER IV

RESULTS

Introduction

The document details how negotiations influenced the accords’ implementation. Behaviors, specifically political behaviors, shall complement the document in its explanation of how the negotiations and political behaviors or intra-group politics influenced the peace accords implementation. By applying both Fisher and Ury’s (1981) negotiations methods and Allison and Zelikow’s (1999) model III lens on the intra-group negotiations and behavior, this chapter details the answers to the questions posed in chapter two. There are a total of four questions; one main research question and three sub questions. Below are the questions.

- How do the negotiations of the peace accords influence its implementation?
- How did intra-group politics influence the language of the Salvadorean peace accords?
- How did intra-group disagreement generate soft outcomes that have inhibited implementation?
- What has been the impact of language ambiguities encountered in the accords’ provisions during their implementation?

Put in simple terms, negotiations are discussions between two or more disputants trying to work out a solution to their problem (Fisher & Ury, 1981). Negotiations occur by way of inter personal or inter group process. It may take place at a personal level, as well as at the corporate or international (diplomatic) level. Negotiations often times take place because the negotiating parties involved wish to find a solution to a problem or dispute.
between them (Fisher & Ury, 1981). The negotiating parties acknowledge a conflict of interest between them and may believe that through negotiating they can use some form of tactic in order to obtain whatever they wish, rather than simply taking what the other side will voluntarily give them. Negotiators prefer to search for a win win agreement rather than fight openly, give in, or break off contact.

Negotiations are designed to reach an agreement when two or more parties share interests while opposing others (Fisher & Ury, 1981). Business corporations, governments, or individuals reach most decisions by negotiating (Lebow, 1996).

Fisher and Ury (1981) designed three approaches to negotiations. There is the soft, hard, and the principled methods for negotiating. Soft approach negotiators try to avoid conflict in order to retain an amicable relationship. They also avoid personal confrontations by readily conceding to reach an agreement. As a consequence, the soft negotiator feels taken advantage of after agreeing to something that is not fair to both parties. The hard negotiator will see any negotiation as a contest of wills, takes extreme positions hoping that holding out the longest will result in obtaining the desired result, and hopes to win at any cost even if this means harming the relationship among the parties.

Individuals negotiate based on positions; however, positional bargaining is not the most effective means of arriving at a just, fair, and equally beneficial agreement. Fisher & Ury (1981) designed a negotiating method where the parties arrive at a mutually satisfying accord. The principled negotiation method focuses on basic interests, fair standards culminating in a wise agreement where all parties involved feel the process and results of the negotiations are satisfying to all (Fisher & Ury, 1981). The principled method of negotiation consists of four basic principles:

- Separate the people from the problem.
- Focus on interests, not on the positions.
Invent options for mutual gain.

Criteria, insist on using objective criteria when arriving at an agreement.

Allison and Zelikow’s (1999) Governmental Politics Model explains the decisions made by the negotiating parties to the peace accords. Additionally, it explains why each made such decisions while negotiating. Model III is best understood as government behaving in bargaining games. It sees each individual in government as a player in a competitive game (Allison & Zelikow, 1999). It is the game of politics. In model III the actor is not acting alone, rather there are many involved (Allison & Zelikow, 1999). Their behavior is guided by various national, organizational, and personal goals. They make government decisions by playing the game of politics. This means the actors’ behavior and decisions made are not necessarily rational ones.

Model III focuses on actors taking part in the decision making process. To better understand model III, it is necessary to identify the actors and learn of the alliances, negotiations, and compromises in which they are involved. Model III argues that knowing a leader’s preferences do not explain or predict group behavior (Allison & Zelikow, 1999). This argument is based on the fact that power is shared among a group of individuals. Government decision making is a complex process which involves multiple participants in the process. In this process, there are certain characteristics of group decision making processes having consequences from the decision and behavior emerging from the same (Allison & Zelikow, 1999). A wide array of causal factors need taken into account in order to explain the results of group decision making.

In the following section, results of the research are reported. First, the dynamics of the negotiations are discussed. The dynamics consist of number of times the negotiating parties met, cities in which the negotiations took place, and themes discussed and negotiated between the negotiating parties. Following the dynamics of the negotiations, the document’s
roadmap answers the research questions from the perspective of interviewee one and two respectively. After each interviewee’s answer, an analytical lens is applied on the answer. The negotiations lens is the first lens from which the analysis is made then it is followed by model III’s lens.

The main research question posed in this dissertation explores:

- How the negotiations of the peace accords influenced its implementation?

Sub questions which this research endeavors to answer are:

- How did intra-group politics influence the language of the Salvadorean peace accords?
- How did intra-group disagreement generate soft outcomes that have inhibited implementation?
- What has been the impact of language ambiguities encountered in the accords’ provisions during their implementation?

Mechanics of the Negotiations

The parties to the negotiations started negotiating the peace accords in September 1989 until its consummation in January 16, 1992. The negotiations lasted a little over two years (Personal interview with interviewee one, December 18, 2009). There were brief meetings prior to serious negotiating between the negotiating parties in 1984, 1986, and 1987 (Personal interview with interviewee one, December 18, 2009; Personal interview with interviewee two, January 9, 2010). The negotiating parties could not move forward because there was no framework from which to proceed. The parties had not yet agreed to an agenda, timeline, or issues to discuss at the table. The first serious meeting in which both parties engaged was in September 1989. Prior to this meeting, previous meetings were merely dialogues. The format in which the negotiations would take place was negotiated here.

The second important meeting took place in Geneva in April 1990. This time the UN expressed an interest in getting the negotiating parties to agree on an accord; it was at this meeting that timelines and deadlines were discussed. The UN expressed a desire to act as a...
mediator in case the need arose. A month later, May 1990, a meeting took place in
Venezuela (Personal interview with interviewee one, December 18, 2009; Personal interview
with interviewee two, January 9, 2010). This time the agenda was set. This second meeting
is where serious negotiations took place. During this meeting, the agenda and timeline was
more clearly defined. A July 1990 meeting in San Jose, Costa Rica allowed for the parties to
negotiate on human rights issues. After these meetings, it took several months later, April
1991, for the parties to meet in Mexico and negotiate on issues such as transitional
provisions, truth commission, and political agreements elaborating on constitutional reforms
(Personal interview with interviewee two, January 9, 2010). Following this meeting, both
parties met yet again in New York on December 1991 to redefine what had already been
negotiated. The meetings for negotiating the peace accords culminated in both parties
signing them in Mexico City, Mexico 1992 January (Personal interview with interviewee one,
December 18, 2009; Personal interview with interviewee two, January 9, 2010).

When the negotiating parties met in Geneva, each part consisted of four
representatives. There were four members representing the government, three were
ambassadors and one was the former Minister of Finance. On the FMLN side, all four
members were former rebel commanders (United States Institute of Peace, 1990, p. 164).
The second time the negotiating parties met government representatives were six in number.
This group comprised academicians, armed forces personnel, and high ranking government
diplomats. Representatives for the FMLN were all top commanders (United States Institute
of Peace, 1990, p. 166). The number of representatives increased from the previous meeting
from four to a total of seven. When the parties met in Costa Rica in July 1990, six members
represented government interests. They were the same that met in Venezuela. FMLN
representatives, same members having met previously in Caracas, met once again in San Jose
(United States Institute of Peace, 1990, p. 109). The following year, when negotiations
reinitiated again in Mexico City, only four members represented the FMLN while
government representatives remained a total of six (United States Institute of Peace, 1990, p. 169). The last meeting before signing the peace accords, the negotiating parties met in New York. FMLN delegates rose from four to five while government representatives remained at a total of six (United States Institute of Peace, 1990, p. 231).

In the next few paragraphs, the main research question is explored with answers from each interviewee. Each one answers the question posed and details the negotiations’ influence on its implementation.

1. How did the negotiations of the peace accords influence its implementation?

   As previously mentioned, this document’s main research question is “How did the negotiations influence its implementation? The answer to this question is answered by the following account during an interview with interviewee one and two. The answer to each research question is structured in the following manner. First the answer to each question is asked of interviewee one followed by interviewee two. After both answers have been detailed, an analysis of each answer is made by first applying Fisher and Ury’s (1981) negotiations lens followed by Allison and Zelikow’s (1999) model III lens.

   In the following two paragraphs the reader can appreciate that this is one instance when the hard approach to negotiations becomes evident. The hard approach, according to Fisher and Ury (1981) is when one side is unwilling to come to the middle and meet its opposing part in order to negotiate. This is what happened in the following two paragraphs when interviewee one’s group members were unwilling to negotiate on certain themes stated below. At this stage in the negotiating process, the negotiating members of interviewee one’s group refused to settle on themes such as the economy and social issues. The reluctance of several members of interviewee one’s group slowed the negotiations process. There were
times when no agreement could be reached within the same group delaying the negotiations and having to postpone deadlines until consensus was reached within the group.

Interviewee one stated that the negotiations favored implementation. As the question asked, the answer was, “Las negociaciones favorecieron la implementación porque los acuerdos de paz se cumplieron. Todos los acuerdos se implementaron como habían sido negociados.” (English translation: The negotiations favored the implementation because the peace accords have been accomplished. All of the provisions were implemented just like they were negotiated). According to interviewee one, the reason why the negotiations favored implementation is because the peace accords, while in the negotiations process, were very concrete ones which could be agreed to by both parties. During the negotiations, interviewee one’s negotiating part had issues in the beginning by having some of its members not agreeing with the agenda of its opposition (Personal interview with interviewee one, December 18, 2009). There were some members in interviewee one’s group not wanting to settle on certain themes. In order to come to the negotiating table and appear as one single united front to its opposition, interviewee one’s group would agree and settle on complicated issues amongst themselves while at other times, some members would propose to remain quiet and not touch these themes hoping that the other part would not mention anything about it either (Personal interview with interviewee one, December 18, 2009).

While some themes were unmentioned, there were agreements among interviewee one’s group that some themes would not be negotiated because of the mere fact that they could not be achieved or negotiated due to its nature According to interviewee one, “Habían unos temas que no estaban para negociarlos”. (Translation: There were some themes that were not up for negotiation) (Personal interview of interviewee one, 2009 18 December). For example, the theme of economics could not and would not be negotiated by interviewee one’s group because all members felt that the economic issue was up to the government in power to
administrate it as the executive deemed fit. As interviewee one stated, “Por ejemplo, el tema de la economía no estaba para negociarse porque el ejecutivo iba a administrar la economía según las necesidades del país”. (Translation: For example, the economic theme was not going to be negotiated because the executive was going to administrate it according to the needs of the country). Another theme that remained unmentioned was the social theme. Both interviewee one’s group and its opposition decided that this theme shall remain unmentioned (Personal interview with interviewee one, December 18, 2009). They decided to remain silent on this issue because there was no consensus in interviewee one’s group on how to negotiate or improve society immediately after the war. The opposing negotiating part did not bring the social issue to the negotiating table resulting in total silence about this issue. It so happened that by both parties deciding to remain silent about certain issues, they would not be negotiated. The hard approach of negotiating becomes key at this point of the negotiations phase.

Interviewee two stated that the negotiations affected the implementation of the peace accords negatively. Interviewee two stated, “Las negociaciones de los acuerdos de paz afectaron la implementación negativamente”. (Translation: The peace accords negatively affected its implementation). The reason why interviewee two stated that the negotiations affected negatively its implementation is because there are certain provisions of the peace accords that have yet to be implemented (Personal interview with interviewee two, January 9, 2010). Interviewee two attributed the negativity of the negotiations on its implementation on the previous two presidents’ lack of willingness to hear out proposals by political parties in the legislative assembly. During the Saca administration, all political parties proposed to create a round table and discuss at the table all the provisions in the accords that have yet to be implemented. All political parties proposed to advance whatever was still pending from the accords and the new challenges the country is now facing, but President Saca did not
allow the discussions to come to fruition (Personal interview with interviewee two, January 9, 2010). President Saca did not even permit these proposals to reach the Legislative Assembly. There was a lot of pressure stemming from the private sector, ARENA’s heavy supporters and allies, for President Saca not to sign whatever proposals emanated from the Legislative Assembly (Personal interview with interviewee two, January 9, 2010).

From the previous paragraph, the reader can appreciate that this stalemate between the President and members of the legislative assembly did not reach an agreement. The President refused to hear legislative proposals that were drawn out by the legislature. When stalemates like these occur, the hard approach of negotiations is clearly in effect. Disunity, disagreements, lack of group cohesion are all signs of the hard approach to negotiations. Both negotiating parties had issues of unity, consensus, and agreeing on all issues equally. The following paragraph details how interviewee two’s group had difficulty in reaching consensus amongst its own group members. Needless to say this group disunity slowed the negotiations process as well.

Most importantly, however, was the lack of consensus, agreement, unity, and vision on the part of interviewee two’s group. Interviewee two stated that one of the reasons why its group had problems with the negotiations’ implementation was because there was a lot of disunity among the group (Personal interview with interviewee two, January 9, 2010). “Entre nuestro equipo de negociantes, teníamos desacuerdos entre nosotros de acordar la implementación de los acuerdos”, stated interviewee two. (Translation: Within our negotiating group, we had disagreements about the peace accords implementation). There were some members of the group that did not share the same vision with the rest of the group. What made matters worse according to interviewee two was “Había un éxito punto de vista de las negociaciones mientras otros tenían una mente más reformista y abierta.” (Translation: There were some members of the group that
had an extreme view of the negotiations while others were more open and reform minded) (Personal interview with interviewee two, January 9, 2010). Group disunity paved the way for the entire group’s inability to arrive at comprehensive, achievable, and verifiable negotiations. According to interviewee two, the negotiations and some themes that remained unmentioned are not unmentioned because they forgot about them or because they could not be achieved, but for the simple fact that there was a lack of consensus among the group on how to come to the negotiating table and make their proposals known to their opposition (Personal interview with interviewee two, January 9, 2010).

Having obtained each interviewee’s answers to the main research question, the document shall apply the negotiations lens on each of the answers in the following analysis.

From the interviews, there are traces of the soft method of negotiations from both parties. The reader can see how interviewee one’s group managed to negotiate unmentioned themes by simply ignoring it. Some of interviewee one’s group members were reluctant to negotiate with a rebel group, considered a threat to the country’s democracy, but in the end decided to negotiate and agree to something because it was better than having a third party step in and conduct the negotiations for them (Personal interview with interviewee one, December 18, 2009). By simply ceding to accords that were not of their liking in interviewee one’s group, the soft method of negotiations highlights the groups’ reaching an agreement (Fisher & Ury, 1981). Evidence of the soft method of negotiations from both interviews becomes clear as they avoid having a third party step in and dictate how the negotiations will proceed. Both parties to the negotiations took extreme positions in the initial stages of the negotiations; however, realizing that they would not move forward if they remained fixed on their positions, both parties ceded to negotiate on issues shared as having priority (Personal interview with interviewee one, December 18, 2009; Personal interview with interviewee two, January 9, 2010). Again, evidence of the soft and hard method of negotiations become
clear by first polarizing both parties from each other, hard approach, by their initial positions taken only later meeting in the middle and agreeing on an agenda, the soft approach (Fisher & Ury, 1981).

Interviewee two’s group also managed to meet its opposition in the middle, even after settling on intra-group differences (Personal interview with interviewee two, January 9, 2010). While there were intra-group divisions in interviewee two’s part such as some members taking extreme views of the negotiations while others showing a willingness to negotiate political reforms, the group itself nevertheless agreed to the themes negotiated (Personal interview with interviewee two, January 9, 2010). Taking extreme positions only to later meet its opposition in the middle evidences the soft and hard methods of negotiations as discussed by Fisher and Ury (1981).

Next, the document applies model III’s lens on each answer obtained from the interviewees.

Model III’s governmental politics describes governments behaving in bargaining games when explaining an event of this magnitude. Based on both interviewees’ answers to this dissertation’s main research question, it is evident how readers can appreciate that the behavior displayed by both negotiating parties showed this bargaining games behavior. The answers provided by both interviewees demonstrate how there was intra-group conflicts and bargaining among the group members. Also, there is evidence of each individual as a player involved in a competitive political game. This becomes evident when there is bargaining among the members of interviewee one’s part. Each member has an agenda of its own but must agree to an overall position in order to appear as one whole and unified group.

It is clear from interviewee one’s statements that within this group’s representatives there was indeed a lot of bargaining among players. This type of behavior is displayed when interviewee one states that President Cristiani refused to sign the accords but did so only
when political pressure from the USA, UN, and supporting allies urged him to sign (Personal interview with interviewee one, December 18, 2009). President Cristiani agreed to sign only after receiving assurances that the USA and UN would continue their support in the post accords implementation. Interviewee one stated that each part had a minimum of three representatives present at the negotiating table (Personal interview with interviewee one, December 18, 2009). From these assertions and descriptions, it is evident that in the negotiations, there was intra-group conflict, disagreements, and bargaining prior to sitting across from its opposing side. Each player from each part secured his or her interests according to personal, organizational, and national interests as explained by interviewee one.

The same type of behavior is displayed by interviewee two’s group. Interviewee two stated that there were some members with extreme positions while others had a more moderate view of the way things should have been negotiated. These disagreements demonstrate that intra-group conflict was evident within the group (Allison & Zelikow, 1999). The fact that both groups agreed to not agree on some themes such as the socio economic indicates that there was some silent negotiating (Allison & Zelikow, 1999). Both negotiating parties ran into inter-group disagreements yet each part managed to come to the negotiating table and agree to the accords. From Fisher and Ury’s (1981) lens, these disagreements and group consensus demonstrate the type of negotiating method talked about in chapter two in this document. Displaying a reluctance to agree to certain themes and eventually seating at the negotiating table with some provisions clearly spelled out while others were purposefully unmentioned yet needed to be discussed reflect what Fisher and Ury (1981) talked about in the soft method of negotiations.

After answering the document’s main research question, each interviewee was asked the following sub question. Again, each interviewee’s answered question is followed by a negation analytical lens then by model III’s lens.
2. How did intra-group politics influence the language of the salvadorean peace accords?

The second question to this document asks, “How did intra-group politics influence the language of the Salvadorean peace accords”? According to interviewee one, some members of this negotiating group did not want to sign the peace accords especially when they, also members of the armed forces, became aware that the opposing negotiating part proposed doing away with the armed forces like it exists in Costa Rica and Switzerland (Personal interview with interviewee one, December 18, 2009). Those members opposed to signing the accords did not want to make the armed forces disappear. There were other members in the same negotiating group wanting to go back to the old role of the armed forces, its rightful institutional role of defending the country. The hard approach of negotiating becomes evident in this second question. The negotiating process evidences the hard approach to negotiations in effect.

Those members of interviewee one’s group managed to convince those members opposed to signing the accords that the armed forces would continue to exist but would be relegated to its constitutional role of defending the country and its citizens. During the interview, interviewee one stated that, “Los miembros del equipo de negociaciones acordaron llegar a un acuerdo con lo escrito en los acuerdos de paz siempre y cuando quedara claro que las fuerzas armadas existieran mientras la republica existiera”. (Translation: All negotiating members agreed to the peace accords’ language as long as it remained clear in the accords that the armed forces would continue to exist as long as the republic existed (Personal interview with interviewee one, December 18, 2009). For this group, it was imperative, for those opposed to having the armed forces disappear, that the language of the peace accords be clear, precise, and detailed. At this stage of the negotiations process, it becomes evident how the negotiations turned from hard to soft. In the beginning of the negotiations process, both groups encountered intra-group conflict. However, after careful deliberations, negotiations,
and agreements, group members ceded to the majority of the members’ views and started negotiating once again. The negotiations went from the hard approach to the soft approach. Why the shift? The shift came about when members of interviewee one’s group received assurances that the armed forces would not disappear. How did the dissenting group members receive their assurances? The assurances came from the written accord’s provisions. The dissenting members were advised that the written negotiated document assured them that the armed forces would not disappear.

Another reason why some of the members of interviewee one’s group showed reluctance to sign the peace accords was because they did not want to give legal recognition to their opposition group. This group did not want to grant their opposition legal status because it was this opposing side they wanted to get rid of. Members refusing to legally recognize its opposition knew that their opposites existed and were also negotiating members at the table, but at least from these opposing members’ perspective, they did not exist in a clear and explicit form (Personal interview with interviewee one, December 18, 2009). When it came time to negotiating the language of the peace accords, all members of interviewee one’s group agreed to and signed the negotiated agreements. The group worked out the peace accords’ language stating that their opposition would transform from an armed force to a political party, a political subject (Personal interview with interviewee one, December 18, 2009).

The aforementioned is yet another example of the negotiations shifting from the hard to the soft approach. The groups shifted from hard negotiating to soft negotiating because the language of the peace accords was worked in a manner satisfying the negotiating parties’ interests. Below the reader can appreciate how the negotiations were slowed and even suspended because interviewee two’s group could not agree on its own identity. By suspending the negotiations, it slows the negotiations process.
Interviewee two stated that all members belonging to interviewee two’s group had a long discussion about how to approach the language of the peace accords. The debate was “Si identificarnos como reformistas o revolucionarios en el lenguaje de los acuerdos de paz”.

(Translation: Whether to state in the peace accords in precise language whether we identified ourselves as reformists or revolutionaries) (Personal interview with interviewee two, January 9, 2010). As a group, they suspended the negotiations not because they were not able to negotiate with their opposition, but because they were not able to agree as a negotiating group to the terminology in the negotiations (Personal interview with interviewee two, January 9, 2010). In order to come to terms with the precise language and definitions of what they wanted out of the negotiations, they suspended the negotiations in early 1991. This group never publicly admitted the true reason for suspending them, instead of revealing the true reason, they would just state that its opposing negotiating part was unwilling to negotiate with them under specified terms.

Another debate creating friction among interviewee two’s group was the issue of whether to state “Si usar la palabra Socialista o Democracia en los terminos y definiciones”. (Translation: Whether to use the word Socialism or Democracy in the negotiations’ terms and definitions). Some orthodox members wanted to use the term Socialism while others opted for Democracy in order to appear as reformists than as orthodox minded Socialists (Personal interview with interviewee two, January 9, 2010). During their group discussions, it turned out that this is where they found out what and where each member stood with their own political views. The group ended up using the term Democracy to express their views on how they wanted the reforms to take place.
Continuing with the analysis, the document explains each answer from the negotiations analytical lens.

Examining the intra-group tug of war among interviewee one’s group from Fisher and Ury’s (1981) lens, again it becomes evident that there are indications of the soft and hard methods of negotiations. The soft method becomes clear when armed forces members, also members of interviewee one’s negotiating group, refused to accept language in the accords permitting their institutional disappearance and eventually agreeing to the language only after the accords specifically state the armed forces shall remain intact and relegated to its constitutional role of defending the country and its people (Personal interview with interviewee one, December 18, 2009). Those opposed to the accords suggesting the disappearance of the armed forces initially took a strong stance against it. After heated deliberations among the group, other members of said group convinced their colleagues to agree to the language used after receiving assurances of their continued existence. This is the type of behavior Fisher and Ury (1981) describe as soft method negotiations. Additionally, the hard method is also displayed by the members of the armed forces behaving aggressively toward their disappearance at the initial stages of drafting the language on this issue.

Observing through Fisher and Ury’s (1981) lens the behavior displayed among the group deciding whether to recognize and grant full political legitimacy to its opposition it is undeniably the behavior described under soft method approach. All members of interviewee one’s group were adamant about granting full and legitimate political recognition to its opposing part but knew well that this had to occur in order to move the peace accords forward. Not much debate could generate under the given circumstances due to the pressing need of sitting down and drafting the language of the peace accords in order to avoid interference from a third neutral party dictating the peace accords’ language.
Perceiving the debate, from Fisher and Ury’s (1981) lens, about interviewee two’s group identifying themselves as reformists or revolutionaries and employing terms such as Socialism or Democracy, the hard approach to negotiations highlights this behavior. First of all, some members in the group took extreme positions with their stances about identifying themselves. Their disagreements reached the point of suspending the negotiations because they could not reach an agreement about their own identity. In Fisher and Ury’s (1981) hard approach this is one pronounced behavior among negotiators. Second, another component of the hard method of negotiations is harming the relationship among members (Fisher & Ury, 1981). This occurs when members of the group reveal their true sense of political ideology creating divisions between hard line orthodox and reform ideologies. Third, so striking are the divisions among its members that they must suspend negotiations prior to resuming again sometime later. This suspension and resumption of negotiations among the group depicts what Fisher and Ury (1981) term exhaustion of the parties involved in the negotiations.

The creation of the Salvadorean peace accords posed a challenge for both negotiating parties. Drafting the language of the accords was a cumbersome task because it affected permanently the careers and livelihoods of those negotiating. Legitimately, all those involved in the negotiations had a stake in the outcome of the negotiations. Precisely for this reason, the accords had to be carefully drawn out in order to avoid causing any permanent deprivation of privileges enjoyed by those involved in and affected by the negotiations.

Rightfully so interviewee one’s members had controversial debates stemming from the disappearance of the armed forces (Personal interview with interviewee one, December 18, 2009). These individuals opposing their permanent disappearance, and perhaps their institutional existence, had to strongly advocate their personal, institutional, organizational, and political interests. They would and could not disappear from what they had been accustomed. For many years without interruptions the armed forces had been in control of
politics in the country (Personal interview with interviewee one, December 18, 2009). To even consider its release from political control was enough for these individuals to fiercely oppose their own associates. Effectively they had to have other members of their group assure them that they would remain a permanent institution while negotiating the peace accords with their counterparts. In this case, the most effective assurance they could receive from their members was to draft the language of the accords stating explicitly their continued existence.

Recognizing explicitly and legally their opposition posed another challenging division among interviewee one’s group. Some members of this group were reluctant to legally recognize their opposing side for political reasons (Personal interview with interviewee one, December 18, 2009). Debating whether to create a strong future opposition was an offense to members of this group because it was exactly these same individuals that caused the political instability and interruptions the armed forces had long enjoyed (Personal interview with interviewee one, December 18, 2009). Although in its initial stages of debating whether to recognize its opposing side and creating a brand new political opposition, this part nevertheless accepted the recognition of their counterpart (Personal interview with interviewee one, December 18, 2009).

It may seem unimportant how an organization identifies itself, but when it comes to political struggles and ideology it amounts to something important because both define what the organization, movement, or group stands for and represents. Interviewee two’s group identity was important because of its particular use of certain terminology identifying them indicated where they stood and what they represented. Meticulously choosing the right terminology posed another challenge among interviewee two’s negotiating part (Personal interview with interviewee two, January 9, 2010). Democracy or Socialism, revolutionaries or reformists, revolution or reform, these words were dividing factors among interviewee
two’s group. Choosing the right words, terminology, and expressions were dividing factors among this part because not all members shared the same ideology or had similar political visions (Personal interview with interviewee two, January 9, 2010).

Pre-existing convictions and personal agendas worsened the group’s ability to agree on paths to take and express in written form. In this group, there were some hard line orthodox socialists while on the other extreme there were reform minded individuals (Personal interview with interviewee two, January 9, 2010). These ideological extremes posed a hardship for the group to spell out their interests as one united entity in the negotiations. There was a true revealing of where each partner stood when it came time to address the language of the negotiations. Perhaps it was to be expected since this particular negotiating part formed several entities at one time in its pre war period.

In the following paragraphs, Model III explains the answers obtained above in question two, from each interviewee based on said lens.

What does all of this imply for purposes of this document? It shows that the intra-group politics heavily influenced the peace accords’ language. Taking extreme positions even within the same negotiating part is indicative of the behavior Allison and Zelikow (1999) explain in their model III. The most effective means of explaining the behavior revealed by intra-group politics in influencing the language of the peace accords by both parties is through model III lens.

Is there evidence of model III behavior in the intra-group negotiations from both parties? Is both parties’ behavior engaging in bargaining and competitive games of politics? Is there more than one actor to each part involved in the negotiations? And, are they playing and looking out for their national, organizational, and personal interests? The answer to all of these questions is a simple yes answer.
Focusing on issues both negotiating parties encountered while deliberating the language of the peace accords, there is plenty of evidence that all four questions aforementioned are clearly answered when examining them through Allison and Zelikow’s (1999) lens. The debate among interviewee one’s negotiating part about dismantling and doing away with the armed forces shows that there was indeed intra-group conflict among those members wanting and agreeing to set the armed forces aside and return them back to their constitutional duty of defending the country and those refusing to even consider their reprieve from losing control of the entire political system as traditionally enjoyed over decades past. This type of behavior evidences members engaging in bargaining games (Personal interview with interviewee one, December 18, 2009). The fact that there were members opposed to losing control of the socio-political hold of the country and those willing to relegate them to their dutiful rights as defenders of its borders articulates well the explanation given by Allison and Zelikow’s (1999) model III. Allison and Zelikow (1999) explain that, under model III’s lens, the behavior of bargaining among the members of interviewee one’s group and the division on stance of the language of the accords sets apart each member or individual player taking part in the game of politics (Personal interview with interviewee one, December 18, 2009). Acting as a single individual instead of a unified group provides further evidence that within this particular negotiating part, each individual actor acted alone, competitively sought to secure its interests by first pursuing personal interests and second, their organizational ones.

The same is true of the interviewee two’s group. Exactly the same framework applies to this group as it displayed bargaining behaviors among the members of the same group. Employing Socialist or Democratic terminology on the language of the peace accords was a challenge for this group because it was at this stage that each member begins to reveal its own personal, political ideological views (Personal interview with interviewee two, January
Here each individual actor engages in bargaining their positional stance by negotiating the language of the peace accords. Each actor does so by first acting as individuals with personal, organizational, and national interests then as one united negotiating part engaged in bilateral agreements. Evidently, all members engaged in playing a political game through bargaining its group identity.

The document moves to the next question, number three, asking both interviewees about the generation of soft outcomes inhibiting implementation of the agreements.

3. How did intra-group disagreement generate soft outcomes inhibiting implementation?

The second and third sub questions posed in this dissertation explore how intra-group disagreements generated soft outcomes inhibiting implementation and whether there is evidence of these soft outcomes from the interviews, respectively. From the interviews, the document shall demonstrate that there is ample evidence that intra-group disagreements generated soft outcomes which inhibited implementation.

Reading the above paragraphs shows just how difficult it has been for both negotiating parties to negotiate among their members. Both interviewees expressed intra-group conflict when negotiating the peace accords, its language, agenda, and deadlines among their own members and between the negotiating parties themselves (Personal interview with interviewee one, December 18, 2009; Personal interview with interviewee two, January 9, 2010). Interviewee one’s group lacked consensus on recognizing their opposition as a legal political party, expressing clearly their proposal to retain the armed forces intact and from disappearing, and whether to sign the peace accords when negotiating the peace accords’ language and themes (Personal interview with interviewee one, December 18, 2009). Among interviewee two’s group, debates ranged from lacking consensus about calling themselves revolutionaries or reformists, whether to use the term Socialism or Democracy in the language of the peace accords, and having different political ideologies and
stances among its members causing the group’s division and inability to agree on what path to take with the peace accords (Personal interview with interviewee two, January 9, 2010).

Despite intra-group disagreements among both negotiating groups, the final result from each is that both generated soft outcomes as Fisher and Ury (1981) describe in their soft method of negotiations. Both groups, among their members debated, argued, negotiated, took extreme positions, protested, and even walked away from their own members only to come together again, meet at the middle, and come to agreements as two opposing groups (Personal interview with interviewee one, December 18, 2009; Personal interview with interviewee two, January 9, 2010). Both negotiating parties had to negotiate among themselves only to later negotiate again the peace accords with each other. There is ample evidence from the interviews that after intra-group conflicts were overcome by each group, both were able to meet its opposition and continue the negotiating process. The evidence lies in the fact that both parties negotiated and agreed to remain silent on certain issues which they felt could not be negotiated, agreed to employ terms in the peace accords that both groups approved, agreed to keep the armed forces intact without eliminating it institutionally, and legitimized and legally recognized one of the parties as an opposition political party.

Agreeing to sign the peace accords is not enough for the accords’ implementation. There have been, throughout the last 19 years, and continue to exist challenges to yet overcome. The peace accords were debated, deliberated, and negotiated by both groups internally (Personal interview with interviewee one, December 18, 2009; Personal interview with interviewee two, January 9, 2010). Once internally negotiated, each group proceeded to present its proposals to each other in order to create an agreement, sign them, and eventually, implement them. After signing the peace accords, its implementation has come across a challenge which needs immediate attention.
What challenge? The challenge of agreeing to meet to discuss issues left unmentioned. Just the meeting itself is a challenge per se let alone the unmentioned issues. First and foremost, the executive and legislative branches must agree to meet. Once agreeing to meet, the next step would be to discuss the unmentioned issues such as reintegration of combatants into society, education and training of soldiers and combatants, economic model to implement, compensation for the wounded, and land distribution (Personal interview with interviewee one, December 18, 2009; Personal interview with interviewee two, January 9, 2010). According to interviewee two, “La implementación de los acuerdos de paz han sido estorbados por las últimas dos administraciones y su deseo de no sentarse con los partidos políticos y trabajar con los temas que aún siguen sin ser negociados dentro del marco de las negociaciones”. (Translation: The accords’ implementation has been inhibited by the last two administrations’ unwillingness to sit down with all political parties and work out themes that were kept unmentioned during the negotiations). Both presidents refused to listen and work out themes that yet remain to be dealt with (Personal interview with interviewee two, January 9, 2010). Legislative assembly members were willing to work out themes left unmentioned and finish what was started 19 years ago but those in power at that time refused to listen (Personal interview with interviewee two, January 9, 2010). Why have the last two presidents refused to consider treating themes such as the socio-economic? The reason is because there were some themes that were not up for negotiation (Personal interview with interviewee one, December 18, 2009). They were not up for negotiation because back then neither of the two negotiating parties had any defined and concrete strategies to address such themes and still have yet to come up with applicable solutions to such themes (Personal interview with interviewee one, December 18, 2009). Interviewee one stated, “Hay un Nuevo presidente en el poder que pertenece a la oposición y no ha sido capaz de ofrecer soluciones definitivas y concretas a los problemas que hoy tenemos en el país”. (Translation:
There is a new president in power belonging to the former opposition and has not been able to offer concrete, definitive solutions to the problems facing the country today) (Personal interview with interviewee one, December 18, 2009). El Salvador today faces one of the highest crime rates in the world, inflation has gone up, security has diminished, and health care costs have risen (Personal interview with interviewee one, December 18, 2009).

After obtaining an answer from each negotiating parties’ representative, the document applies the negotiations lens to explain the answers given from said lens.

From the stand point of Fisher and Ury (1981) and Allison and Zelikow (1999), analyzing the negotiations from a combined perspective, the document demonstrates that the negotiating parties displayed soft and principled methods of negotiations as well as behavior found under model III. Strikingly, both negotiating parties displayed the soft approach of negotiations type of behavior when intra-group conflict prevailed but eventually agreeing to certain terms in order to confront its opponent and create a peace accord that both were certain could honor.

Interviewee one’s group overcame differences over recognizing its opposition as legal and legitimate political party, remaining quiet over socio-economic issues, terminating the armed forces’ strong hold over the political system, and returning back the armed forces to its constitutional duty of protecting its citizenry and territory (Personal interview with interviewee one, December 18, 2009). After serious intra-group debates and negotiations, the group worked out its differences once they were certain that they addressed each individual’s concerns and issues. Arriving at a consensus, the group as a whole overcame their differences and agreed to present its own themes and issues from which to negotiate with its opposition. Basically, each individual in this group voiced his or her concerns, took strong stances and held his or her ground until all could come to an arrangement where all would feel they had negotiated fairly and could execute an agreement. This is a fine manifestation.
of the soft method of negotiations (Fisher & Ury, 1981). In this situation, members of this group interested in maintaining the status quo agreed to relinquish the armed forces’ hold of the political system (Personal interview with interviewee one, December 18, 2009). Under Fisher and Ury’s (1981) soft method of negotiations, one of the negotiating parties, or member of the same group, takes a strong opposing position while the other accedes in order to arrive at an agreement. It may not be what the acceding negotiating part wanted or expected but accedes anyway.

Interviewee two’s group faced intra-group challenges such as individual and group identity, differing ideological view points, determining appropriate terminology to employ in the accords, and coordinating themselves as one single unit instead of a fragmented group. While this group managed to coordinate itself and solidify its standing, first they had to come to terms and accept they each held different ambitions and visions as to where each wanted the negotiations to go (Personal interview with interviewee two, January 9, 2010). It was at this juncture that each member of this group made known his or her political ideology. During this important turn of events is where each individual came out and made his or her true self known by taking to heart political views, methods of introducing reforms in the country, and identifying themselves as reformists or revolutionaries (Personal interview with interviewee two, January 9, 2010). The differences among the group’s members were very pronounced reaching the point of stalling negotiations and making it look like the opposition was not willing to negotiate (Personal interview with interviewee two, January 9, 2010).

The stalemate displayed by members of interviewee two’s group is an example of a crisis experienced by one of the negotiating parties. This crisis turned the negotiations into something close to a children’s playground because the parties negotiating halted the negotiations’ progress. Both negotiating parties had held a strong opposition to issues each deemed of interest. However, interviewee two’s group actually suspended the negotiations
due to the intra-group crisis experienced. Suspending the negotiations and claiming that the opposition was unwilling to meet in the middle in order to move the negotiations forward was one strategy employed by interviewee two’s negotiating part.

There is evidence, only after reaching internal agreements, that the intra-group conflicts among all members were overcome as they regrouped, reinitiated negotiations with the other negotiating part, and arrived at the peace accords. From Fisher and Ury’s (1981) soft methods lens, interviewee two’s group faced a dilemma, intra-group conflict about self-identity among other issues stated in the above paragraph. In order to solve whatever differences they had with each other’s ideologies, identities, and interests, some of the members had to accede to majority opinion in order to continue working as one single front. Personal confrontations could not be avoided as each held personal and organizational interests in mind different from the rest. However, some of the members had to accede to majority rule otherwise the negotiations would not have been able to move forward (Fisher & Ury, 1981). The group needed to reach a solution to their differences because they had the other negotiating part waiting to meet and reach an agreement. Reaching an agreement after deliberating among members evidences a soft method result for the group.

The principled method of negotiations becomes evident when both parties negotiate and sign the peace accords. Both parties to the negotiations solved the issues on the merits. They did so by seating down and discussing during the first meetings the agenda, deadlines, and timelines (Personal interview with interviewee one, December 18, 2009; Personal interview with interviewee two, January 9, 2010). The agreement to meet, work on mutually agreed to issues, and solving them with an agreement that both negotiating parties felt fair standards prevailed is indicative of the principled method’s employment. Both negotiating parties practically secured its interests, one received political acceptance and recognition while the other was able to bring political stability to the country through legislative reforms
favoring the ruling elite (Personal interview with interviewee one, December 18, 2009; Personal interview with interviewee two, January 9, 2010). Although one negotiating part was the government and the other was a rebel group, no one group had an advantage over the negotiations. Also, the rebel group was well aware that it was negotiating with a government legitimately recognized by the UN (Personal interview with interviewee one, December 18, 2009; Personal interview with interviewee two, January 9, 2010). Realizing this, perhaps the one part having advantage over the other was the part representing government interests.

Moving forward, the document explains the interviewees’ answers from model III’s lens.

How does model III answer the question posed above asking how intra-group disagreements generated soft outcomes inhibiting implementation and whether there is evidence of these soft outcomes from the interviews? The document shows how each negotiating part solved intra-group conflicts while negotiating the accords. Each part solved all issues amongst themselves prior to negotiating with their counterpart. Model III explains this kind of behavior as indicative of both parties playing governmental politics. Model III states that when actors engage in intra-group conflict and solve the issues permitting them to agree as one single group displays model III behavior (Allison and Zelikow, 1999). Both negotiating parties, made up of several individuals, each having and securing its organizational and personal interests reveals model III behavior. Bargaining and negotiating among and between the negotiating parties evidences behavior necessary to explain model III behavior. The implementation inhibitions reveal themselves through the progress or lack thereof depending from which negotiating part’s point of view the implementation is observed. One of the interviewees commented that the peace accords were not yet fully implemented due to lack of support from previous administrations while the other stated that each provision negotiated in the accords have been completely honored (Personal interview
with interviewee one, December 18, 2009; Personal interview with interviewee two, January 9, 2010). Observing the facts objectively, however, and from the interviews, both negotiating sides stated that some themes were not negotiated. These unnegotiated themes have yet to be addressed and implemented according to both interviewees. The socio-economic theme was left unmentioned because there was no consensus between the negotiating parties on how to address it. As a consequence, it is fair to state that not all provisions in the accords were honored if the unmentioned ones are given consideration.

Having analyzed question three from both lenses, the document moves on to the last question of the document. Once again, it details each interviewees’ answers to the question.

4. What has been the impact of language ambiguities encountered in the accords’ provisions during their implementation?

The third sub question this dissertation explores is the impact of language ambiguities encountered in the accords’ provisions during their implementation. According to interviewee one, “Los acuerdos de paz fueron unos acuerdos que estaban bien explicados, detallados, y explícitos”. (Translation: The peace accords were agreements that were very well explained, detailed, and explicit) (Personal interview with interviewee one, December 18, 2009). Nothing was left open or subject to interpretation. The peace accords were agreements which both negotiating parties had a deep and clear understanding. Both negotiating parties to the negotiations made their demands known to each other. Interviewee one said that, “Los acuerdos de paz eran negociaciones de naturaleza política y no socio-económicas o socio-culturales”. (Translation: The peace accords were negotiations of political nature not of socio-economic or socio-cultural) (Personal interview with interviewee one, December 18, 2009). Had the peace accords addressed these themes, the accords would not have been successfully implemented because these are themes that only time, society, and reality can pursue (Personal interview with interviewee one, December 18, 2009). When these themes came up for discussion, both negotiating parties agreed to set
them aside while they addressed other important issues needing more immediate attention (Personal interview with interviewee one, December 18, 2009).

The above written statements indicate that there were some provisions in the peace accords which were written with relative little consideration because it was more important to finish than to fight over conflicting or secondary issues. For example, both negotiating parties stated that socio-cultural and socio-economic themes were not discussed much less negotiated because they felt that more pressing issues had to be dealt with. In order to move with the negotiations forward, both negotiating parties agreed to put these two themes aside and focus more on political issues.

When both parties decided to set aside certain issues, they were set aside because neither group knew how to address these themes. Unable to address certain themes due to a lack of clarity from both negotiating parties on how to go about solving them, it was silently implied and understood that the only way of agreeing not to discuss them was by keeping silent and setting them aside (Personal interview with interviewee one, December 18, 2009; Personal interview with interviewee two, January 9, 2010). It was very easy to agree not to discuss these themes because none of the two negotiating parties could or knew how to address them. They were issues that were very pressing but neither side had a real solution or one that could be readily implemented successfully. In essence, interviewee one asserts that there were no ambiguities in the accords’ provisions so no problems were encountered in their implementation. It is precisely for this particular reason that the peace accords were achieved (Personal interview with interviewee one, December 18, 2009).

On the other hand, interviewee two stated, “Habían muchas ambigüedades con los acuerdos que sirvieron como excusa para los opositores manipular e interpretar como ellos veían conveniente” (Personal interview with interviewee two, January 9, 2010). (Translation: There were many ambiguities with the accords which served as an excuse for their
counterpart to manipulate and interpret them as they saw fit). According to this interviewee, there were ambiguities in the accords which both sides purposefully inserted in order to later obtain benefits from the same (Personal interview with interviewee two, January 9, 2010). Also, there were some ambiguities in the accords that were inserted as a means to later address them since there was no consensus between the negotiating parties on how to approach them. For example, in the accords there were chapters dealing with social, economic, and educational issues which were briefly discussed. Both negotiating parties agreed to discuss later. These themes which were left practically untouched later created problems in its implementation because one negotiating part interpreted the themes one way while the other had a totally different interpretation (Personal interview with interviewee two, January 9, 2010). Another example, on the issue of social issues, one negotiating part had the understanding that topics such as crime, education, and unemployment would be discussed (Personal interview with interviewee one, December 18, 2009). On the other hand, the other negotiating part stated that when they referred to social themes, topics such as reinsertion of combatants into civil life, compensating them for their losses, and demobilization of government forces were all included in the social theme (Personal interview with interviewee two, January 9, 2010). These two differing interpretations clearly show a disregard for correcting the issue itself, this being clarifying the misinterpretations of the themes. It also demonstrates the fact that there were ambiguities written in the accords despite the denial of interviewee one.

In the following paragraphs model I explains the answers to the question each interviewee provided.

Analyzing both interviewees’ statements, they contradict each other. Allison and Zelikow (1999) would provide an explanation for this contradiction from the rational actor model perspective. The rational actor model or model I states that events can be explained by
taking into consideration the actors’ aims and calculations. It also imposes a rational outline on the events’ explanations. As the title of model I says, the rational actor model, it assumes the actor is acting rationally when arriving at decisions. Interviewee one stated that all of the accord’s provisions have already been accomplished. The accords were clearly drawn out without any wording left open for interpretation (Personal interview with interviewee one, December 18, 2009). Each and every provision in the peace accords were explicit and clear for both negotiating parties to understand. The group drafted out its own proposals with a clear understanding that the language utilized in their proposals would not be subject to interpretation. They wanted to make sure that there would be no issues when it came time for the accords’ implementation. However rational this group was behaving, it made its decisions after carefully studying what they wanted to express in the peace accords.

According to interviewee one, the group drafted its proposals with the intention of fulfilling each and every provision of the accords (Personal interview with interviewee one, December 18, 2009). There was no intention to play on words or any deception of any kind. If there were any misinterpretations from the other negotiating part, it was because they misunderstood it or wanted to manipulate the language appearing in the accords in their favor (Personal interview with interviewee one, December 18, 2009). As far as interviewee one’s group is concerned, this group carefully chose the language in their proposals to reflect no ambiguities what so ever.

The behavior displayed by interviewee one’s group is a rational one (Allison & Zelikow, 1999). This group was aiming at complying with the peace accords. Writing the peace accords as explicitly and clearly as possible, as expressed by interviewee one, the intention was to move the peace accords process forward and avoid any difficulties with its implementation. Acting in the manner that they did, they were securing their interests while at the same time acting in good faith when presenting their proposals as part of their deal with
the peace accords (Allison & Zelikow, 1999). Furthermore, the rational actor model explains this kind of behavior as a conscious, careful, and cunning estimate of the opposition (Allison & Zelikow, 1999). When drafting the language of the peace accords, this part took into account all consequences of their decisions, actions, and their opposition’s reaction and behavior to their proposals. The behavior portrayed by interviewee one’s group is reflective of their intentions and purposes (Allison & Zelikow, 1999). From model I perspective, this group made its decisions based on the rational estimate that the accords were clearly written and would not be subjectively interpreted when it came time to its implementation.

Moving on to the analysis of interviewee two’s statements, there were ambiguities inserted in the accords and done purposefully with the intention to deceive and utilize the ambiguities to favor interviewee one’s negotiating part (Personal interview with interviewee two, January 9, 2010). There was a consensus to insert ambiguous language in the accords paving the way for later elaboration and making it easier to come back to them to negotiate them at a later date. The themes relating to the economy, society, cultural, and educational were left unmentioned because no part had any concrete proposals for attacking these issues. Issues such as these needed careful attention and analysis which could not have been worked out in the time allotted while negotiating more pressing issues such as the political system (Personal interview with interviewee two, January 9, 2010). When both parties met, it was agreed that certain themes would be addressed at a later time. However, due to timelines, agenda setting, and deadlines needing to be met, the issues set aside were not discussed after the accords were signed (Personal interview with interviewee two, January 9, 2010). When it came time to implement the accords, there were problems arising from misinterpretations by those implementing the accords’ provisions. Both negotiating parties agreed to meet again to clarify any misunderstandings but it was barren. Interviewee two’s group wanted to pick up where they left off but were unable to because its opposition was not in agreement on certain
This presented big problems for the accords’ implementation.

It is evident judging from both negotiating parties’ revelations, as stated above, that issues to which neither group agreed to discuss or could not discuss due to more pressing concerns or lack of consensus over how to address them, factors of implementation in the wording of the accords was not even considered. Lack of administrative feasibility, implementation, and interpretation were issues never taken into account when both negotiating parties engaged in the peace accord negotiations. The lack of administrative feasibility, negotiating parties consensus, and lacking clarity as to how to interpret and implement such undiscussed issues are concerns that remain to be discussed at the negotiating table.

Allison and Zelikow would explain the above behavior as rational behavior from model I viewpoint. It would be a rational behavior because this group and its opposition agreed to set aside issues that were not clear or ready for discussion. This group agreed to set aside certain issues and come back to them later. When the time came to discuss them, both parties could not agree on the meaning of what had been drawn out on the accords (Personal interview with interviewee two, January 9, 2010). This disagreement and ambiguous language found in the peace accords created conflict between the two parties when complying with and implementing them. In this situation, the behavior of this group is interpreted as rational behavior when they became aware that its opposition wanted to manipulate the ambiguities in the peace accords’ language when they were being implemented. When misinterpretations arose, it was this group that initiated a meeting to clear any language ambiguities in the accords’ implementation phase. Furthermore, by putting aside themes that were deemed inappropriate to discuss, encountering disagreements to its solutions, and both parties agreeing to set them aside for a later time, this group’s
behavior reflects its careful consideration of the challenges to come. According to interviewee two, their part’s decisions and actions were all carefully considered in order to avoid problems with the accords implementation (Personal interview with interviewee two, January 9, 2010). It cannot be discarded that once disagreements were encountered with the accords’ implementation, due to its ambiguous language, this group did not take advantage of the opportunity to manipulate its language favoring their interests.

The following key findings shall be discussed as implications in the next chapter.

- The negotiations positively affected its implementation because both parties met in the middle and negotiated a peace agreement.
- Intra-group politics influenced the peace accords language positively through the generation of disagreements only to yield negotiated agreements later.
- With intra-group conflicts, disagreements ensued; however, negotiations among group members generated soft outcomes and fluid negotiations between both parties.
- All the evidence points to the intra-group conflicts generating soft outcomes in the intra-group and between the negotiating parties when meeting at the negotiating table.
- Impact of language ambiguities has generated incomplete peace accords implementation, polarized the political parties and executive, and unwillingness to implement the remaining unmentioned themes by the executive.
CHAPTER FIVE

CONCLUSION AND IMPLICATIONS

Introduction

Existing literature indicates that there are few studies investigating the current political, economic, democratic, and social situation in El Salvador. They evaluate the success of the peace accords, evaluating the present state of affairs, and the evolution of the creation of a new democratic state. However, from an academic standpoint, there is a huge gap from when the negotiations took place to the current state of affairs in El Salvador. Studies have neglected to explore how the negotiations influenced its implementation, how intra-group disagreements influenced the accords’ implementation, and why the negotiations resulted as they did based on intra-group behavior and conflict resolution from each actor involved in the negotiations.

This dissertation examined the relationship between the peace accords negotiations and the influence it had on its implementation. The primary purpose was to explore how the intra-group dynamics of the negotiating parties influenced the accords’ implementation. Given that there were intra-group conflicts in the negotiations of the accords, the document further hypothesized that intra-group conflict coupled with inevitable political and ideological conflicts, as additional barriers to the accords’ implementation, are the product of the negotiations process. However, after careful application of Fisher and Ury’s (1981) three approaches to negotiations and Allison and Zelikow’s (1999) model III lens on the negotiations, it is evident that the peace accords’ provisions were not fully implemented and heavily influenced the accords’ implementation. The peace accords’ provisions have been
partially implemented. The implementation of the peace accord provisions ran into conflicts during its negotiations phase and later in its implementation. All the evidence points out that the negotiations had to go through a double filtering system which is to say that the negotiations had to go through intra-group approval prior to reaching the negotiating table as an accord provision for its subsequent approval.

Fisher and Ury’s (1981) three approaches to negotiations and Allison and Zelikow’s (1999) organizational politics model form the theoretical frameworks for this dissertation’s analysis. Fisher and Ury’s (1981) framework, built upon negotiations and bargaining theory coupled with Allison and Zelikow’s (1999) three models of organizational politics, were created in order to assess the effect of the negotiations on the implementation of the peace accords. Fisher and Ury’s (1981) framework allowed this document to demonstrate how the peace accords negotiations developed. It explored how negotiations were carried out between the negotiating parties. Also, it detailed the basic principles necessary to carry out negotiations between two opposing parties in any conflicting situation. The approaches to negotiations as described by Fisher and Ury (1981) showed how the negotiations influenced its implementation. In the negotiations between both parties, there were signs of both soft and principled methods of negotiations. The negotiating parties confronted, endured, and overcame intra-group conflict reflecting the same kind of behavior observed between the parties. Allison and Zelikow’s (1999) framework allowed this document to explain the behavior displayed under model III in the negotiations. The model clearly explained how the negotiations influenced its implementation phase and its end results. Model III gave the reader insight as to why intra-group conflict displayed the kind of behavior, from both parties, that it did in the negotiations process.
Summary of Findings

The objective of this dissertation was to answer the following questions:

1. How do the negotiations of the peace accords influence its implementation?
2. How did intra-group politics influence the language of the Salvadorean peace accords?
3. How did intra-group disagreement generate soft outcomes that have inhibited implementation?
4. What has been the impact of language ambiguities encountered in the accords’ provisions during their implementation?

The findings for this dissertation indicate the importance of understanding that the negotiating parties wanted to reach an accord. However, there were many advances made and accomplished throughout the negotiations. The implementation phase posed a challenge for both negotiating parties. The challenge arose when it came time to implement the accords. Those implementing the accords were not the same that negotiated the accords.

Drafting vaguely worded peace accords provisions made it cumbersome for the implementers to successfully implement the agreements. The intra-group politics played an even greater role in the negotiations as there were negotiations among members of the same negotiating party prior to negotiating between the two opposing negotiating parties. The negotiating parties’ members, among their own group, had to negotiate the language of the accords’ provisions in order to continue with their negotiations. This kind of negotiating was necessary in order to move forward with the peace arrangements.

All intra-group disagreements generated by differences in interests of all members of each negotiating part made it difficult to come to the negotiating table and agree to a peace agreement. The intra-group disagreements also made clear that each group was not a homogeneous one. Even though each member was part of a greater group, not all had the same vision, goals, or interests in mind. Each member from each negotiating part had
personal, political, and organizational interests to pursue. These differences in interests held by all participating members in the negotiations made coming to terms difficult. Having to negotiate intra-group was difficult; nevertheless, the groups were still able to come to agreements amongst each other. Once agreeing on its differences, each negotiating party made possible the negotiations between the opposing sides. Group differences also had the positive effect of defining all members’ true vision, goals, and political ideology. In the end, the differences held by all members of each negotiating party made the negotiations a success by agreeing to ambiguously written provisions but nevertheless accords to which could be renegotiated at a later time.

Both negotiating parties wanted to end the civil war and put into place a peace agreement that both would feel that each had won something and that the armed struggle had been well worth it. Both parties negotiated what they considered pressing issues at that time. The FMLN became a legitimate and legal political party. The government remained intact and was allowed to continue with its political agenda. Both warring sides had gained something from the negotiations. It was not a war that neither side paraded over victoriously, but it was nevertheless a victory for both parties in the sense that peace had been reestablished in the country and dialogue was the only means of accomplishing anything on the political agenda. Intra-group conflict occurred and both sides managed to draft ambiguously written provisions with the intent of resolving and making any and all the necessary changes of all unmentioned issues.

Twenty years have passed since the signing of the peace accords. There were several ambiguously written provisions in the peace accords that both parties agreed to take up later in the process of negotiating and implementation but the issues remain unnegotiated. One party claims that all provisions in the peace accords have been accomplished while the other party states that some provisions have yet to be implemented. Another issue with the
language ambiguity is the fact that the implementers have had difficulties in the implementation process because the implementers are oblivious of the negotiators’ intent and desired results while drafting the provisions. There have been times when implementing the peace accords the desired results have not been accomplished due to misinterpreting the provisions and purposefully implementing what was not drafted or intended in the accords.

Limitations of Research

There were two interviews conducted for this study. One of the representatives represented the government’s interests while the other represented FMLN’s interests. This study is based on two interviews, limiting the results to two interviews. The purpose of the interviews was to supplement the information from the literature, not as a quantitative data collection exercise. While relatively few persons who were active throughout the interviews are still available to interview, conducting interviews with more representatives from both negotiating parties would provide a broader view of the results and provide more stories to illustrate the points made.

Another limitation encountered while conducting this study is the lack of resources available on this particular topic. There are not many investigations conducted on the influence the peace accord negotiations had on its implementation. This document is the first of its kind since the frameworks employed to explain the results of the negotiations on the peace accords implementation have not been utilized for purposes such as this document. The research questions were developed in order to select the appropriate framework needed to analyse the study.

Future Research

This dissertation is the only one to date exploring the Salvadorean negotiations’ influence on its implementation. Due to the topic’s lack of investigations, and perhaps
interest from the academic realm, future research is needed to corroborate the findings of this dissertation. More academic research is needed exploring the negotiations’ influence on the accords’ implementation. Furthermore, the academic community needs to conduct research specifically focusing efforts on explaining the negotiations’ outcome based on the implementation phase. This dissertation is timely as it addresses questions which are likely to generate future research opportunities.

Future research should consider interviewing different signatories to the peace accords and apply the same lenses and see what differences appear from differing perspectives to the peace negotiations and its implementation. Additionally, future research should consider answering the same questions and from the same lenses but with different signatories. The hypotheses may suggest that the peace accord provisions have not been implemented, were implemented immediately after signing the accords, or somewhere in the middle, some provisions were implemented while others were not.

Implications

This dissertation shows that negotiating peace accords is a cumbersome task. Agreeing on peace accords to reform an entire political system and writing down provisions designed to revolutionize an entire country’s history is a difficult deed to accomplish between negotiating parties having a stake in the outcome. When two or more parties consist of more than one individual on each negotiating side, the stakes are high and agreeing on terms as a group becomes challenging for the entire entity. Issues such as intra-group disagreements, conflicts, and divisions come into play. Sometimes group divisions are so pronounced that it causes an entirely new entity to emerge out of negotiations or during the implementation phase.

When agreeing on peace accords, during the negotiations phase, it is extremely crucial that negotiating parties explicitly lay out the terms and definitions of their proposals in order
to avoid any misinterpretations, misunderstandings, and particularly ambiguities subject to interpretation. For purposes of explaining the above sentence, looking at the following excerpt, the reader can appreciate purposely written ambiguous peace accord provisions:

“a sustained effort and shall be conducted in phases, bearing in mind that the aim is to reach some agreements that are to be implemented immediately to achieve stabilization, others that are designed to tackle the economic and social problems that will ensue from the end of the conflict and still others that are geared specifically to reconstruction.” (http://www.usip.org/publications/peace-agreements-el-salvador).

In the above excerpt, the words, “some agreements” is too vague to discern what agreements the parties to the accords refer to. What do the negotiating parties refer to or mean when the words “some agreements” appear in the provisions to the accords. These words are ambiguous and cannot be discerned without clarification from both parties. The words, “economic and social problems” are inserted in the provisions of the peace accords. When interviewing the government representative for this study, he indicated that social and economic issues would not be negotiated, discussed, or considered because these were issues that the executive controlled. Nevertheless, these words appear in the peace accord provisions. Inclusion of these words in the provisions of the peace accords cause ambiguity for the implementers of the provisions and uncertainty for the rest of the citizenry.

The implications of inserting ambiguous language in the provisions of the peace accords causes controversy over the implementation of the same. Due to the nature of the negotiations, purposely inserting ambiguous wording in the accords is a strategy employed by both negotiating parties. It would be impossible and unwise not to utilize this tactic for future manipulations, manipulating words for self-interests, of the accord provisions by both negotiating parties. As a consequence, controversy exists between both negotiating parties as to the full implementation of the accords’ provisions. One party claims that the accords’ provisions have been fully and completely implemented while the other claims that not all of the provisions were honored due to the wording of the provisions. Additionally, though the
document in the above paragraph states that in order to avoid problems, delays, misunderstandings, unimplemented provisions, renegotiations, and misinterpretations during the implementation phase of the accords, it is also unrealistic to expect that there be no ambiguous language purposely inserted in the accords’ provisions.

When parties of peace agreements come together, it is inevitable for them to not experience delays, misinterpretations, and misunderstandings when ambiguous wording appear in them. Ambiguity is necessary in order for the negotiating parties involved to settle on a final agreement. The ambiguous wording found in the peace accords is based upon trust and mutual understanding. When both negotiating parties agree to an ambiguously worded peace accord, they are mutually confiding and trusting that they will meet again and in good faith sign the peace accords. Agreeing to and signing an ambiguous peace accord provides both negotiating parties a belief that even after signing it they can come back to it at a later time and work out whatever is left.

One of the lessons learned from this study is that there are two different versions of whether the Salvadorean peace accords have been fully implemented. One of the negotiating parties in the negotiations states that the peace accords have been fully implemented. The other part claims that there are issues that remain unimplemented because these were issues that were kept in the back burner until both sides agreed to take up the issue at a later time. It is clear, however, that both sides assert that advances in the peace accords implementation have been made. This research has shown that advances in the negotiations were made during the negotiating phase of the process. There were intra-group conflicts amongst group members but were resolved just before negotiating with the other party. The intra-group negotiations posed some trying times for both parties because it was during this phase of the negotiations process that members of each party revealed who they really were, their true stances on issues, and their personal interests.
Another lesson learned from this research is that intra-group politics heavily influenced the language of the Salvadorean peace accords. It became evident that members from each part influenced the wording of the peace accords provisions. Each member in each side had to make sure that their interests were met. The way each had their interests met was by way of the wording of the peace accords provisions. There was nothing more important than employing the correct terminology, ambiguity, or otherwise in order to accomplish each members’ interests. What needs to be taken away from this controversy of employing ambiguous language in any peace accord is that intra-group politics plays a big part in peace negotiations. During the negotiations themselves, it is not only a matter of negotiating between two parties; there is more to it such as the dynamics of intra-group negotiations as well.

This study revealed that despite the many disagreements and negotiations amongst intra-group members and between the negotiating parties, there are still ways of negotiating a peace accord successfully. Once intra-group negotiations are resolved, the negotiating parties may engage in full negotiations of the peace accords. After negotiating amongst group members, negotiations between parties can indeed be effectively effectuated. Additionally, if both parties negotiate willingly, great accomplishments are achieved through negotiations. In the beginning stages of the negotiations, there were challenges due to all negotiating members having and pursuing their own personal interests. At first they did not see eye to eye with the rest of their group members. After careful intra-group negotiating, each part was able to come to the negotiating table and offer its proposals. Meeting at the negotiating table allowed both sides to move forward with the negotiations and eventually draft peace agreements conducive to a final peace accord.

Yet another lesson learned from this study is the fact that language ambiguity can work to the advantage for the peace process. The advantage it has is that it allows the
negotiating parties to move forward while coming back to these ambiguous terms. For example, when the negotiating parties could not reach an agreement, they decided to move on to another theme and come back to this theme later. When coming back to the theme put on hold, the negotiating parties may have had time to think of ways to word the themes at hand and manipulate them to fit their interests. The disadvantage to it is that it delays the successful implementation of the peace accords themselves. Language ambiguity can also pose other problems not foreseen in the future while negotiating. One example is when both parties in the negotiations employed ambiguous wording in the negotiations in order to move the negotiations process forward but failing to come back to it and solving the issue turns problematic in the end because the implementation process distorts the desired outcome of the accords.

During the implementation phase of the peace accords, leadership and political will are crucial to a successful implementation phase. Ambiguous outcomes create an atmosphere of uncertainty. The lack of certainty regarding implementation details in peace negotiations creates a risk that parties to the negotiations will not want to come to the negotiating table if the endgame is too early defined. This dissertation may generate more questions than answers. There are few research studies explaining how the Salvadorean peace accords impacted its implementation. Those studies focusing on the accords and its aftermath only focus on the post accords political situations.

Reforming a political system via peace accords is a difficult deed to accomplish between negotiating parties having a stake in the outcome. When negotiating parties have a stake in the outcome of the peace accords, such as institutional, personal, or political interests, the negotiations turn into an extremely difficult task to accomplish because the parties involved no longer are two but several, i.e., groups within each negotiating party. As a consequence of the dynamics of group negotiations, intra-group disagreements, conflicts,
and divisions are unavoidable and play a key part. As part of the negotiating process, delays, misinterpretations, or misunderstandings amongst group members and between negotiating parties, becomes unavoidable since word ambiguity is one of the tactics utilized by the parties involved. Furthermore, it also causes hardship in implementation as implementers are not the same as the negotiators.

What new knowledge is being advanced with this dissertation?

The new knowledge this research contributes to the academic community is the following:

- The Salvadorean peace accord can be analyzed from both negotiations and governmental politics perspective.
- The peace accord negotiations did impact its implementation and depending which negotiating party is asked, they have either been fully implemented or only partially implemented.

Lessons learned:

- Negotiating parties encountered intra-group and group challenges during the negotiations
- Challenges encountered during the negotiating process were overcome with intra-group negotiations
- Word ambiguity caused intra-group conflict
- Wording of the accords delayed implementation
- Behavior observed between the negotiating parties was eloquently explained by Allison and Zelikow’s (1999) Models I and III

Conclusion

The goal of this dissertation was to investigate how the peace accords negotiations impacted its implementation. This research has successfully demonstrated that the negotiations played a big part in the implementation of the same. The negotiations and intra-
group conflicts posed challenges for both negotiating parties. However, the negotiations were successfully executed and a peace accord signed. Several lessons were learned from this dissertation as well as some unlearned ones.
REFERENCES


APPENDIX A

El Salvador—Peace Agreements Outline

Article 1. Aims and principles

Compression of the negotiations aims to secure, at one go, political agreements to:

a. Coordinate an end to the armed conflict and to every act that violates the rights of the civilian population, under United Nations verification, subject to the approval of the Security Council; and

b. Establish the guarantees and conditions needed to reintegrate members of FMLN into the civilian, institutional and political life of the country in absolute legality.

Accordingly, all the substantive items on the Agenda would be negotiated and settled prior to the end of the armed conflict. This will mean a cease-fire of predetermined length, short and dynamic, during which there would not be any substantive negotiations but only the measures necessary to put the agreements reached into practice.

This implies that the Agenda approved at Caracas should be reshaped to take account of the above aims and of the outcome of the negotiations conducted since then.

Article 2. Subjects for negotiation

The matters to be negotiated are as follows:

I. Armed forces

This item includes:

1. Doctrine.

2. Training system.

3. Purification.

4. Reduction.

5. Waiver of impunity.

6. Public Security Forces:

   Establishment of the NCP. Doctrine. Juridical regime.

   Disbandment of the National Guard and the Treasury Police, as Public Security Forces.
   Profiles and training.

   International advisory services and support.

   Transitional regime.

7. [sic] Intelligence services:  
   Disbandment of the DNI.
   Establishment of the OIE. Doctrine. Juridical regime.
   Personnel of the OIE.
   Monitoring.

8. Rapid deployment infantry battalions.

9. Subordination to the civil power.

10. Paramilitary entities:
   Civil defense.
   Regime of the Salvadorian Armed Forces reserves.
   Eradication of illegal groups.
   Regulation of private security.
   Monitoring.

11. Suspension of conscription.

12. Preventive and promotional methods.

13. Relocation and reduction.


II. Judicial System

III. Electoral System


IV. Ratification of the Constitutional Reform

This item is inferred from the Mexico agreements of 27 April 1991. It is an indispensable prerequisite for the concretization of other political agreements, such as many of those referring to the electoral and judicial systems, as well as the agreement relating to the National Civil Police, for example. Consequently, progress should be made in that direction without further delay.

V. Economic and social questions

VI. Conditions for the cessation of the armed confrontation

The work that has been done with regard to this question will have to be adapted to the arrangements for the cease-fire described above, and particularly to its dynamic character, the consequence of the compression of the negotiations.

VII. Political participation by FMLN

VIII. Verification by the United Nations

IX. Timetable for implementation

New York, 25 September 1991

Representing the Government of El Salvador:
Dr. Oscar SANTAMARÍA
Col. Mauricio Ernesto VARGAS
Dr. David ESCOBAR GALINDO

Representing Frente Farabundo Martí para la Liberación Nacional:
Cmdr. Schafik HÁNDAL
Cmdr. Francisco JOVEL
Cmdr. Salvador SÁNCHEZ CERÉN
Cmdr. Eduardo SANCHO
Cmdr. Joaquín VILLALOBOS

Representative of the Secretary-General of the United Nations:
Alvaro DE SOTO

1 Most of the sub-items under this point are fairly advanced on the basis of the working document prepared by the intermediary.

2 The question will be considered within the scope defined by the New York Agreement.
See "Comisión de la Verdad" (Truth Commission) in the Mexico agreements of 27 April 1991. The working paper on the Armed Forces sets forth the connection between the subject and that Commission.

This question has also reached an advanced stage, on the basis of an additional document prepared by the intermediary.

In view of the complexity of the task and the time required to carry it out, the process of organizing the new National Civil Police needs to begin immediately, i.e. without awaiting other political agreements or the cessation of the armed confrontation.

This question has also reached an advanced stage, on the basis of an additional document prepared by the intermediary.

APPENDIX B

Democratic History of El Salvador

1524 - Spanish adventurer Pedro de Alvarado conquers El Salvador.

1540 - Indigenous resistance finally crushed and El Salvador becomes a Spanish colony.

1821 - El Salvador gains independence from Spain. Conflict ensues over territory's incorporation into Mexican empire under Creole general Agustin de Iturbide.

1823 - El Salvador becomes part of the United Provinces of Central America, which also includes Costa Rica, Guatemala, Honduras and Nicaragua.

Independence

1840 - El Salvador becomes fully independent following the dissolution of the United Provinces of Central America.

1859-63 - President Gerardo Barrios introduces coffee growing.

1932 - Some 30,000 people are killed during the suppression of a peasant uprising led by Agustin Farabundo Martí.

Civil War

1961 - Right-wing National Conciliation Party (PCN) comes to power after a military coup.

1969 - El Salvador attacks and fights a brief war with Honduras following the eviction of thousands of Salvadoran illegal immigrants from Honduras.

1977 - Guerrilla activities by the left-wing Farabundo Martí National Liberation Front (FMLN) intensify amid reports of increased human rights violations by government troops and death squads; General Carlos Romero elected president.

1979-81 - Around 30,000 people are killed by army-backed right-wing death squads.

1979 - General Romero ousted in coup by reformist officers who install a military-civilian junta, but this fails to curb army-backed political violence.

1980 - Archbishop of San Salvador and human rights campaigner Oscar Romero assassinated; Jose Napoleon Duarte becomes first civilian president since 1931.

1981 - France and Mexico recognize the FMLN as legitimate political force; US continues to assist El Salvador’s government whose army continues to back right-wing death squads.
1982 - Extreme right-wing National Republican Alliance (Arena) wins parliamentary elections marked by violence.

1984 - Duarte wins presidential election.

1986 - Duarte begins quest for negotiated settlement with FMLN.

1989 - FMLN attacks intensify; another Arena candidate, Alfredo Cristiani, voted president in elections widely believed to have been rigged.

Peace and Accords

1991 - FMLN recognized as political party; government and FMLN sign UN-sponsored peace accord.

1993 - Government declares amnesty for those implicated by UN-sponsored commission in human rights atrocities.

1994 - Arena candidate Armando Calderón Sol elected president.

1997 - FMLN makes progress in parliamentary elections; leftist Hector Silva elected mayor of San Salvador.

1999 - Arena candidate Francisco Flores beats former guerrilla Facundo Guardado in presidential election.

2001 - January, February - Massive earthquakes kill 1,200 people and render another one million homeless.

2002 - July - US court holds two retired, US-based Salvadoran army generals responsible for civil war atrocities, orders them to compensate victims who brought case.

2003 - August - 360 Salvadoran troops dispatched to Iraq.

2003 - December - El Salvador - along with Honduras, Nicaragua, Guatemala - agrees on a free-trade agreement with the US. The government ratifies the pact in December 2004.

2004 - March - Arena candidate Tony Saca wins presidential elections.

2005 - March - OAS human rights court votes to re-open an investigation into the 1981 massacre of hundreds of peasant farmers in the village of El Mozote, regarded as one of the worst atrocities of the civil war.

2005 - October - Thousands flee as the Ilamatepec volcano, also known as Santa Ana, erupts. Days later scores of people are killed as Tropical Storm Stan sweeps through.

2006 - March - El Salvador is the first Central American country to implement a regional free trade agreement with the US.
2006 April - El Salvador and neighboring Honduras inaugurate their newly-defined border. The countries fought over the disputed frontier in 1969.

2007 January - 21 inmates are killed in a riot at a maximum-security prison west of the capital.

2007 February - Three members of the governing Arena party are murdered in Guatemala. There are suspicions that an organized crime syndicate is behind the killings.

2008 January - More than 400 judges hold a street protest over corruption allegations made against four of their colleagues.

2009 January - Former FMLN rebel movement emerges as largest party in parliamentary elections, although short of a majority. Seen as preparation for presidential election in March.

2009 February - Ruling party Arena wins largest number of places in local elections despite polls favoring the opposition FMLN.

2009 March - Mauricio Funes of the FMLN party wins presidential elections, marking the first time in two decades that a leftist president has been voted in.

2009 June - Mauricio Funes sworn in as president
APPENDIX C

Brief Biography of Interviewee One

Interviewee number one was born in the department of Santa Ana, city of Santa Ana, El Salvador, on October 4, 1943 (http://www.artepoetica.net/Biografia_David_Escobar_Galindo.pdf). He spent his infancy living in both the city and countryside. His infancy was mainly spent in the northern city of Apopa, just fifteen miles north of the capital, San Salvador. While in the countryside, interviewee one spent his early years in the department of Chalatenango. He studied his primary and secondary at Colegio García Flamenco (http://comisioncivicademocratica.org/hojaintelectual.aspx). From 1961 to 1968 interviewee one attended the National University of El Salvador where he earned his Doctorate of Social Sciences and Jurisprudence (http://www.mcnbiografias.com/app-bio/do/show?key=escobar-galindo-david).

In the 1960’s and 1970’s, there were poems and stories talking about a potential guerrilla movement in El Salvador. Several poets came out with writings supporting the guerrilla movement. Despite the voices of the left, there was a poet emerging with right wing views (http://comisioncivicademocratica.org/hojaintelectual.aspx). At times this poet was considered the right’s principal intellectual academic. This poet is interviewee one who today still contributes to El Salvador’s literature and poetry.

Interviewee one writes for the local newspapers, both La Prensa Gráfica and El Diario de Hoy, something he still does today. In some of these columns he talked about being part of the dialogue commission. He also discusses how he helped the Salvadorean
government come to peace talks with the FMLN (http://comisioncivicademocratica.org/hojaintelectual.aspx). Although he never participated directly in politics during the civil war, but as a man of peace, he was an important figure in the signing of the peace accords (http://www.mcnbiografias.com/app-bio/do/show?key=escobar-galindo-david). Interviewee one has at times participated, at the invitation of former presidents, to participate in foreign missions in which his knowledge, expertise, and negotiations know how is highly respected (http://comisioncivicademocratica.org/hojaintelectual.aspx). He took part in foreign missions during the first ARENA administration. From the beginning of the peace talks to the signing of them, interviewee one was present negotiating on behalf of the government.

Interview with Interviewee one

On Friday December 18, 2009 at 11:00am I met with interviewee one at his office. A week before, I called his office requesting an interview with him because he was one of the signatories of the peace accords. I was advised by his receptionist to give him a few days for him to confirm the interview. Two days later I called interviewee one’s office asking whether my interview would be granted. I was told that my interview would take place at 11:00am on the 18th of December. I was asked to arrive at 11:00am at the rectory of the university. When I arrived at interviewee one’s rectory, I was immediately taken into his office. I waited inside the office for approximately two minutes before interviewee one entered his office. Once interviewee one entered his office, we exchanged pleasantries.

Soon after introducing ourselves we began with the interview. I explained to interviewee one what my research was all about. I explained the topic, methodology, number
of questions to be asked, and the questions to be asked were then read to interviewee one. As I began the interview, interviewee one seemed very enthused about the topic and being interviewed. During the interview, as interviewee one answered each question, his answers were very eloquently elaborated. Never did interviewee one hesitate to answer any of the questions asked. All questions posed were promptly answered without hesitation. To my surprise, nothing negative was ever said about the way in which the negotiations took place with the opposing party. According to interviewee one, all parties involved in the negotiations treated each other with respect and never was foul language ever addressed to each other. The entire interview lasted approximately two hours.

The reasons why this particular interviewee was chosen are several. First of all, several of the government representatives during the peace accord negotiations have already passed away. Second, there were several military personnel involved with the peace accord negotiations that are no longer living in the country. Of those that are still living in El Salvador, some were no where to be found. Those that were located did not wish to be interviewed. Third, of those that were willing to grant me an interview only one agreed to talk to me. Fortunately for me, this same individual took part in the negotiations from its inception. Interviewee one stated that he participated in the peace talks from the very beginning of the process. He participated in several advisory committees, foreign missions, and special envoy to the first ARENA administration, in power from June 1989 to June 1994. He also served as advisor to the Calderon Sol Administration from 1994 to 1999.
APPENDIX D

Brief Biography of Interviewee Two

Interviewee two was born to a middle-class family on November 14, 1952 (Diaz, 1992). This interviewee started her struggle for social justice at the age of 13 by taking part in pastoral and literacy campaigns (Phillips, 1997). On her trips to the countryside teaching illiterate peasants to read and write, she became conscious of social injustices and exploitation of her own people. At the early age of 18, she became active in the political struggle. Four years later, at age 22, she was part of the leadership of the Salvadoran revolutionary movement (Diaz, 1992). Interviewee two joined the political student’s movement of the National University of El Salvador in July 1970. According to this interviewee, it was from 1970 to 1972 that guerrilla cells began to form (Diaz, 1992; Phillips, 1997). In October of 1971, interviewee two became a founding member of the Revolutionary People’s Army (ERP) (Diaz, 1992). Upon founding this guerrilla force, interviewee two received political and military training through lectures, discussions, and by direct experience (Bracamonte, Moroni, & Spencer, 1995; Phillips, 1997). From 1971 to 1979, several guerrilla movements were launching guerrilla offensives while at the same time negotiating a coalition amongst the emerging rebel groups (Diaz, 1992).

Interviewee two was one of the original members of the former guerrilla group which contributed to obtaining legitimacy for the FMLN. In 1984, she was the only female chosen as the rebel group representative to partake in the peace accords negotiations with the
Salvadorean government (Phillips, 1997). These preliminary negotiations did not result in a peace accord; however it did cement her position as a chief negotiator. After her capture and subsequent release, while exiled she was active in generating international support for the organization (Diaz, 1992). Prior to the final FMLN offensive in November 1989, she later returned and took part in the final peace agreement between the FMLN and the government.

Interviewee two was one of the signatories to the Salvadorean peace accords. She assisted in developing a plan for the restoration of human rights, establishing a democratic electoral system, restructuring the national civilian police, promote agrarian reform, and integrate former FMLN guerrillas into society (Phillips, 1997). As chief negotiator, she is one of the few remaining signatories to the accords alive. Furthermore, she is one of the few negotiators that stayed on the FMLN negotiating committee from the initiations of the peace accords to the final signing ceremony in Chapultepec, Mexico on January 16, 1992.

Interview with Interviewee two

While I was making arrangements for the interview with one of the representatives of the government during the negotiations, I was also seeking to interview with one of the representatives of the opposition. Prior to arriving in El Salvador in December 2009, I had made several calls to the vice president’s office in El Salvador. I indicated to the receptionist what I was researching and my reasons for wanting to interview the vice president. I was told that I needed to arrive in El Salvador and be there present before requesting an interview with the vice president because his schedule could not be accommodated to fit my time. I was told that I would need to accommodate my schedule to his limited time. I asked the receptionist whether I was guaranteed an interview with the Vice President once in El Salvador. The answer was that there was no guarantee of an interview but that it would be much easier for me to possibly be granted an interview with the Vice President since I would be in the
country and I could be reached in case the Vice President happened to have some time available for a brief interview.

Once I arrived in El Salvador, I made another call to the office of the Vice President asking for an interview with him. I was asked my name and number where I could be reached. I provided it as requested. Several days passed and I still had not received a call from the Vice President’s office. I called again and asked about a possible meeting with him. I was told that he would be reminded of my request to meet with him for an interview once again. I waited for several days again and did not receive a call. Realizing that I would not be called as told, I decided to call once again and find out whether I would be granted an interview. The receptionist indicated that with the end of the year nearing, the Vice President was very busy and would probably not be able to grant me an interview before the end of the year. I advised the receptionist that I had a limited time in which to conduct my interviews and wanted to interview the Vice President specifically because he had been one of the signatories of the peace accords from start to finish. Knowing this, the receptionist recommended I talk to interviewee two as she was another one of the peace accords signatories from start to finish. I was advised as to where and how to reach her and to indicate to her that I was sent to her from the Vice President’s office.

It was two weeks before the end of the year when I called interviewee two’s office. I called and told the receptionist the reason for my call. The receptionist advised me that I needed to call the week after the new year because interviewee two was on vacation and would not be back until the first week of January 2010. So I waited for the week to pass and called again. This time I was told that interviewee two would grant me an audience at her office at 9:00am on January 8th. I arrived at her office promptly before 9:00am. I was told to wait for her arrival while sitting in the lobby area. Interviewee two arrived after 9:00am to her office. As interviewee two arrived to her office, she walked by me and told me that she
would be with me in a minute. I waited for several minutes and soon was asked to walk into her office. As I walked in her office we exchanged pleasantries, I explained to her my research project, read her the questions, and asked if she had any questions.

Interviewee two apologized for not being able to grant me the interview at that time and asked me to meet her at her house the following day as she was preparing for some meeting that Friday morning. I was asked to meet her at her house on Saturday the 9th of January 2010 at 9:00am. I agreed to her meet at her home the following morning. On Saturday morning I took a taxi to interviewee two’s house. I arrived a little past 9am due to being lost looking for the house. As soon I arrived close to the area in which the house was located I called interviewee two and told the body guard that I was looking for the house. He told me directions of where exactly the house was located. I was not very far from where the taxi driver suspected the house to be. The body guard came out of the house and waved at us telling us where the house we were looking was. The taxi driver drove me to the front of the house and let me out.

As I got out of the taxi, I told the body guard who I was and that I had a 9:00am appointment with interviewee two. The bodyguard asked me to come in to the house and have a seat while interviewee two arrived. I waited for about four minutes and then interviewee two came out to the living room to greet me. When interviewee two came to the living room she asked me where I wanted to sit for the interview. She gave me the option to sit in the comfort of her garden or her dining room. I told her that it did not matter as long as she felt comfortable. We decided to talk in the dining room. Soon thereafter, interviewee two asked me whether I would join her for breakfast, I agreed to do so. She asked her maid to serve me coffee, sweet bread, and some hot cereal with cookies.

While eating our breakfast our interview got under way. I explained to interviewee two that I had five questions to ask of her. I began by asking her question number one and
allowed to elaborate as much as she wanted to. Answers to each question lasted for approximately twenty five to thirty minutes. Each answer was very detailed as far as what took place at the negotiating table. The interview began around 9:30am and went well into 12:00pm. It lasted for approximately two and one half hours. Throughout the interview, I observed no hesitation to answer any of the questions asked of the interviewee.

Interviewee two was very motivated and at times even joked about how the other negotiating side reacted toward their demands. I felt that this, like interviewee one, was very genuine with her answers. She really wanted to expose the developments of the negotiations. This interview was one that could not have been more detailed than provided by the interviewee herself.
APPENDIX E

2009 18 December

Interview with Dr. David Escobar Galindo, Rector of the University Jose Matías Delgado.
Interview took place in Dr. Escobar’s office at 11:00am.

Recorded interview follows:

Hugo:

The topic of my dissertation concerns the peace accord negotiations. How the peace accords took place and how the negotiations affected the accord’s implementation. I have six questions to ask of you.

One of the questions asks, “What were the concerns/issues/themes that were of importance for both parties, the government and the FMLN, that were not discussed?”

Dr. Escobar:

Look, that were not discussed? Look, when we started the process on the 13th of September of 1989, well, I believe that neither of both parties had an absolute clarity about how the process would develop, as it is natural, true? The FMLN, in the first meeting, presented their issues. Themes/issues true? Such issues were about human rights, some changes in the political system, and its reinsertion in national life. We restated it in the first meeting, that prior to talking about any issues, we needed to accord the process because that was the only manner in which the process could move forward. In the prior phase of 1989, some meetings had taken place that were very, very, very brief here in El Salvador, in 1984, 1986, and 1987. But we could not move forward because there was no framework from which to proceed. Then, at the beginning, we achieved that, that, that the parties, well, agree or could understand each other and create basic proceeding norms. Although we responded, the government’s delegation responded with a proposal presenting its own certain issues because the FMLN had presented its own. But truly, the idea was to enter into a much ordered dynamic; one where one could see an end to it. That was accomplished after the offensive of November 1989. When the process was revisited, on about the beginning of the year 1990 and in May of 1990 in Venezuela the agenda of the negotiations was agreed upon. One in which appeared themes such as human rights, the armed forces, such as the form in which to treat certain institutional themes. One theme which was social/economic, better said in general, and from that agenda we started to work that ended in the year of 1992 with the peace accords. Some things, some things changed throughout the way. For example, the FMLN in a certain moment presented the disappearance of the armed forces. I do not believe
that they presented it with a criterion of accomplishing this. Instead they wanted to see how far they could manage the situation. The logic of negotiations which is the logic of doubt, of course, is always a species of struggles. But, to say, I believe that both parties started reasoning, let us call it that, here the most important thing was to create an accord that, that could be carried out. It was not an accord of intentions, instead an accord of concrete understandings that could be accomplished and verifiable. I believe at the end this was accomplished. It was not a process that was foreseen because in these matters one cannot foresee the results even though one could, let us say, make appreciations of long range about how things are being utilised. It is the same process that gives the guidelines. That is why we arrived at the 1992 accords.

Hugo:

It was a three year process?

Dr. Escobar:

It was a process of two years, a little under two years and one half because it was between the 13th of September of 1989 and the 16th of January of 1992. Although the calendar was finished the 14th of January, two days before was when we finished the calendar. It was necessary to put a calendar to this. One of the most important things about this accord was achieving a schedule of each compromise. Give each compromise a date. Additionally, there was an entity, that was very important, there was an entity verifier that was the UN. It had an office here in the country. That was also important. The calendar and the verifications, and thirdly, was the UN, fundamental factors for the, for the, not only to achieve the accords, but to give real validity to the accords once the accords were arrived at.

Question 2.

Hugo:

These issues/concerns/themes that were unmentioned when both parties were negotiating, do they need to be addressed today?

Dr. Escobar:

Yes because look, the idea was this, that was also generating itself throughout the way, and I believe that it was quite useful having arrived at the conclusion that was not crystallised in any type of accord which in the end was the one that defined the result. There are things that can be solved at the table and other things cannot, true? We were coming from a war of long duration in which, let us say that, the detonator was the political system. The political system that did not function as it was; though there were other deeper causes, like social order, social
economic, but the detonator of the armed conflict came about from a political nature. So the first thing that needed to be resolved was the functionality of the political system and the accords concentrated basically on this point. I believe that it was very favourable for the results and for, for the results of that instance and for the posterior results. In the accords, it was not about resolving all the country’s problems because that cannot be solved in accords or on the table. That needs to be part of the democratic process. They are issues that need to be treated and solved in the course of the facts/deeds. In that instance, it was about how to establish a political system that could functional and sustainable. And for that, it was necessary two basic things on that zone in which the accords were concentrated. In the first place, it was necessary to eliminate a historical distortion which was that the armed forces had converted itself into the boss of the political system. That is not natural. The armed forces do not have the role of being the boss of the political system. It has its institutional role. This distortion needed to be overcome. And from another side, the left in El Salvador had never had a legal recognition as a political subject; at least not from a clear and explicit form. So we had to have the left have its political representation that it must have in a competitive political system just like the right. So to do that, we had to convert the FMLN from an armed force to a political party, a political subject. So, I believe we were able to achieve this with the peace accords. The armed forces passed into its institutional role, that is to say that it was allowed to keep its, its role of being, let us say, the country’s legal armed entity with its constitutional functions without politics. The FMLN passed from being an armed force, which is not natural in a political group, to converting into a political party. That is, each one, from the roots of the peace accords, assumed the nature of its role that truly corresponded to each. The political system, from that point forward, could start to function in a normal manner and start to perfect itself with time. Without this it was impossible to do so.

Hugo:

You state that the armed forces had to move into an institutional role. In that case, prior to the peace accord, in the 80’s what role did they have?

Dr. Escobar:

They had the management position of the political system. They administrated the political system not only in the 80’s, they had been doing so from the 30’s. That is to say the military management position of militarism. Be it as it may, all presidents were militaries. That is not natural. That is to say that there was a certain appearance of a democratic game, but that was not real. That is not normal. The left, on the other hand, was a force in the shadow, true? that derived from an armed group, this is also not natural. These two things had to be solved in order for the system to truly function. All the other problems are from another nature. Those were solved on the way, when the political system begins to function, well, that is when we start treating other problems of order, socioeconomic of distinct manners, distinct times however it was possible according to the development of the process. That is what we have seen as well.
Hugo:

The third question Dr. Escobar, would be, what are the reasons why these topics/themes/concerns were not discussed at that time? Was it because everyone knew it was not the right time to discuss them but existed or because they did not exist?

Dr. Escobar:

Of course they existed and evidently they were part of, let us say, the deep problematic of society. But the point of the table of negotiation to solve the war was not the appropriate space to solve those types of problems which are of a different nature. The problems are of economic nature, of sociocultural nature, these cannot be solved at a table. I recall that when we were talking about these themes, for certain, it was not difficult to agree to not discuss them at the table. The economic theme, the economic model at a table, what model agrees to be put into practice at a table? The Marxist-Leninist model? The Liberal model? The social-democrat model? The Christian democrat model? So, this is not appropriate at the table. Reality needs to define this. And when these types of negotiations are made, those accords are generally never achieved because it is impossible to achieve them. Look at the Guatemalan peace accords, why have they not been achieved? They have not been achieved because they started negotiating themes of this very nature. And accords like these naturally cannot be met like this. It is life that demands and the one putting the possibilities of solving and treating those problems over the base that should be a political system that functions. One in which makes it possible to present all options and that society with time decide what is moving forward and what is not. So I believe that it was in that prevailing logic very pragmatic from both parties without having to be agreed upon. This was never agreed upon explicitly but this is the way it resulted. For this reason the peace accords were achieved. There was a chapter that was economic and social or other things that were not relevant. The most relevant was the political part. Additionally, on the table, the parties have, necessarily, to subject themselves, unavoidably, to what reality dictates; things that do not occur in a victory. The ones who defeats in a war applies its own laws. This has occurred in all wars, national and international. But when there is no victory no one can apply its own laws. This is a great advantage.

Hugo:

So, in these peace accords, there were no winners but can it be said that there was victory for both parties?

Dr. Escobar:

Better said, there were responsibilities for both parties. That is to say that both parties came out recognised in their roles which corresponded to each. Of course it was not a role that each liked. Nobody goes to war to end up at a table; all go to war to end up in a parade. A victory parade. And one sees that. At this point in time, I am asked, what resulted from the Second Great War? Really I do not know because I only know the winners’ version. That is the only one. That is how all the wars are. But here since there was no military victory for
either side, which would have been disastrous for both cases, here each part came out with a responsibility. The armed forces, in the case for the military side, with the responsibility of converting itself into an institutional entity. The FMLN is a political party. Now, the management of the economy, the management of society, that is what today, since then, has been the responsibility of ours to do. Now, the political actors get it right or make mistakes and society has the possibility of correcting things. That is life. That is part of the process. This cannot be part of an accord, that is part of a process.

Hugo:

Fourth question: Even though there were only two parties in the negotiations, were there other influences in the negotiations such as UN, USA, military institutions? Did these organisations influence any in the peace negotiations?

Dr. Escobar:

Well look, a process such as this one could not be unconnected from many influences and to may pressures from different kinds. But we had various advantages that were determinants. To begin with, in 1989 George Bush father took over the presidency of the USA. This changed the attitude to a political solution from the one Ronald Reagan had. This was a very important element. On the other side, throughout the year of 1989 communism was practically crumbling down in Europe. That is, the USSR was not the same that was in the previous years. This generated a possibility that previously did not exist. The theme of the Salvadorean war needed to come out of the agenda of both super powers. This was very important. In third place, after 10 years of war, it became evident that a military solution was not in the real possibilities because 10 years later it was very difficult to think of this.

In Central America, Sandinismo of that epoch started to suffer breakdowns and in the year of 1990 February lost the elections. That is to say, all these factors and the 1989 offensive left both parties weak militarily. So if you add up all these factors, it was as if everything was favouring, let us say, a possible political solution from the nature of the corresponding to the nature of the conflict. That is say, in the solution, in the formula of the solution of the conflict; really, there was no determinant influence from no one. Nothing could be done. Everyone pushed the solution emanating from the negotiations, even the USA.

Hugo:

So the USA did not have its own people telling President Cristiani “we want…

Dr. Escobard:

There were some things to which President Cristiani did not listen to.

Hugo:

Yes?
Dr. Escobar:

Yes. Yes, yes, yes. Additionally, I believe they were more concerned with what was happening in the world where bipolarity was coming to an end. So the Salvadorean theme no longer was a first line theme. But they no, what they did was to accompany the process by observing what was going on but that they said “look, add this or take this out” no. Sincerely this was not so. I believe that the same thing happened with the FMLN. The link of the FMLN with the great Socialist powers did not exist either. They had a very close relationship with Cuba, but Cuba also started having many problems at that time. Everything appeared meant for a national solution as it resulted in the end. That is why it was able to function, this was nobody’s solution, it was nobody’s solution. In the end, everyone supported the negotiated exit. Look, during the war, the government as well as the FMLN had their own supporters. As the negotiations were advancing, the support each had, converted into support for the political solution. No for one part or the other. That’s was also important. The UN acted with equilibrium as well. This was very important because the world was, at that time, changing. Even the security council was in a different position. So all of this was very favourable for both parties. They allowed us to act with another important advantage as well. That even though Communism had fallen in Europe, the FMLN did not debilitate itself because they had a relationship with Cuba, Nicaragua, they a lot of internal strength. They did not debilitate with the fall of Communism. This was a big possible danger for them because with a weak counterpart one cannot achieve anything. They did not debilitate.

Hugo:

Where did they get their ability to finance their part of the war?

Dr. Escobar:

They had a network supporting them. Perhaps the greatest amount of support came from the USA. From the people in the USA. They had their own network of supporters from USA and Europe that was very strong. So that is why they continued to be strong. What happened was that in those years, in 1989, 1990, to maintain a war was less realistic for both parties. So they had to accept that that had to end in a political solution, both parties, and that is why it was accomplished. The political solution in terrible situations is only possible when those at war realise, though they may not admit it because those things are never said, that it is convenient to end the war politically rather than maintain it militarily. That is the thing. This is an exemplary case, it is an exemplary case. Additionally, it has functioned. In other parties there have been accords, but have partially functioned. Here it has functioned.

Hugo:

Fifth question. How did the negotiations affect the accords’ implementation?

I believe, I believe that the negotiations favoured the implementation. In the first place, they were very concrete accords. They were not generalisations. In the second place, I reiterate, the accords were placed on a schedule. We came up with a calendar in January 1992 over at the UN which was a very precise calendar. Then we had to reschedule other things because
in reality there are things that cannot be achieved exactly on the same day. However, we rescheduled them the same manner. Instead of saying that it should be the 30th of April, we decided it should be the 30th of July. That is to say that nothing was left open. Nothing was left open really. Some things that were not achieved, the social economic theme overall, it remained clear that it was not achieved. And since none of the two parties proposed it, it it remained there. However, all institutional parties were indeed achieved. All of them were achieved because they were scheduled and at the same time they were verified. And I believe that was very important. The verification mechanism, by a third party, not allow the parties an option to comply if they can be complied. There is a third party that if I do not comply may demand from me and tell me that I have not complied. Since the UN was the third party, immediately every country would know about it. So there was no way to escape. Those two factors were fundamental for complying with the peace accords. Now in the political parties, where there is value judgement, because logically this is what politics is all about. One may say this was not complied with and the other says everything was complied with, are no longer value judgements. But that the fundamental issues of the peace accords were complied with is indisputable. The basics, the structural of the peace accords is unquestionable.

Hugo:

Were there issues/themes discussed at the negotiating table that both parties know have yet to be resolved?

Dr. Escobar:

Yes. What happens today is that both parties, once the negotiations were terminated and reached the peace accords moved on to another role. That is to say, at that moment in the government, the government of Alfredo Cristiani, concluded and other governments followed and the FMLN converted into a political party. So now, they as political subjects, all of them true?, have the responsibility of continuing to move forward. From the point from which everything started, start doing what each accorded within the democratic dynamic. The best proof that it did function, at least from the political part, is the fact that the current government is in the hands of the FMLN. That is the best proof. Which is also an original thing because in a country where a guerrilla group converted into a true competitive party.

Hugo:

What would the FMLN say regarding this same question, about topics/themes/issues that have yet to be resolved?

Dr. Escobar:

Well, it is possible, look, like I said, they had ideas just like their counterparties had. They presented some issues from the beginning, overall regarding the socioeconomic area. Later they did not cling to that. They concluded that the peace accords had some type of limit. And both pats easily came, later, to the conclusion of how the basic contents of the accords needed to be. The FMLN, throughout all these years, in which they were not in power of
course they have questioned. This is something natural. During less than twenty years have been the opposition party and the oppositional party always questions. This is natural. I do not know what they would say today now that they are in power, things have changed, correct? But let us say that the basic part, I believe, all are fundamentally in accord with different forms saying it that what was accorded has been achieved. Now, there is an agenda of the country that is always watching. It is the agenda of modernisation, the agenda of the people and opportunities for them, the agenda of the most equitable possible development, all of this pending. All of this has been exercised, continues to be so, and will continue to be so in order for these types of problems get resolved. This is all part of life. The base for all of this be possible is in a government of peace. Additionally, in the peace accords, I believe, it had messages that did not appear explicitly but were fundamental. The first one was that violence could not be the solution. The last phase of social division is war. Once the war cannot be converted into nobody’s victory, what is left is to say, “Sirs, violence is not the form. We must enter into a phase of peaceful dynamics that can be very intense and critical, but dynamic and peaceful. I believe we have been in these and continue to be in them. So this explicit message, I believe, is very important. To repeat the scheme cannot be because it has been demonstrated that this does not conduce to the desired end for which they want to exercise violence like a mechanism to a solution, even if it is a mechanism favouring them. This does not function. I believe there is an explicit lesson that has been left very much alive. Today it is most evident because today we have had an alternation of the forces of a rightist political party to a leftist political party and nothing has happened.

Hugo:

Thank you very much Dr. Escobar for your time.

Dr. Escobar:

Enchanted.
APPENDIX F

2010 9 January

Interview with Deputy Nidia Diaz, Deputy for Central American Parliament

Hugo:

The first question, Deputy, is the following: What were the themes of importance for both parties that were discussed?

Deputy Diaz:

Well practically, the agenda we agreed to develop, at least the negotiations covered almost all aspects. It took us a whole week to define this agenda. It was in May of 1990 in Caracas, Venezuela. It was easy for us because Venezuela formed part of the Group of Friends of the negotiations. Colombia, Mexico, and Spain also formed part of the Group of Friends of the negotiations, true? At the end of trimester of 1991, the USA became part of the group as well. Even states that did not form part of the Group of Friends but collaborated such as Costa Rica offered us territory on which we could carry out our negotiations. Under an already formed framework, of how the negotiations would be negotiated, the objectives were four: Overcome the armed conflict with a political solution, initiate a process of democratisation with the accords that were worked out because we recognised that there was a dictatorship. Both parties agreed that there was a dictatorship. In order for the governmental part to accept the initiation of the accords a process of democratisation, was not easy of course. It was a question of correlation. And the other objective was to put into effect and validate the office for the protection of human rights in El Salvador. The final objective was national reconciliation.

By logic, if you democratise a country and respect human rights, society reconciles. Now all of the accords we made were going to be worked toward this. What we had to overcome was the dictatorship because the military was dictating, true? Therefore, the concept of democracy was comprehensive for us; justice, free elections, sovereignty, respect for human rights. So all of this was practically incorporated in the framework, true? Being important objectives, we discussed the amount of phases and how the negotiations would take place. We discussed three phases. The phase of making political accords, then, those minimum political accords agreed upon would continue developing in the following phase. The third phase was to continue, in depth, the themes, and involve the demobilisation and demilitarisation of the country in a schedule till the end of the war. Another thing was that we were all equal in this. No one part had advantage over the other. We both had equal value. The fact that the government was government had more power over us. We also agreed that we would consult with sectors of society, true? In the peace accords, you can see the framework of the negotiations we worked out. If we wanted an intermediary to the peace accords between both parties we had the UN. This was different in
the fact that prior to the UN’s involvement, the Catholic Church was the one intermediating. The Catholic Church was the mediator from the beginning of our dialogues, in 1984, 1987, and the first part of 1989 with our first dialogues with President Cristiani. However, after the 1989 offensive, the format of the negotiations changed. To begin with, we started to negotiate. Prior meetings were merely dialogues. This is when the UN became involved. This happened in New York, in April, when we established the format in which the negotiations would take place.

Hugo:
What year did this take place?

Deputy Diaz:

In 1990. In May of 1990, we again reunited to discuss the agenda. Remember that our prior meetings we discussed the framework only. In order to democratise the country what do we have to in order to have democracy? This is what we asked ourselves. So the first theme we discussed was the armed forces. The second theme was human rights. The third theme was the constitution. Another theme was justice, human rights and justice. Electoral theme. Social and economic theme. Of course the theme of demobilisation and demilitarisation was also discussed. We established a schedule. We wanted to know how we could place each theme we defined in each phase. So we decided that in the first phase that we should discuss in depth the issues. And before a cease fire, which would be under the second phase, we would have an accord that would permit us to secure that it is worth a cease fire. This is because we had already started to take the peace accords that would start eradicating the causes that originated the war. This is how, with this agenda, the negotiations started when the negotiations lasted for two years.

Hugo:

From 1990 to 1992 until the peace accords were signed correct?

Deputy Diaz:

From May 1990, April 1990, when he framework was established, its objectives, everything, in New York, in Geneva, till the accords were signed in Chapultepec. We always talk that the negotiations lasted two years because, for us, it started since the offensive began in 1989 true? The negotiations, with the factor of power that represented Cristiani, the government started in June/July only to discuss the theme of the armed forces. But it only focused on the militarisation of El Salvador. It was a very strong debate because they never wanted the FMLN to touch upon this theme. And they wanted to reform themselves. Then, when we had episodes where we did not advance, we said let us talk about another theme, that of human rights. The UN played a very important role as mediator. It was not an intermediary, but mediator. The UN proposed all of the accords which both parties had agreed upon. After approval of the human rights issue which also implied the creation of the office for the protection of human rights was placed in the freezer. On the month of July we signed that accord in San Jose, Costa Rica. This accord implied that starting the following year, 1991, an office for the protection of human rights by the UN would be established here in El Salvador. That is why the first mission established here in 1991 July was the human rights one. But at that moment, in July 1990, it was placed in the freezer. We decided that we would start implementing this accord in one year.
The other theme, the following meeting, in August, the FMLN presented a proposal. The proposal was a reform of the armed forces. We proposed the disappearance of government armed forces and guerrilla forces as well. This would be like Switzerland or Costa Rica. Oh no that was such a great debate. We were ready with that debate. I recall that in 1990 June, in Mexico, that debate of demilitarisation was hot, and Cristiani (Salvadorean President at the time) said that while the republic lives the armed forces lives as well because the victorious armed forces defeated the Communist horde of 1932. Schafick (Handal leader of the FMLN) told him, “Look at the hordes of Communists you claim you defeated, we are seating right here in front of you”. All of those debates were like this, terrible. This happened in 1990 June. Now, when we made the formal written proposal regarding the disappearance of both forces, in August of 1990 that was such a bomb. In 1990 September, the government presented its own proposal. And we, I recall that on that same month we too had the socioeconomic proposal to present them. It was an impasse we had then. We wanted to continue agrarian reform, various things.

We rejected their proposal of 1990 September which was cosmetic. So we had a deadlock there, true? We decided that we would form a small committee that would work along side the UN with the proposal. Just like the UN had helped with the human rights theme. So the UN worked on this theme and in October 1990, at the end of October it presented this theme, the proposal. It took elements from our proposal and the government’s as well. The UN’s proposal was the complete disappearance of the armed forces which the government rejected at the end of October beginnings of November. So the FMLN, in November, organised a large campaign all over the country. The aim was to affect all the government’s barracks. The campaign was named “Armed Forces: Democratise”. This was done in order to pressure the government to accept the UN’s proposal.

In 1990 December, the government accepted the UN’s proposal as a base for discussion. So in January of 1991 we started to negotiate. However, we had yet to move on to the following point that being constitutional reform because in 1991 30 April, the Legislative Assembly’s period would conclude. The process to reform the constitution in El Salvador, according to the 1983 constitution, requires two consecutive assemblies; one that approves the reforms with 43 votes and the other that ratifies the reforms with 56 votes. There are two assemblies. So we had to hurry before the deputies of the legislative period expired in 1991 30 April so that they would approve the reform in order for the following assembly beginning in 1991 May 1, before we signed the peace accords, could ratify it. All of the accords we presented, such as the military, public security, national defence, human rights, justice, everything, had to have within our framework constitutional standing.

All of the debate we had regarding the armed forces was suspended for a while. We talked about other themes because constitutional reforms that cannot be reformed once approved. It had to have all of its substance. So the procedure was to get the political parties involved because they are the ones that vote in the assembly. Therefore we created the multiparty table. In Mexico all the parties got together. Both parties would agree about what we wanted to reform in the constitution and then we would sell to each political party not part of the negotiations.

When we reached the theme of the armed forces, we separated the armed forces with the national civilian police. The armed forces would be responsible for national defence whilst public security would be overseen by the national civilian police. Prior to this all public security depended from the armed forces. All of this was changed, but there was a point in the constitution that we wanted to remove, that being the permanent armed forces. This was an institution of permanent character. We wanted to remove this; it was such a terrible debate. So they would reiterate, “Whilst the republic lives, the armed forces shall live as well.” From here is where we made the our famous reserve, that the FMLN would reserve
its right to continue fighting for its reinvindication and the disappearance of the armed forces. This reservation we took out in 2003, true, at the UN when Schafick (Handal) was presidential candidate and we allied with certain sectors of the armed forces, like Munguía Payes who is now Minister of Defence. But the reserve remained there till that time. We also kept in depth talks about land limits, private property, land. It was established since 1983 that 245 hectares was the limit per person. We wanted it to be lowered to 100 hectares per person. We have not yet achieved this.

So what did we want from a theme that was not negotiated? The Treasury. We proposed that the Court of Accounts (functions to audit the Department of the Treasury [Hacienda]) be transformed into ??????? and that its president be elected by 56 votes, majority vote, and not 43. However, ARENA did not want to. This is one point in which we could not agree on because they (ARENA) had a pot of corruption.

Hugo:

Deputy Diaz, that of disappearing or getting rid of the armed forces…

Deputy Diaz:

And the guerrilla forces as well…

Hugo:

And the guerrilla forces, the objective was Costa Rica like?

Deputy Diaz:

Yes. In other words, a society demilitarised…Since we have had over 60 years of dictatorship and everything that anyone did in this country was determined by the military factor, everyone was inhibited in their liberties and rights. You know that the Salvadorean armed forces was created in its moment. It was created to defend its sovereignty then it ended up serving the interests of the Salvadorean oligarchy. Everyone that struggled for his or her rights, to have her or his human rights respected and liberties, was seen as an enemy attempting against the oligarchic power. And the US would see us as its backyard, Central American backyard. Any reinvindication, popular struggle, etcetera, they would see it as something that would put their power at risk. So what did the armed forces do? It would repress, inhibit, exercise violence, against its own people. So we wanted a society that did not have any of this. We wanted one that was based on consensus, accords. Of course the armed forces would exist but at a determined moment. Or the public security would have a role much more distinguished. All this period was very strategic because we defined many reforms we wanted. For example we created the office for the protection of human rights as a temporary entity. We defined, what little we could achieve, the Supreme Court of Justice, the magistrates would be elected instead of appointed by the Presidential House. They would come from a list of individuals capable for the position, have a career for judges. In the electoral area, we defined an electoral tribunal. The electoral documentation would be decided. The whole political reform that would guarantee the initiation of the democritisation of the country. So all of this we discussed with the political parties. So between 20-30 April, everything was approved. From this point, we had to reverse on several points, for example, limits on property. In article number 103 or 105, I do not remember well, talks about 245 hectares but according to the reform it would be reduced to 100, true?
This is such a small country, we did not achieve it. Plus, outside in the streets we did not have a peasant movement fighting for the 100 hectare person reform. So we were alone with this theme whilst on the table. During this time the popular movement was in a state of reflux.

So whilst here, we did not discuss the economic theme. We had already made a pact before 30 April. On one side, we wanted to reform article 248. Article 248 of the constitution is key because it states that the constitution cannot be modified in the political sense. It has a concept of democracy that is formal, representative by political parties. So if one wanted, for example, to have or nominate a candidate from civil society, we had to have that article modified because the same constitution states that all candidates must belong to a political party. If we wanted to install a referendum or plebiscite, which are forms of consulting the public, we had to reform article 248 stating that nothing political could be modified. This became a point of honour. We wanted to open the mechanisms and ways to form a participative democracy. Article 248 was our padlock.

The other issue we had was the one where we wanted to take away the permanent character of the armed forces. And of course, the other was economic themes. The environment. We wanted to establish environmental rights, the right to strike by state employees, the right to join a peasant union, issues that do not appear on the constitution. But the centre revolved around political reforms in order to continue the struggle and achieve other objectives in the future related to socioeconomic issues. We had to concede in order to give way to the political reform, only. Plus, we did not have the UN’s support or the group of friends. We did not have the correlation to “kill”, as we say, for the economic reform. So we kept only the political reform. But logically, the socioeconomic theme was not exhausted, it was seen as theme ready to be discussed at a later date.

Once the constitution was reformed, the negotiations continued between us. We had to reform the constitution because our negotiations had to have constitutional standing because there were many practical issues/themes, executive of course which we had to continue negotiating. So the negotiations continued and we structured the plan...the discussions continued throughout April. In 1991 April, public security was discussed. Everything about public security was discussed in Venezuela. In May we still discussed public security issues as well as of armed forces. In 1991 June, we presented the economic theme. It was a large package. This economic package questioned the philosophy of the neoliberal economic model because the philosophy that the constitution has, regarding the economy, from 101 to … is a good one. What happens is that ARENA members do not trust it. Therefore, we did not need to change anything in the constitution because it already has a just plan. As long as the government complied with this they would have done a lot for this country. As a result, what we wanted in regard to our economic proposal, the government rejected it.

In 1991 July, we suspended the negotiations. We had a great debate. We, as the FMLN, partially, strongly discussed reform or revolution. Socialism or Democracy, all of this we discussed because it is here where we had to define ourselves, if really after having elevated the rank, 100%,….If we could not achieve what we wanted, what were we going to do? Were we going to keep our reforms? All of our reforms, those that we proposed plus the ones we will make, are characterised as revolutionaries because we achieved them through blood and fire. We did not achieve them through elections or any other means. They have a revolutionary character because of this reason even though a revolution may not have taken place.

Then we said Socialism is not contradictory to Democracy. On the contrary, we said Socialism is much more democratic because there was talk about Socialism and Democracy and all of that. From this debate, we ended up discussing the phases and we could not wait to
make three phases. One single phase had been postponed since 1990 April and we were already 1991 July yet had not advanced any. So what was most convenient was to do everything in one single phase and then start a cease fire. We would have the whole package negotiated, true? We were in a situation where we could see the end of the tunnel. We could see a light at the end of the tunnel because we were sure of how far we could concede. The oligarchy was the one behind everything. The economic and political power was willing to negotiate. And they also believed that we wanted to negotiate on the table achieve all of our programmes for which we had struggled.

Then UN Secretary General, Javier Perez de Cuellar, invited us to New York in September, both parties, and had us sit in front of each other again. This is when we started to undo all the knots of threads and establish the minimum on each issue. For example, the land, what will happen? The land holdings were no longer reduced to 100 hectares per person, true? All the land where combatants were in hiding and where land was illegally confiscated would be allotted land. However, the land would not be expropriated. Instead, it would be land that has been sold by the owner willingly and sold legally. An example: the private sector, the oligarchs, they had certainty that the state would buy their lands and not expropriate it. Credits were established that the state’s credit policies would take into account the peasants’ movements’ opinions. All the combat and conflict zones existing would be entered into a national reconstruction project.

Regarding impunity, we agreed to create an ad hoc commission that would evaluate the armed forces and take those elements out that abused their powers and obstructed justice by purging the same. Along the same lines of impunity, all crimes against humanity, massacres, war crimes, etcetera, we agreed to create a truth commission. The commission’s resolutions would be applied. And so on, each thing. Regarding indemnity of former combatants, we agreed that all combatants and soldiers would be involved in a productive project. In order to verify whether they were former guerrillas or soldiers, verifications would take place in situ. In this manner we were able to at least agree on the minimum contents of each issue/theme of the accords. In 1991 October, November, and December, this time without the UN Secretary General’s presence, we started to negotiate the developments of the contents of the accords. Once these developments were agreed upon, the USA came into the picture in order to assist us in achieving the minimum. There was not going to exist Communism or a dictatorship.

At this point in time, we were well aware that the armed forces would continue but in order to have soldiers with a different doctrine and new officials, we had to create an academic council with civilians and militaries attend the university. This was not in the military doctrine requirement nor was it included in the constitutional reforms proposed. December came and we were not yet finished negotiating. We went to New York again to negotiate at the UN. We had to finish negotiating in 15 days the negotiations because on the 31 December the UN Secretary General would be a different one. Since we had already worked a framework with the current Secretary, if we did not make the 31 December deadline, the new Secretary would assume power and could make modifications if he wanted. So this would have been like starting over. Here in El Salvador, the military sector resisted purging itself and reducing its size. It was agreed in the accords’ military framework that it would be reduced to 51%. The FMLN agreed to demobilise its guerrilla forces. Then pressure started to become evident as the militaries’ women waved sings in the streets saying, ‘NO TO THE MILITARY PURGING’, ‘NO TO THE PURGING OF THE ARMED FORCES’. After two years of negotiations, the external international factors had changed. When we advanced our offensive in 1989, the Berlin Wall was falling, true? The government figured that in 1990-1991 the FMLN would be defeated at the table because the Socialist world was crumbling down. Glasnost. Perestroika. But the war here continued. The
negotiations faced a crisis from the Socialist system. The Communist Bloc came down. However, Vietnam, China, Cuba continued to exist, where there were popular class struggles. The government wanted to lift the table up of negotiations in 1991 October, November because the FMLN was a lost cause. This is when the extreme right, conservative began to…So in November, we, the FMLN, said that we will not give them any space to back up. We will not go back on what we already agreed and decided upon in September, we will stick to the minimum agreed upon. We will completely stop the war. From now on, we will not take any action such as ambushes. We will not go looking for them, we will let them be. However, we would protect the territory under our control and its people, our control zones. We would respond if the armed forces came looking for us, but we would not go after them. We did this in November, 14, 15 of November 1991. We were giving the country an opportunity to achieve peace. One of us had to start and take the first step because they, on the contrary, wanted to get up from the table. They wanted to halt all negotiations and go backwards. The government wanted to take advantage of the situations presenting themselves in the international arena. But we did not permit them to do so. The international community, the USA, and the group of friends played an important role, they pressured us to finish the negotiations. So in December 1991, at the UN, the government did not want to sign. On 27 December 1991, President Cristiani arrived at the UN to sign the accords even though he was reluctant to sign. He did not want to sing the accords but was pressured from the USA to do so. The government would have liked to walk out of the negotiations. We no longer made any military advances or ambushes, but we did have our forces intact in case we needed to go back. If we had decided to go back to war and initiate another offensive we would have done it. The government kept an eye on us and we would just say, “Hey, what’s up”? Government forces wanted to decrease our zones of control.

The economic theme they did not want to negotiate we solved it in 4 days. It was 12am 1991 31 December and we still had not finished negotiating. We were out in the hallway at the UN. We had forgotten the theme about our combatants. We had forgotten to discuss the reinsertion into society of our forces as well as the theme about education. We were able to insert these themes after the peace accords were signed. We were able to do this since we had left open this theme for future insertion. Due to this part of the accords left open, we negotiated with UNESCO. Both parties negotiated educational projects with UNESCO for our former combatants. It became 12am 1991 31 December and the clock stopped that simple. We actually stopped it to continue our negotiations. We stopped the clock for 3 more hours until everything was negotiated. Eventually we all signed the accords. On the 1992 5 January we continued our negotiations regarding scheduling of the themes in the accords. We agreed that from January to October we would both comply with the accords and the FMLN would demobilise 100% of its forces. The FMLN would demobilise in 5 phases. For each phase, the FMLN would demobilise 20% of its forces by placing their arms in a container under UN vigilance eventually incorporating themselves in civilian life, qualifying for scholarships, national civilian police, etc. Government forces would reduce themselves to 51.2%. We created two mechanisms to verify these events and monitor it, ONUSAL which was the UN and COPAZ, National Condition for Peace. They would guarantee that each side complied with their part of the accords. COPAZ was made up of all political parties plus each part to the accords. The Catholic Church and the UN were observers.

From this point forward, we had to work on all the accords we agreed upon in order to make effective the constitutional reforms. In January 1992 prior to signing the peace accords, the legislative assembly ratified with 56 votes all the reforms we had accorded in 1990 April. Additionally, prior to signing the accords, there was a law established, the national law of reconciliation. What did the national law of reconciliation say? It said that everyone, exiled
for political reasons, would be guaranteed a safe return back to the country. The exception was all those mentioned by the Truth Commission would not enjoy from the aforementioned law. As agreed upon in the peace accords, the Truth Commission was established in June/July of 1992. This Commission presented its findings till March of 1993. In it, many people were mentioned, but what did President Cristiani do?

The Truth Commission had three types of solutions; one was legal reforms, second, disqualifying all those who abused their power while in office and continued investigations, and third was the moral reparations and maintenance of its victims. So Cristiani came and put these recommendations in the closet claiming they were not binding. In response to the accords, President Cristiani prepared a law pardoning all those mentioned in the Truth Commission as guilty of the crimes committed, amnesty, and forgetting such atrocities. Furthermore, he abolished two resolutions we agreed to in 1992 January. These three laws are still binding; amnesty, pardon, and forgetting the crimes.

Hugo:

The next question Deputy Diaz is, are there any themes/topics/issues discussed at the negotiating tables, however, both parties are well aware that they have yet to be discussed?

Deputy Diaz:

Exactly that topic, this is a good example. The country’s debts, 80k people dead, 8k disappeared, the State never asked for forgiveness for abuse of its power. This is a problem that continues today. This is one of the principle themes. Another theme that was discussed but was not achieved was the socioeconomic agreement forum. This was the agreement or negotiation mechanism to solve the socioeconomic aspects of the armed conflict generated by the Neoliberal model. This includes labour relations, salaries, basic market basket, etc. Look, the private sector reps were the first to sit at the forum and the first to walk away claiming to walk away because the 1994 elections were nearing.

Another issue was the fact that the government did not want to convert us into a political party. From 1991 May we had agreed that we were going to be a political party. We agreed that we were going to dismantle our guerrilla forces and assume as Frente Farabundo Marti, our character as a political party. In 1991 September, we presented our statutes, objectives, principles, directors, and 3k signatures to the Supreme Electoral Tribunal. This Tribunal did not want to recognise us as a political party claiming that we could not utilise a dead person’s name. We needed to change our name. That the law could not be violated and did not permit such names. So we resisted to change our name and the legislative assembly had to meet to modify the law allowing us to use a name of a dead person for a political party.

Hugo:

The next question, how did the negotiations affect the implementation of the peace accords?

Deputy Diaz:

During these last 20 years of government, ARENA was the party in power. It was obligated to sign for peace. They did not want to change because they preferred to maintain the status quo. They have also maintained the executive, then throughout these 20 years they have blocked, diminished, progress in the lives of all Salvadoreans. They, President Flores Perez
and Saca, stated the accords were all incorporated in the everyday lives of us all. They stated that it was not even necessary to commemorate the date of 1992 16 January, when the peace accords were signed. Flores Perez, during his administration, did not commemorate the date of January 16 at any time. Saca was obligated to do so due the 15th anniversary of the signage of the accords. All political parties made a round table and proposed a pact to advance whatever is still pending from the accords and the new challenges the country is currently facing. President Saca did not want to allow these pacts to go through in the legislative assembly. The private sector asked Saca not to sign.

Hugo:

Deputy, I do not wish to take up any more of your time. However, I do have one more question. What are the reasons for which those themes/topics/issues that were not discussed in the negotiations not discussed, even though both parties knew very well that they needed to be discussed?

Deputy Diaz:

It was the FMLN’s lack of political correlation. It was not because we forgot about them.

Hugo:

Thank you very much for your time Deputy Diaz.

Deputy Diaz:

My pleasure.