

Negotiating Democracy: The 1992 Salvadoran Peace Accords

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Introduction

January 1992 represents an historic moment for the people of El Salvador. After years of armed conflict, the government and the “rebels” reached an agreement that was designed as a blueprint, not only for peace, but, more importantly, for democratic governance. This milestone became the basis for analysis of Salvadorean democracy since then. Has the democracy as envisioned in the Peace Accord (United States Institute of Peace, 2001) been achieved? Not surprisingly the answer to that question is as diverse as the issues that the new government was expected to resolve. The reality is that no document that is the product of negotiations can possibly be sufficiently comprehensive to serve the role of quasi-constitution that Salvadoreans came to expect from the Accords. It gave the people the time to acclimate to the idea of democracy, more than creating an actual governance structure, or setting a policy framework.

Thus, the Peace Accords, which both ended the armed conflict and established the basis for a democratic government in El Salvador, remains a contentious topic. Yet the process of developing the Accords is treated as little more than an interregnum between war and democratic governance (e.g. Stanley, 1996; Wood, 2001; Wood, 2002). Many of the political and historical analyses look at the final words in the Accords, but do not connect them to the context of the times (the late 1980s), nor to the realities of negotiations as a distinct process in and of itself. The question, why those final words and not others were chosen, is not raised. Little is known about the process of negotiations as it unfolded (Cox and Renderos, 2013). As a result, the potential influences on implementation of the dynamics of the negotiations process itself are ignored. Two recent works (Cox and Renderos, 2013; Renderos and Cox, 2013) have extended the analysis of the impact of a *negotiated* settlement on the written document itself, by looking separately at, first, the characteristic outcomes from negotiations and, secondly, the role of the inter-party and intra-party dynamics on the wording of the document. As such each represents a piece of the puzzle.

The task of this work is to combine those perspectives to glean answers to the questions that the earlier works individually could not address. Those works hinted at the near herculean task of reforming a political system via negotiations. The Accords that resulted were less a formal structure for governance than a set of instructions for future leaders. Political controversy and conflict remain. The structure of government is less in dispute than the expectations of the policy outcomes anticipated at the time of the announcement of the Accords. The civil war was about public policy as much as it was about democratic governance. The root of the “incompleteness” of the implementation of the Accords seemingly lies in the choice to be incomplete. By almost every measure, the Peace Accords accomplished one of its central goals - an end to civil conflict and a shift toward a democratic foundation for politics (Cox and Renderos, 2013). What prevented it from doing more?

To understand the complexity of the layers of inter-personal, inter-group and intra-group relationships and ultimately the influence of those relationships on the Peace Accords as a formal document, and on the implementation of those Accords, this analysis re-examines the literature on negotiations and bargaining and organizational theory. Based upon interviews with participants in the Peace Accord negotiations, a sense of how the negotiations unfolded and, in particular, the tensions and concerns of the two sides will be explored. With this information as background, a critique of the bargaining process, highlighting the areas of ambiguity and compromise, is presented. The critique is not to look for fault but to understand the logical consequences of the decisions made, and not made, to reach an agreement. From these frameworks must come a synthesis, which itself can become a framework for understanding the organizational and political realities of implementing this or other, bargained and negotiated outcomes.

Negotiations and Bargaining 101

The literature on negotiations and bargaining has been dominated by academics in business and public administration (Coleman, Morton, & Deutsch, 2014; Fisher & Ury, 1981; Lebow, 1996). Given the interests and orientation of the academic disciplines, it is not surprising that the academic studies predominantly have examined the processes and dynamics at the level of collective bargaining and to a lesser extent organization leadership and management. Dispute resolution has a distinctly intra-organizational character (Cox, 1987).

The focus on intra-organizational and policy disputes has created a rich literature about the negotiations process leading to an agreement (i.e. the grievance is settled; the contract is signed; legislation enacted). Similarly, there is a large body of literature on the consequences for future negotiations, based upon the way the prior negotiations unfold (Coleman, et al., 2014; Lewicki, Saunders, & Barry, 2014; Shell, 2006). Less well developed is the literature on the aftermath of those decisions. We know the choices made during negotiations create future problems, but those problems are examined through the lens of future negotiations. The dispute and problem-solving mechanisms are built into the negotiations (Lewicki et al., 2014). This is a somewhat self-referential process in which the parties return to clarify what was meant. Importantly, those mechanisms assume that the process will be much like the original negotiation and may even involve the same actors. In some instances, both sides to the dispute are eager to engage in dispute resolution, because that ambiguity is a detriment to current practices and future negotiations. International and national disputes do not have recourse to such problem solving mechanisms. Perceptions of success or failure in such negotiations are judgments about the implementation of the agreement, not the process of reaching an agreement. The failure of a treaty does not produce a renewed discussion about the treaty per se, but rather returns the negotiations to a pre-negotiation stage (Lewicki, et. al., 2014; Shell, 2006). All bets are off and everyone is back to square one, but potentially under more trying circumstances.

The review of the literature on negotiations and bargaining suggests five key elements of negotiations. Each needs to be connected to the specific circumstances of the negotiations before their applicability to this analysis can be established. The first element is that negotiations typically are bi-lateral. The Peace Accords negotiations were conducted as a bi-lateral process. While there is historic significance to this, the fact of being a bi-lateral process has little analytic important. However, the other elements do have analytic value. The first is the desire to reach an agreement. The second is an overview of the traditional scheme for negotiation. The third is a means of resolving impasses in negotiations. Last is to examine the importance of time deadlines and timing in the process.

Reaching an Agreement

Seemingly a commitment to reaching an agreement is fundamental to the process. Delaying tactics and absurd negotiation stances often reflect an unwillingness to negotiate. In the “one-of” environment of international agreements, the practice may be to simply not agree to a date for talks, to not agree on an agenda for the talks, or a start-stop-start pattern of meetings. These behaviors reflect unwillingness on the part of at least one party to negotiate. In such circumstances the time for delay is before negotiations begin. Talking to each other, based upon an agreed agenda, is a concession that at some point an agreement will be reached.

Negotiations Approaches

Fisher and Ury (1981) designed three approaches to negotiations. There is the soft, hard, and the principled methods for negotiating. During any negotiation, all three negotiating methods come into play (Fisher and Ury, 1981). These methods are often seen as methods for “getting your way.” While there is that element to these methods, as presented by Fisher and Ury they are methods for moving the negotiations along. The *art* in negotiation is in using these methods and knowing the right time to apply a method to facilitate negotiations.

Resolving an Impasse

Treaty negotiations are something of a high wire act without a net. Labor negotiations, and even the legislative process, provide other means, or even other parties, to help overcome an impasse during negotiations. In the case of the negotiations of the Peace Accords there existed the negative influence of the United Nations stepping in to mediate. Both sides to the Accord negotiations were in agreement that no matter how contentious the process, they wanted to maintain control of the process—that meant not permitting the UN to become a third party in the negotiations.

Timing

There is an internal rhythm to negotiations (Cox, 1987; Fisher & Ury, 1981). The pace of negotiations quickens near the end. In some settings the “end” represents a defined date known by all at the start of the negotiations (the expiration of a contract for example). In contrast most international negotiations have no future limit. It is more like writing legislation or a constitution. The sense that the “end” is approaching and, therefore, negotiations need to speed up, is not something that can be identified until it is happening. This sense that a conclusion is imminent may be the product of two happenstances. The first is a sense that the “tough” issues have been addressed. The second is the sense that unless the parties start settling the matter a (unwelcome) third party may intervene.

Allison’s Analytic Models

Graham Allison’s (1971) seminal work on the dynamics of the interplay among executive advisors in the White House and the Kremlin during the Cuban Missile Crisis of 1962 effectively changed perceptions of public policy-making. Allison (Allison, 1971; Allison and Zelikow, 1999) proposed three analytic models for understanding the dynamic of decision-making.

Two of those models, Model II and Model III, are most pertinent to this study.

Model II offers the important insight that persons in organizations tend to follow patterns of behaviors that are endorsed by the organizations (i.e. are part of standard procedures and/or custom and culture). Miles Law, “where you stand depends on where you sit” is whereby a person’s understanding of a problem is shaped by the organization or profession to which a person is affiliated. Key points of Model II are:

- Emphasizes processes and procedures of large organizations constituting a government
- Considers choices, decisions, and acts as outputs from the broader organization
- Uses organizational outputs -standard operating procedures, repertoires of organizations- as units of analysis
- Shapes problem definition by repertoires and routines and, therefore, constrain the range of problems/solutions that are considered valid.

Model III can best be understood as government acting out a game in which each member first and foremost focuses on interests of their individual organization or profession (Allison & Zelikow, 1999). Model III sees the actor not as a single unitary actor but rather as many actors (Allison & Zelikow, 1999). These players act according to various national, organizational, and personal goals. This translates into players making, not necessarily rational, decisions based on a single choice, but rather by the “pulling and hauling that is politics” (Allison & Zelikow, 1999, p. 255). Some key points of Model III are:

- Sees each individual as a player in a competitive game, the game of “politics”
- 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’s (1971) models offer insight into the internal dynamics and processes of any collective decision process. Three behavioral elements of the models are pertinent for this study:

- Interpreting and implementing decisions is complicated, because there will not necessarily be a singled, agreed-upon goal that drove the decision.
- Routines and repertoires push groups toward judgments that reflect organizational and professional norms and priorities. Solutions to problems will be shaped by problem definitions, which themselves come from those organizational and professional norms.
- Persons who are nominally on the same side may nonetheless work at cross-purposes. Success will be defined differently by different actors; even those on the same side. Those actors will appear to change sides and even act against their own interests.

The Accords: Past as Prologue

The birthing of the Accords was neither quick, nor simple. The parties to the negotiations started negotiating the Peace Accords in September 1989, lasting until its consummation on January 16, 1992 (<http://kellogg.nd.edu/romero/PDF%27s/Chronology.pdf>). The first serious meeting in which both parties engaged was in September 1989.

A second meeting occurred in Geneva, Switzerland, in April 1990, where the UN encouraged both parties to agree to a bilateral agreement. It was at this meeting that timelines and deadlines were discussed. A month later, in May 1990, a meeting took place in Caracas, Venezuela, (<http://kellogg.nd.edu/romero/PDF%27s/Chronology.pdf>) where the agenda and timeline was more clearly defined. Both parties met for the last time in New York City, in December 1991, to redefine what had already been negotiated and to produce the document that would be the Peace Accords. The meetings for negotiating the Peace Accords culminated in both parties signing them in Mexico City, Mexico on January 16, 1992 (<http://kellogg.nd.edu/romero/PDF%27s/Chronology.pdf>).

In part because of the scattered timing of the negotiations and, in part, because topics varied, the composition of the negotiators present at any location varied. There were at least three persons on both sides who were consistent participants. Such consistency was critical, particularly in 1990 and 1991 as work continued in between the formal sessions (Cox and Renderos, 2013). While the number of consistent participants was small, for purposes of this analysis, that consistency also meant that the inter- and intra-group dynamics were similarly consistent.

Implementing the Accords

While it was not involved in the creations of the Accords, a 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 provided financial support and facilitated the transitional peace process and the reconstruction of the country (Boyce, 1996; Orr, 2001). The donors had two effects on the peace implementation process. One was to provide funding for the country's transition to a democratic state, making the transition easier to effectuate. The second was to closely monitor the compliance of the peace agreements by both sides to the Accords.

The major challenge for all Salvadoreans in the aftermath of the Accords was reaching agreement on often ambiguous and other times scant language upon which to base an understanding of the intent of the signatories. Both parties interpreted the peace agreements according to whatever favored each delaying the formation of a new government (Popkin, 2000). The Comisión Nacional para la Consolidación de la Paz (COPAZ) (National Commission for the Consolidation of Peace) was given broad authority to oversee the implementation of the Peace Accords. The Commission was charged with verifying that each party lived up to its responsibilities. In the event that either party objected to the Commission's interpretation and enforcement of the peace agreements, the Commission was granted authority to draft any necessary legislation it deemed appropriate. Nevertheless, in some instances, behind closed doors negotiations between the FMLN and government representatives superseded whatever recommendations COPAZ made (Wood, 2001).

To move the transition forward, the government broke the close alliance it had with the military. The peace accord affirmed the ban on military political participation, and that ban was enforced. This made it easier for former guerrilla leaders to make their way into the Salvadorean political arena (Stanley, 1996; Williams & Walter, 1997; Wood, 2001).

The second aspect of transitioning El Salvador to a democratic state was through the political inclusion of former guerrilla leaders. In order to have true democratic transition and political competition, the government agreed to include the FMLN in competitive elections. The FMLN benefited from the process, because it gained the legitimacy of elected office. Prior to the 1994 elections they had pursued their political agendas via insurgent movements. In that first election, almost a quarter of the nation's legislative assembly seats were won by the FMLN. In the 1997 legislative assembly elections, the FMLN won 27 seats in the legislature, falling just one seat shy of the number of assembly seats for ARENA, the party that had been in control for decades (Wood, 2001). Similarly the FMLN was successful in winning mayoral offices. The party was especially successful in the areas where it began and took refuge, the mountains and remote areas of the country.

The 2004 presidential elections saw yet another change as young voters, male and female and less than 30 years of age, made up a significant percentage in determining presidential election turnout (Cruz, 2004; El Diario de Hoy, 2004). Beginning in 2009 the country has had a popularly elected leftist government.

The ARENA party held political power for twenty years beginning in 1989, before the Accords. But that political dominance has ebbed and flowed.

The FMLN was for many years successful in local elections, even as it could not obtain a majority in national elections. 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 national executive after holding it for twenty years (Luers, 2009). For the first time in Salvadorean history the country has a leftist government popularly elected. On 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). Five years later, on March 9, 2014, a runoff election was held between former guerrilla leader turned presidential hopeful, Salvador Sanchez Ceren, against former San Salvador mayor and ARENA candidate, Norman Quijano. Sanchez Ceren won the runoff election by .22%. Sanchez Ceren obtained 1,495,815 (50.11%) popular votes while Quijano received 1,489,451 (49.89%) of the popular vote (*The Washington Post*, 2014). In a certain sense this is one of the outstanding attributes of the twenty-five years since the signing of the Accords - political transitions have been peaceful.

Research Questions

There are three main questions to be addressed. First, how did those focus on the impact of the inter- and intra-group dynamics during negotiations, and how did those dynamics affect the document that became the Peace Accords. Second, how did the things stated and unstated shape the implementation of a democratic political system. Third, how can these factors help future studies of national and international agreements and treaties anticipate the pitfalls and potential at implementation. This is of necessity a case study. In addressing the questions below, we are seeking insight into the inner workings of an actual negotiation to help better understand those dynamics. From this, we can derive some lessons and speculate on implications that may better prepare future negotiators for the task before them, both in the immediate result of an agreement and secondarily in the consequences in the future of that agreement. We seek insight in two broad areas:

- Group Dynamics
 - Do persons, who are nominally on the same side of a negotiation, sometimes work at cross-purposes?
 - What was the impact on the written document of the looming threat of UN mediation?
 - How did the choice of who would negotiate (dropping the military representative for example) shape the outcome of the Accords?
- Implementation
 - To what extent did intra-group conflict and politics influence the language of the Accords and the language left out?
 - To what extent was the intentionally ambiguous language the product of intra-group conflict that is normal in negotiations?

Analytic Methods and Data Collection

Of necessity this is a case study. There are few records of the conversations across the table in any negotiation, much less within a team on one side in that negotiation. We catch glimpses of those interactions through the literature on collective bargaining and negotiation and in the ground-breaking work of Graham Allison, based upon the public record of the cabinet and presidential discussions during the Cuban Missile Crisis of 1962. There have been studies of the progress toward implementation of the Accords (see for example Doggett & Kircher, 2005; MacLeod, 2006; Renderos, 2011; Wood, 2001, 2002). This study makes use of that documentation in much the same way as Allison (1971), looking for examples and evidence of Model II and III behavior and of the shifting in the negotiations, approaches between parties as detailed by Fisher and Ury (1981).

Ultimately, the only way to examine the dynamics of the group interactions that led to the Peace Accords is to get information from the source – persons from the two “sides” to the negotiations. Critically, some of those involved are no longer available. Also, the number of persons, who were participants throughout the process, was never large. Fewer than fifteen persons met these criteria of being participants at some point in the negotiations. Two persons, one from each side of the negotiations who were long term participants, were identified and agreed to be interviewed about the negotiations dynamics. Open-ended interviews of more than two hours each were conducted in Spanish. The central purpose of these personal interviews was to provide insight into whether or not the negotiations that produced the Peace Accords unfolded in the way that the two bodies of literature suggest. Following the lead of Hummel (1991), the recollections of the actual participants are the “stories managers tell” that gives this study the richness and depth needed to better understand the outcomes that resulted and continue to play out.

Analysis

Applying the Fisher and Ury (1981) framework for negotiation to the actual events, as described by participants, affirms that the negotiations did play out much as would be expected. The cycle of hard and soft, then principled and finally soft, negotiations did to a large extent occur. The commitment of both parties to continue to negotiate to a conclusion (especially in 1991) should be acknowledged. Also, as anticipated by the Fisher and Ury (1981) framework, both intentionally and unintentionally ambiguous language appears in the Accords. Such language served to facilitate decisions. In this case things went a step further; there are issues intentionally left out. Both of the interviewees stated that some themes were not negotiated. The socio-economic issues that had been the core of political unrest since at least the 1930s were left unmentioned, because there was no consensus between the negotiating parties on how to address them. Getting an agreement and moving *toward* democracy was more important than the details of the economic character of that future government. Yet, the issue was important enough in the public mind that it could not be ignored completely. Ambiguous language that acknowledged the mandate to address socio-economic concerns, without offering any hint of the direction or scope of such solutions, found its way into the Accords. The following English language translation captures the convoluted passage on economic issues as a way to acknowledge the issue, but clearly shifts the entire burden of offering concrete solutions onto future governments.

...a sustained effort...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>).

Interestingly, there is some suggestion from the interviews that this ambiguous language was acceptable to both sides, though for quite different reasons. On the one hand, the FLMN saw socio-economic reform as a central tenant of their fight, but that did not require that those reforms needed to be in the Accords. They were content to leave those decisions to future governments. The government accepted the language, because they did not see the wording as a specific mandate to act. They anticipated social and economic issues would not be negotiated, discussed, or considered, because these were issues that the government controlled.

Motivations to act and the goals set by individuals are not always clear, and to assume those goals based upon collective decisions is with considerable peril. 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.

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 their 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", (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. Making matters worse was "Habían unos miembros del grupo que tenían un extremo 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) (interviewee two, January 9, 2010). Group disunity limited the government's ability to arrive at comprehensive, achievable, and verifiable negotiations.

While the government negotiators were reluctant to negotiate with a rebel group, in the end they decided to negotiate and agree to something, because it was better than having a third party step in and conduct the negotiations for them (interviewee one, December 18, 2009). To the very last moment, some members of the government negotiating group did not want to sign the Peace Accords because of issues concerning the future of the armed forces (interviewee one, December 18, 2009). This was addressed by a straight-forward statement in the Accords. 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 (interviewee one, December 18, 2009). A second roadblock was that the conclusion of the Accords effectively gave the opposition legal status.

The group worked out the Peace Accords' language, stating that their opposition would transform from an armed group to a political party, a political subject (interviewee one, December 18, 2009).

An issue that created internal dissent among interviewee two's group was that of "Si usar la palabra Socialismo o Democracia en los términos y definiciones" (Translation: Whether to use the word Socialism or Democracy in the negotiations' terms and definitions). During intra-group discussions, the political and ideological divisions within the group surfaced, but then were resolved so that the negotiations could move forward. Despite initial misgivings the consensus choice was to use the term Democracy to express their views on how they wanted the reforms to take place (interviewee two, January 9, 2010). This was but one instance in which issues, which were covered over as the negotiations unfolded, would reappear during implementation. It also led to a result in which persons, who worked together to shape an internal consensus so negotiations could proceed, would become political opponents in the coming elections made possible by the Accords.

The creation of the Salvadoran 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.

Allison's (1971) models of organizational dynamics offers insight on these developments. The interviews affirmed that there indeed was intra-group conflict among negotiators. This type of behavior evidences members engaging in bargaining games (interviewee one, December 18, 2009) as anticipated by Allison and Zelikow's (1999) Model III. Allison and Zelikow (1999) explain Model III's behavior Acting as a collection of individuals instead of a unified group is evidence that, within the negotiating party, each individual actor acted alone, competitively sought to secure its interests by first pursuing personal interests and, secondly, their organizational ones.

Implications

This study proposed to analyze the case of the Salvadorean Peace Accords to explore the impact of the inter- and intra-group dynamics during negotiations on the document that became the Peace Accords; how the things stated and unstated shaped the implementation of a democratic political system. That case analysis in turn helps those engaged in national and international agreements and treaties to anticipate the pitfalls in negotiations and at implementation.

Two things are readily apparent: first, that the negotiations were almost text book in the pattern of negotiation and agreement. Even at times when the process was particularly contentious, the two sides continued to work toward an agreement. The ever-present concern that the UN would intercede and force themselves into the negotiations was a constant that kept things moving. This simple result is crucial and otherwise surprising. Neither "side" was particularly unified in outlook on expectations and outcomes, but they could agree that it was *their* responsibility to achieve peace. This "them versus us" dynamic is often overlooked. It is possible that in situations where the role of referee/mediator is not institutionalized (as it would be in labor relations) the idea of a mediator represents an unacceptable threat, rather than a vehicle to restart negotiations. The interviewees and the historical record make it clear; the sense that "this is our fight" was accepted by virtually all the participants. Second, is that the motives and goals of every participant was as varied and numerous as the number of participants. Not only did the participants have different personal goals, but their agenda were different. The Accords became a stage in the process, not an end. The frequency with which the choice was made to simply "leave it to the new government" became the mantra in the final days and hours before finishing the document reflects the impatience to move on that was felt. Allison's (1971; Allison & Zelikow, 1999) models suggest that such attitudes should not be surprising, yet the speed with which the negotiations shifted from controversy and ideological battles to "let's get this done and move on" is surprising. This is not to challenge in any way the sincerity and commitment of the participants, but it does reflect the reality that the agreement was nothing more than a necessary step to the broader goal of a new model of government. The negotiations, which for so long were the almost exclusive focus of attention, were shown to be little more than the equivalent of the first stage of the Tour de France—it was neither the most significant, nor necessarily even the most critical, stage.

At a certain point, the negotiators lost focus of the endgame. In the context of rules and regulations it is the point at which rules go from a mechanism for facilitating correct processes to barriers to action, or what Bozeman (2000; Bozeman and Feeney, 2011) would call rules gone bad. It is possible that such a dynamic is more common than the literature might suggest.

The question that remains is whether it is problematic, or simply inevitable, given human nature (1971; Allison & Zelikow, 1999). In other negotiation processes there is the safety net of a grievance process; there is none in this form of negotiation. In this circumstance the imperative to finish and move to the next stage encouraged both a laxity of wording and a willingness to simply opt for language that left the final choice to an unspecified future government. Much of the political turmoil that exists to this day is a consequence of leaving policy and even organizational choices, to fledgling governments rather than addressing them at the negotiating table. This produced an odd result; the war ended, the “rebels” were successfully integrated into the governance system, yet the economic and social issues that were sources of conflict for several decades have not yet been addressed. The rebels won the peace, but lost control of the policies, which were part of the cause of the war.

Concluding Thoughts and Comments

The organizational and inter-personal dynamics of negotiations and of policy/ program implementation create an interesting combination of behaviors, not fully appreciated when looking through the single lens of either negotiations or organization theory. We have discussed how this played out in the approval of the Peace Accords and the subsequent efforts to establish a democratic government in El Salvador. In this final section, we will speculate on the implications of this study for our understanding of international agreements and explore the questions still unanswered. We offer these observations:

- There are never only two sides to a negotiation; intra-group conflict may influence negotiations and implementation more than inter-group disputes.
- “What we thought we did is different than what we did.” Outcomes change; they change because current goals are different, or because in retrospect it was a bad idea to start with, or there is less popular support for the policy than anticipated.
- Implementation is a whole new game. Implementation is not about what *they* meant; it is about “what do we do now?”
- Implementation skills are different than negotiation skills. To understand implementation means to appreciate that capacity and capability are more important than implied during discussions.
- Implementation is often the task of those who were NOT there. Side agreements and side disputes that consumed the negotiators may be unknown to the implementers.
- Different sides—*new sides*. People will follow their expectations/desires, not their side. Knowledge of the negotiation stances of the participants is only partially helpful as a guide to the future positions of those participants.
- Things will take longer than *anyone* expects or desires.

How does the above affect understanding of the implementation of international agreements?

- “Outsiders” are rarely welcome, even when negotiations bog down.
- The “agreement” is only a rough guide for the future.
- Obsessing about the “words in the document” is something of a fool’s errand.
 - Words may not be intended to have a meaning.
 - Words may only be put into the document to give the illusion of completeness.
 - Only delays implementation.
- There is no safety net if implementation falters.
 - Outsiders must appreciate that the goal is to facilitate the goals of the moment, not to get implementation of the “words” back on track.
 - Cannot go back, even if cannot go forward.

This case study offers a wealth of implications for governmental negotiations at every level. There is no way to use standard quantitative methods to generalize. Yet there are important signposts that can be observed. Negotiators can and should prepare for negotiations, in the same way as in labor relations. Furthermore, the problems of implementation borne of ambiguous language will not have the institutional response mechanism available in labor relation.

The long road toward democracy of El Salvador is a cautionary tale of leaving too much unsaid in such agreements. Ambiguous language and implementation problems are inevitable, but addressing some at that ambiguity before finalizing the document is important. Lastly, the post-agreement world is different. The assumptions of goals and strategies that created the “sides” to the negotiation are in the past. New coalitions and new perspectives will emerge. This is not the product of people “changing sides” but rather of changing goals and desired outcomes.

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