

Challenging Chapultepec

The Impact of the Peace Accords on the Democratization of
Post War El Salvador

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Abstract

With the help and mediation of international involvement, a peace negotiation, succeeding previous futile attempts to put an end to a civil war finally led to the signing of the Chapultepec peace accords. The first presidential elections in 1994 were won by right-winged party ARENA, who furthermore would hold power through elections for 15 years to come. In the 2009 elections, left winged party FMLN won the presidential elections for the first time, forming a minority government. This shift of power marked another victory for democracy in El Salvador.

The purpose of this study is to examine whether the peace accords in their design and circumstances have had an impact in the political development of the transition to democracy of El Salvador. I have for this purpose examined the peace accords and circumstances that led up to the negotiation through theories on the success and legitimacy of peace processes. My conclusion is that whilst the Chapultepec Peace accords is internationally regarded as a success, many of the current problems, both in relation to security and political issues are attributable to the accords failure to eradicate all underlying causes of the initial outbreak of the war. The current democracy in El Salvador therefore rests on an unsteady base.

Key words: El Salvador, peace accords, democratization, post-conflict, consolidation.

Words: 9919

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Acronyms

ARENA	Alianza Republicana Nacionalista
CD	Cambio Democrático
ECA	Estudios Centroamericanos
FMLN	Farabundo Martí Liberación Nacional
ONUSAL	Misión de Observadores de las Naciones Unidas en El Salvador/ United Nation's Observer Group in El Salvador
PNC	Policía Nacional Civil
UN	United Nations
WHO	World Health Organization

1 Introduction

1.1 Background

After a long and bloody civil war, stretching out over more than a decade, the peace treaty of Chapultepec was signed in 1992. The peace accords marked the end of a conflict with many civilian casualties, initially triggered by an objection against a longtime military authoritarian rule and a distorted distribution of wealth in the country. The guerrilla FMLN (Farabundo Martí Liberación Nacional), consisting of five different leftist sub-groups were no longer outlawed and could re-group to become a political party. In the peace accords, the guerrillas promised to hand over all weapons, while the government would carry out an agricultural reform, where ex guerrillas and refugees were offered a patch of land (NE, <http://www.ne.se.ludwig.lub.lu.se/lang/el-salvador/historia>).

Internationally, the conflict of El Salvador was being closely watched: after the victory of the Nicaraguan guerrilla in a similar conflict, it was believed that a victory of the guerrilla in El Salvador might trigger a sort of domino effect in Latin American countries (Mercado in Silva-Michelena 1988:104).

In 1989, an offensive, gaining territories for the FMLN that were previously controlled by the government encouraged the latter to conduct a second attempt of peace negotiations (a previous attempt had failed a few years earlier). Simultaneously, the collapse of the Soviet Union and fall of the Berlin Wall had left the FMLN without previously important allies. This served as further incitement for these to participate in new peace negotiations. The negotiations, carried out in several different parts, were now surveilled by the United Nations. (El Diario de Hoy, <http://www.elsalvador.com/>).

After the Chapultepec Treaty was signed, the first presidential elections were held in 1994. These first national elections were won by the candidate of the right winged party ARENA (Alianza Republicana Nacionalista). The elections for the mayor of the capital San Salvador, was won by the candidate from FMLN, now re-invented as a leftist party. The country has ever since been marked by a fairly frail state of peace and violence (ibid.)

1.2 Purpose and Question

The purpose of this thesis is to examine the impact of the Salvadorian peace negotiation with particular reference to the peace accords on the process of democratization of El Salvador. The aim of this thesis is to investigate if the peace accords have enabled a solid foundation for lasting peace and democracy for the democratization of El Salvador. It is also important to point out that my investigation will focus on the impact of the peace accords on the democratization process in El Salvador until now, without seeking to predict any possible outcome in the future.

The central question I will seek to answer will be the following:

-What impact did the peace accords have on the process of democratization in El Salvador?

Although many studies on post-conflict democratization have previously been conducted, researching I have encountered mostly analysis on Central American countries Guatemala or Nicaragua. The case of El Salvador is similar to these countries in many aspects, but it also differs in others. I hope to find aspects upon studying my case that can contribute to a better understanding of the situation in El Salvador.

I will conduct an overview examination of the democratization in El Salvador, parting from the notion that all national institutions within the country are at the same stage of democratization. My main focus will however be on high level institutions, such as the Salvadorian parliament, government and president.

1.3 Delimitations/Restrictions

Due to the broadness of subject and shortage of space, I have chosen to delimit my research by only analyzing aspects of civil war peacemaking. In addition, I will only analyze the situation of peace though compromise peace agreements, as this situation preceded the accords in El Salvador. I have also chosen not to further analyze the actual implementation of peace accords.

Esaiasson (2007:37f) defines descriptive studies as studies that seek answers to how, where and when. In regards to theories employed in a descriptive study, one must seek a sustainable answer to the question “*what is this a case of?*” (ibid.). In my case of *how* the peace negotiations have impacted the democratization of El

Salvador, I have therefore deemed that this is a case of post-war transitional democratization, which has determined choice of theories.

As I plan to do a case study, I will rely mostly on qualitative data. Looking at the current state of democratization in El Salvador in order to form conclusions on a conceptual level, a quantitative study to present empirical data would not be relevant.

I have chosen to do brief, yet all-comprising presentation of the content of the Salvadorian peace treaty. This emphasis on the entire documents means that only certain aspects of the peace treaty that concern my question, namely the aspects of democracy, will be singled out. My ambition with this is to offer a full presentation of the peace treaty, thus eliminating the possibility of a distorted analysis of the content. Lack of space however, prohibits me from to analyzing every aspect of the treaty individually.

1.4 Method

This thesis is a case study on El Salvador, with the case in the center as object of analysis. Thus, I will part from my case and use theory to investigate the problem posed in my question above. In other words, I will utilize a theory consuming approach, with the theoretical framework as instrument for analysis (Esaiasson et. al, 2007:42). The function of the case study in such an approach is to test whether the theories apply to the actual case, thus challenging the theories examined (ibid.).

When examining a theory through a single case study, focus is not on a context (as is the case with comparative studies) but on factors such as points of time. This thesis is marked by two points of time: before and after the peace treaty (Esaiasson, 2007:121). This enables to not only challenge a theory, but also to seek to understand the particular case of El Salvador. This is a hermeneutical scientific approach (Lundquist 1993:40).

This type of study is not meant to seek results that can be generalized. Instead, I will seek to draw conclusions from my study within the limits of my subject of analysis (Esaiasson et. al, 2007:99).

In my thesis I will focus on a number of selected circumstances and factors, identified in investigations of the area, important to ensure a successful outcome in a peace process. I will limit the investigation to factors I have come to encounter most frequently in previous research on peacekeeping. I will furthermore discuss these factors in the light of empirical information on the peace process of El Salvador, using theories of legitimacy and effectiveness of

peace accords. This approach is used in order to explain the outcome of the Salvadorian peace process, and how this impacted the process of democratization.

The reasoning behind my approach is the notion that in order to ensure lasting peace and stability after a civil war, it is necessary to include a framework for rebuilding of the society. This is generally done in the situation of post-war peace agreements by ensuring application of rules of democracy. Roland Paris (2004:5) states that peacebuilding missions in the 1990's were guided by this very notion: "(...) that promoting "liberalization" in countries that had recently experienced civil war will help to create the conditions for a stable and lasting peace. In the political realm, liberalization means democratization, or the promotion of periodic and genuine elections, constitutional limitations on the exercise of governmental power and respect for civil liberties, including freedom of speech, assembly and conscience." (ibid).

The structure of the theoretical framework in my thesis is as follows: Firstly, I will discuss the objective of peace processes and their 'justification for existence'. I will also briefly discuss the circumstances leading to a peace process in order to obtain tools of analysis of the entire process, rather than just selected parts. In the latter part of the chapter I will briefly discuss such variables as the theory of ripeness (Pugh 2009:85) and the SWORD-model (Fishel-Corr 1998:202).

The section that follows I will dedicate to try to identify possible factors in the content of peace accords that help create a stable democracy.

Succeedingly, I will discuss the link between democratization and peacemaking processes to uncover the analytical tools that explain the correlation of these two processes. This will be done by examining the issue of power struggle after a civil war, as well as the dilemmas that may occur when the two processes overlap as discussed by Peter Wallensteen (2007) and Anna Jarstad (2008). Wallensteen (2007:134) points out that most modern civil war peace processes linked to democratization are conducted after the cold war. There is therefore reason to believe that this is a relatively new area of research. Similarly, Jarstad (2008:18) points out that the discourses of the two processes are yet to be integrated. For this reason, I have chosen to include the theoretical framework offered by these authors, as they are leading authorities within their area of expertise. While Jarstad offers a conceptual theoretical framework to analyze the effects of dilemmas that may arise when attempting to integrate the two processes, Wallensteen focuses more on the issues of power and building of a framework in a post war society.

I will then proceed to discuss the meaning of a successful peace negotiation before concluding my thesis by seeking to answer my question through the findings of my research.

Roland Paris (2004:55) points out that most studies on peacekeeping are structured by firstly establishing a standard of success or series of characteristics for such. Subsequently, an evaluation is done by analyzing operations against this standard. The method conducted on this thesis will thus be as mentioned.

1.5 Material

I will rely on secondary material, such as relevant books, articles and essays. For my empirical material I will rely on locally originated writings such as *Anuario 2009 de Seguridad regional en América Latina y el Caribe* (Mathieu et. al.) and *Construyendo la Democracia en Sociedades de Conflicto* (Azpuru, 2007) to find information on the political situation of my case study. I will put a lot of emphasis on empirical information in the latter of the mentioned titles. This is because it is the most complete account on the situation in El Salvador during the time of the peace negotiations I have encountered during my research.

In my presentation of the Salvadorian peace treaty I will base the chapter on the peace treaty text, thus using both secondary and one primary source.

The material used for my theoretical framework is writings that deal with the effectiveness and legitimacy of peace accords, such as *At Wars End- Building Peace After Civil Conflict* (Paris, 2004) as well as writings dealing with theories that link peace processes with democratization processes. For the latter, I have mainly relied on *From War to Democracy* (Jarstad 2009) and *Understanding Conflict Resolution* (Wallensteen 2007).

Despite efforts to gather material from different sources I have found many studies on post-civil war peace interventions to originate from the USA (especially in regards to Latin American studies). As the USA has played a central role in the peace interventions analyzed in the writings I will use, this might imply a risk that many of my sources have a slightly ideologically biased perspective. However, for the sake of objectivity, I will try to consider international writings as well as essays and articles written in El Salvador.

In order to operationalize the term ‘Democratization’ (specifically political democracy) I will rely on such books as *Democracy and Democratization-Processes and Prospects in a Changing World* (Sørensen, 2008) and *Models of Democracy* (Held, 1987). The operationalization of key terms will be done throughout the whole essay.

As guidance for the disposition of my thesis I will utilize theories on how to construct a scientific essay displayed in *Metodpraktikan* (Esaiasson et. al) and *Det vetenskapliga Studiet av Politik* (Lundquist).

1.6 Disposition

The thesis' disposition is as follows: Following this first chapter, the second chapter will briefly seek to explain the concept of democracy. In the third chapter I will present the theoretical framework of my thesis, followed by an overview of content and circumstances surrounding the creation of the Chapultepec Peace accords in chapter 4. Chapter 5 offers a description of the political situation in El Salvador today. Chapter 6 concludes the thesis with my analysis and conclusions.

2 Democracy and Democratization

2.1 Definition

In order to identify democracy and democratization it is necessary to define the term.

The broad definition is a form of government where the people rule. In the pure form of democracy, a kind of political equality exists among the people. Despite being a fairly established concept, David Held (1987:2) explains that it is not entirely unequivocal. The idea of democracy on a conceptual level is complex and marked by ambiguous concepts of meaning. As Held explains, the problems of conceptualization emerge with every component of the definition. In regards to 'the people', one can ask who is to be included in this concept? In addition, there might be disagreement in what regards the people are to participate in ruling, to what degree they should participate and what conditions can be assumed as being conducive to participate. In regards to the term 'rule', one might ask what scope of rule the people should participate in, or what this rule is to cover. If furthermore 'rule by' should be included, Held poses the question if this entails obligation to obey, and what is the place of obligation and dissent? (ibid.)

During the course of time, discussions have also developed on how to maintain and run a successful democracy. Is, for instance, a certain level of education and social wealth necessary among 'the people' to maintain a democracy? Can a state of democracy be maintained during times of war and national emergencies? (ibid.)

A question worth asking is why democracy is desirable at all. One argument for this according to Held (1987:3) is that it can achieve such values as liberty, equality, moral self-development, common and private interests, promotion of efficient decisions and satisfaction of wants. A discussion of democracy should therefore not only involve theories on how to organize and distribute democracy but also philosophies on the best way to construct a government. These are in turn set against contemporary society, and the ways its analysts perceive it (Sørensen 2008:4). Currently, processes of democratization are emerging globally. As Sørensen (2008:5) points out, these progresses, with globalization and other such elements uniting countries further, have ignited the debate regarding conditions (economic, cultural or social) under which democracy can develop.

2.2 Conditions for Democracy

The broad concept of democracy, as examined above, suggests that democracy consist of a social, financial and political sphere. Sørensen (2008:12f) however discusses that if we were to use this broad definition when performing case studies, we would find very few empirical cases on democracy. By narrowing down the definition and solely look at political systems, thus regarding social and financial spheres as counterpoints, you can, not only examine the political system, but also the relationship between the three dimensions. Sørensen points out that while an overview of the political system concept of democracy would be adequate for a case study, this is not necessarily a normative choice stating this as the better aspect of democracy (ibid.).

An aspect of democracy in the political system is elections, particularly when held for the first time. The first elections are often regarded as indicators of change in the political arena, a step away from the previous authoritarian rule, as they are to be 'competitive, free and fair'. As McCoy and Hartlyn (2009:63ff) however points out, in countries around the world, that in every sense of definition can be construed as 'authoritarian', elections are being held with regular intervals. Thus, elections cannot always be construed as indicators of democratization (ibid.).

Another vital characteristic for democracy in the political system is formation of a public domain. The two principles related to this are the action of giving the citizen space and opportunity to formulate their preferences, and to be able to express preferences to fellow citizens and to the government by collective actions as well as individual (Avritzer, 2002:38). Formation of a public domain is conditioned by the government's receptiveness and responsiveness of preferences of its citizens. It is also equally essential to have the government take citizen's preferences in equal account in their conduct (Sørensen 2008:13.).

The formation of a public domain is in turn conditioned by a number of institutional guarantees. The first of these guarantees is that control over governmental decisions is constitutionally bestowed upon elected representatives. Secondly is the guarantee of free and fair elections¹. Other guarantees are inclusive suffrage, right to run for office, freedom of expression, right to obtain alternative information (the occurrence of such under protection of law) and associational autonomy (the right for citizens to form fairly independent interest groups, associations etc.). A country that fulfills these conditions can be construed as a political democracy. Sørensen argues that this kind of democracy is often called liberal democracy due to its form of government (ibid.).

¹ Representatives in a democracy should be chosen in free and fairly conducted elections that take place frequently and without any elements of compulsion.

Artiga-Gonzalez (2007:143f) states that there is no mechanical link between democratization and quality of democracy. While an increase of levels of democracy is necessary for democratization, this does not automatically mean that quality of regime will improve accordingly. Artiga-Gonzalez therefore points out that attempting to measure levels of democracy can be a challenging task, because many measuring points of democracy change continually (ibid.). This can be defined as measurement of ‘the product of governability, the profundity and legality of democracy’ (Artiga-Gonzalez 2007:144ff). The first aspect of this definition refers to order and stability with a capacity to produce public policies, the second aspect to basic participation and incorporation into public politics, and the third to the aspect of human rights.

Although it has proven hard to measure democracy, in the remainder of my thesis I will nonetheless try to make use of these above mentioned aspects as indicators of democracy when examining the transition of El Salvador.

3 Peace Negotiations and Accords

3.1 Significance and Circumstances of Peace Processes

It is important to unravel the ‘justification for existence’ of peace processes in general. According to Rupesinghe and Anderlini (1998:139) ending civil wars is a momentous task, even more so than inter-state wars. Although the common objective of peace missions is to obtain peace, the means to reach this objective have varied in different conflicts. While civil wars (i.e. Ethiopian war) have been settled through military intervention (peace enforcement), compromise agreements are becoming increasingly frequent.

The objective of a peace building process is as Roland Paris (2004:2) states that “... peace (...) would endure long after the departure of the peacebuilders themselves”.

If the objective to peace agreements is to build peace, can a successful peace agreement then simply be defined as one that ends an armed conflict?

A compromise peace agreement, although having cease-fire as its main objective, also comprises several other factors, important to re-building of a post-war country. One such factor is mentioned by Horowitz in Reynolds et. al (2002:16f) as building of a structure, especially in countries that can be construed as new democracies. It purports that structural design, such as electoral systems and constitution is not generally adopted externally, but is usually a result of compromising, creating a locally constructed hybrid structure (ibid.). In a post war peace agreement it is also vital to create structural programs to reinsert ex-combatants of war in civil society (Garzón 2003:131).

Another important factor in peace agreements is “conclusion” of the state of war, in which possible rules for post war justice are outlined. The view on whether post-war justice is compatible with compromise peace agreement is somewhat divided. Ambos et al (2009:V) point out that international law declares that states are responsible to ensure that individuals are held accountable for crimes committed during wartime. This legislation departs from the notion that a country cannot establish and enforce rule of law and normative of human rights when individuals, guilty of war crimes enjoy impunity. The opponents to this notion

point to the incompatibility of prosecutions with a compromise peace agreement, stating that such a demand might divide the affected population. In light of this critique, alternative approaches to reach justice, such as Truth Commissions, have emerged, and have been established along with compromise peace agreements since the 1970's (ibid.).

Returning to the definition of the objective of peace processes initially in this chapter, a peace agreement also needs to ensure a solid and long lasting peace. Roland Paris (2002:39) states that in order to guarantee sustainable peace, parties must seek to normatively eliminate causes of the initial outbreak of the war. If this is not done, peace agreement may rest on an unstable foundation, as there will be no safeguard for conflict not to arise anew.

What circumstances then ensures a successful peace agreement?

Jeffrey Pugh (2009:85ff) discusses the theory of ripeness, the idea that initiation of peace agreements only can come to term when 'timing' is right. A "mutual hurting stalemate" occurs, where parties believe the conflict cannot be won militarily as they are able to mutually block military efforts from the opposite party, combined with for instance significant costs in military efforts. It is not until the parties in conflict acknowledge the stalemate that they may be ready for dialogue (ibid). Rasler (2000:701) indicates that the parties should have 'policy entrepreneurs', who are not afraid to abandon old strategies or internal commitments and thus move forward the dialogue (ibid).

The role of third-party actors should not be neglected. During the latter part of the 20th century and until presently, the UN has traditionally served as mediator in conflicts (Montgomery 1995:139). Mediators serve to provide knowledge and technical assistance in the task of crafting an agreement. Also, mediators can help overcome mutual distrust and oversee that belligerents are 'playing fair'. Third party actors may also be NGOs, groups within the population or so called 'Groups of Friends' (Pugh 2009:87).

In order to examine dimensions that affect the outcome of insurgency conflicts, Fishel and Corr (2001:207) suggest the Manwaring Paradigm, or SWORD model. The paradigm consists of 7 different variables: *Unity of effort* reconnects to the theory of ripeness and regards the will of parties to strive for a common goal. *Legitimacy* deals with the legitimacy of the mission itself. The remaining five dimensions, *support to belligerents*, *support actions of peace forces*, *military actions of peace forces*, *military actions of belligerents and peace forces* and *actions targeted on ending conflict* can be construed as support actions in the light of the peace mission. Fishel and Corr (ibid) call the first two dimensions critical, and state that remaining five dimensions evolve around these.

3.2 The Contents of Peace Accords

As stated previously, contents of peace agreements can be construed as the framework or 'blueprint' for a new prevailing order within an emerging democracy. Therefore, while structure and circumstances of negotiations is important to its continued development, its content is important to the country's further transition.

Olga Shvetsova (in Reynolds et. al, 2002:55) writes that institution's work in transitions consist of "...moving the political system in a direction of a consolidated democracy of a particular desirable shape by forming a stable pattern of expectations about the political interactions" (ibid.). Equally, Hellsten (in Addison-Brück 2008:79-80) expresses the importance of establishing a representative constitutional structure, effective political and administrative institutions and participatory processes in post-conflict reconstruction.

The matter of Human right and transitional justice is also of importance. Under supervision of international organs such as the UN, who since the Universal Declaration of Human Rights have been committed to upholding principles of representative democracy, these matters have been addressed in peace agreements (Paris, 2004:22). Belligerents in peace talks have themselves highlighted matters of human rights violations, ensuring the enhancement of protection of such rights by entering them in peace treaties (Call 2003:837). The issue of transitional justice is marked by slightly more controversy. While some scholars believe that prosecutions of individual in transitional justice serve to harm peace negotiations by further splitting belligerents, others believe that without justice there cannot be a sustainable peace. Ambos et. al (2009:vi) refer to a statement from the UN that peace and justice must be pursued jointly. In the words of the Secretary General: "The Secretary General is convinced that there can be no sustainable peace without justice. Peace and justice go hand in hand" (ibid.).

Roland Paris (2002:39) writes about underlying causes of civil war, stating that while many peace agreements are internationally considered success stories they failed to vanquish the underlying causes of the outbreak of war, which in turn puts their success in question. This is the case of Nicaragua: Although peace agreements successfully ended armed conflict, it failed to address the underlying cause of insurgency, namely poverty. When the peace treaty of Nicaragua was signed, the country was marked by economic inflation and doubtful macroeconomic decisionmaking. Paris states that although measures were taken to better Nicaragua's economic situation, these measures were mostly concentrated on liberalization of Nicaraguan economy, thus neglecting the growing asymmetry between the population (Paris 2004:115-117).

Paris (2002:60) states that a peace treaty that fails to eliminate underlying causes of a civil war might create a politically beneficial arena for belligerents, but this also crumbles the relative triumph of democratic reforms and weakens prospect of stable and lasting peace. In other words, while the peace agreement has succeeded in stopping the armed conflict, its content and transitional measures are likely to reproduce conditions of misery that initiated the war in the first place. In such conditions, it is likely that the peace all parties have worked for will not be long lasting, and democratic consolidation will be uncertain (ibid.).

3.3 Democratization and Peace Agreements

In order to discuss the impact of the peace accords on Salvadorian democratization process it is important to determine the link between these two elements.

After a civil war it is important to institute some form of post-war order. In many peace agreements, democratization is included as an essential factor. Wallensteen (2007:139) states that this is quite logical, as many civil wars usually involve some form of power struggle. Thus, democratization would be a way to transfer this power struggle into a constitutional and non-violent form, and simultaneously include actors who previously have been suppressed and left out from influence. Wallensteen suggests this is a way of handling inclusion and further participation of parties in a society after war (ibid.). Lyons (In Dayton 2009:92) suggests that some scholars believe it to be favorable for a more manageable transition to hold post peace agreement elections much later in the transitional process. Instead, power-sharing settlements should be previously negotiated in peace accords to avoid uncertainty of a frail post-war transition. Another reform suggested is that electoral rules should be drafted to encourage inclusive regimes (ibid.)

Democratization of a post-war country is thus by no means a quick fix, but more a slow and multidimensional process. Rather than just arranging elections in a country, it relates to an underlying balance of forces in society, where the parties come to realization that power cannot be monopolized. The parties will thus have to adjust their demands according to their electoral strength. According to Wallensteen (2007:54) there are seven different approaches to this. The first way is shift in priorities. Although it is rare that parties change their stand on basic positions, a shift can be made regarding what matter is deemed a high priority. This may give the other side an opportunity to reciprocate. The second is division of resources. Parties stick to their goal but find a point of division of available resources. A middle ground is thus found on important issues at hand. The third is by Wallensteen called 'horse trading'. One party gets all of their demand met on one issue, while the other party gets all of their demands on another issue. This is therefore a different way of compromising. The fourth is the matter of shared control. This is when the parties decide to practice shared control over a certain

resource. The fifth way is leaving control to someone else. This is the case when the control is externalized. Thus, belligerents decide that they do not rule over a disputed resource themselves (ibid).

Similarly, the sixth way, resorting to conflict management mechanisms, relieves parties of direct control. The parties here find a procedure according to one of the five ways mentioned above, done through arbitration or simply outside of the belligerents' direct reach. The seventh and final way mentioned by Wallensteen is leaving to issues for later. An issue is, for different reasons, postponed into the future (Wallensteen 2007:54). Enhancing these aspects of compromise, a strongpoint in a democratic system is the possibility for the losing opponent to make a 'comeback', instead of completely perishing. Thus, an in-between of winning and losing exists, and a mutual respect between winners and losers (Wallensteen 2007:140).

Democratization in above mentioned aspects works as a tool for belligerents to learn to live with or dissolve incompatibilities. The ways of democracy becomes not only guidelines to run a new founded democracy, but also tools for conducting a peace agreement in a democratic way. In other words, elements of democracy may already be found in an initial stage of a peace process where belligerents are forced to compromise certain issues to obtain others.

A second approach involves peace agreements as means to create a framework for democracy. Wallensteen (2007:144) states that one important factor when building a post-war democracy is to what degree some form of popular participation in politics already exists. If a base already does exist, it is then a question of reforming the system to accommodate the demands after the civil war. This may involve making fundamental changes in constitutions to open up for broader participation and dismantling structures that are adversative to democracy. Wallensteen (2007:145) distinguishes between countries that previously had some form of political participation (albeit limited) prior to the peace agreements, countries that had the appropriate institutions (such as elections), but were characterized by a long-time one-party rule, and countries that required a complete reconstruction of institutions post-civil war. Out of the three categories, Wallensteen (2007:145) states that the most difficult processes can be found in the third category, while countries that fall under the first category empirically have been the ones that are functioning more democratically. This conclusion suggest that there is more of a probability to succeed in a post war democratization if the country has a previous legal system, built at least on some of the principles of rules of law (ibid.).

According to Jarstad (2008:18) there has to date not been an integration of discourses on democracy and armed conflict. This has led to a "(...) gap in our understanding of potential trade-offs between peace versus long-term democratization for societies shattered by conflict" (ibid.). After a peace agreement, legacies of war, such as unsolved issues and insecurity, tend to remain

in society. This polarization in society leads to a paradox: democracy, associated with peaceful conflict management, will increase risk of violence as one of its core elements is popular participation and voicing of opinion. This, in turn, in an unstable and fragile democratic society might lead to violent conflicts. Jarstad states that a democracy can be construed as consolidated when peaceful means of conflict management are the only means accepted (2008:19).

While peace processes and democratization processes in practice often overlap, Jarstad (2008:21) states that it is only when treated as different processes that you can examine why these can sometimes clash. Four different dilemmas may occur in these processes, making peacebuilding and democratization have adverse effect on each other.

The horizontal dilemma is the issue on which groups in society that should be represented in the processes. While it is in best interest of peace to include warring parties in a negotiation, this can be regarded as a “reward” for violent behavior. Broad inclusion, although being in the light of democratic principles, may prove to be anti-democratic should it also include violent parties (Jarstad 2008:22). The vertical dilemma deals with the choice of efficacy versus legitimacy. Legitimacy increases when the people are involved in all stages of a peace process. Elites however, might prefer a non-public process in order to get as many as their demands met as possible. The systemic dilemma is the issue of ownership, the choice between international and local control over peace and democratization processes. While a third-party engagement might be necessary to drive these processes forward, sustainable processes rely on the commitments of the local people and elites. The temporal dilemma deals with balance of short term versus long term effects on the processes. For instance, in order to make democracy work in the long run, risk of violence might increase in the short term (Jarstad 2008:24-25).

New conditions in a post-war country, such as conditions of democracy, may in themselves create insecurity and tension. The compromises and dilemmas presented above may cause some topics to be misunderstood or even neglected, leading to problems arising as a result of the peace agreements. Wallensteen (2007:144) states that physical security of belligerents is of special concern in a post-civil war settlement, due to the nature of conflict. Unlike the case of interstate conflicts, it is not a matter of a creation of dividing lines that belligerents can withdraw behind. The transition, as well as the peace agreement must therefore take under consideration the issue of sufficient security for individuals in politics. Similarly, Lyons (In Dayton 2009:92) states that in a situation where legacy of the conflict remain, voters might choose to place their vote to appease the most powerful side of the political arena, in hope that this will prevent a return to war. Voters will choose the candidates who in one way or another can guarantee security, making elections dominated by issues on security. By transforming the institutions of war, and demilitarize political power in the country, the security issue can be reduced (ibid.).

4 The Salvadorian Peace Negotiations

4.1 The Road towards Peace Negotiations

During the civil war, there were two attempts of peace negotiations. The first attempt was characterized by its long duration over time, formal contents in agenda and ultimate failure in reaching results. The second attempt was time effective, intense negotiations with profound contents in agenda. It resulted in the Chapultepec peace accords (Azpuru et. al 2007:59ff).

The first round of peace negotiations were commenced four years after the outbreak of civil war. The guerrilla, FMLN, had already in 1981 shown interest in peace dialogues with the government², but this was not reciprocal until after a shift of regime in 1984 (ibid.). This might have been attributed to a wave of political liberation where initiatives towards unions and social movements were slowly gaining territory in the socio-politic sphere. The negotiations, lasting nearly 5 years, did not lead to any substantial agreements towards peace. Instead, they were marked by ideological arguments and legality deliberations that were not possible to overlook in the long run (Azpuru et al. 2007:60).

Nevertheless, these negotiations were a landmark. Inviting the FMLN to participate in negotiations signaled the admitted legitimacy of the guerrilla as a conflict party. The negotiations commenced a dialogue between antagonists, where political standpoints and framework for unilateral proposals of belligerents were discussed (ibid.). A point of disagreement was if political system was already democratic or if it was in transitional phase, away from the military authoritarian rule of past decades. The dispute concerned whether the peace negotiations would precede political elections, or if by holding elections first, the issue on governmental power would automatically dissolve. The phase of peace deliberations was never reached during this first attempt of negotiation (Azpuru et. al, 2007:60f).

The second round of negotiations was triggered by a military offensive, conducted by the FMLN in 1989, followed by contra-offensive of the military armed forces.

² a right winged coalition, headed by the Christian democrats, PCD

(El Diario de Hoy, <http://www.elsalvador.com/>). At first these incidents were feared to halt negotiations, but would later prove to be a ‘kick-start’ for belligerents, and furthermore presidents of neighboring Central American countries. The UN, were summoned to assist in re-initiate halted negotiations, making these peace talks place under international supervision. This time, with the end of the Cold War, the ascend to power of right-winged party ARENA and emerging strong economic domestic powers, the negotiations parted from a different base. In addition, the belligerents had discerned the impossibility to find solution of conflict through armed offensives. (Azpuru et. al 2007:61f.).

The negotiation process was conducted in four different phases: The first phase, in April 1990, was the Geneva Treaty, an agreement to enter negotiations with the UN as intermediaries. During the second phase, in October 1990, agreements were reached on procedure and structure. The third phase includes the signing of agreements on constitutional reforms (The Mexico Accords, in 1991) and the New York Accords in September 1991 regarding the demilitarization of El Salvador. The final phase of negotiation culminated in the signing of the Chapultepec Treaty in January 1992. (Chapultepec Peace Accords, <http://www.elsalvador.com/>).

The Chapultepec Treaty was a detailed result of difficult compromises on many infected issues, such as seize of arms by guerrilla FMLN and an agricultural reform, promising a patch of land to peasants and ex-guerrilla soldiers. Important to note is that after the signing of the treaty, the FMLN could return to the political arena as a legitimate political party (Azpuru et al. 2007:61f).

The elements of ripeness can be seen in the process towards peace dialogues. Although several attempts to engage belligerents in peace negotiations were made, a successful attempt was not conducted until after several tries, when struggle for dominant power gave way for negotiations based on compromise.

The Chapultepec peace treaty is widely regarded a success story for international peacemaking. It successfully managed to stipulate a compromised complete cease-fire that all belligerents complied with, as well as lay a foundation for a transition to democracy (Paris 2002:39-40).

4.2 Peace Accords and International Involvement

The Chapultepec Treaty was a cobweb of individual accords containing detailed regulations. Its aim was to, in the fastest possible political way, end the armed conflict, ensure democratization of El Salvador, establish unconditional respect for Human Rights and unify the Salvadorian people (Azpuru et. al 2007:61f.). The peace agreement could depart from existing legal structures in the country, as this already featured a limited form of political participation and thus seeds for a democratic structure. Before the peace treaty, elements like elections, limited

party competitions and media independence were more or less accepted principles (Wallensteen 2007:145).

While the main role of the UN was that of mediators in the peace negotiation, they also succeeded to link other international groups of assistance to the negotiations, such as *El Grupo de Amigos del Secretario General*³, consisting of countries Venezuela, Mexico, Colombia and Spain (Pugh 2009:95).

A group of observers from the UN (ONUSAL) were also sent to oversee the negotiations. This gave the Salvadorian peace negotiations renewed credibility, as the presence of ONUSAL contributed to increase conviction that the accords would be respected and complied (Azpuru et. al 2007:61f.). The observers were divided in four different subgroups, overseeing the fulfillment on crucial parts of the treaty: Human rights issues, the dismantling of existing security units and replacement with the new national civilian police corps (PNC)⁴, the cease-fire and demobilization of military groups and the first post-war elections, held in 1994 (Azpuru et. al 2007:61f.).

Chapters I and II of the Chapultepec Treaty concerned the matter of the armed forces in El Salvador, stressing especially its subordination to civil political power. Chapter III dealt with reforms of administration of the legal system and observation and respect of Human Rights (Chapultepec Peace Accords, <http://www.elsalvador.com>). Chapter IV, concerned the electoral system in El Salvador. The system consists of three main elections: presidential/parliamentary elections, municipal elections and elections of the Legislative Assembly. A supreme electoral tribunal was established, thus replacing any form of institution previously employed (ibid.). Chapter V concerns socio-economic aspects of the new system, stressing development of El Salvador as a priority (ibid.). Chapter VI is dedicated to the political participation of the FMLN, securing members full civil and political rights. Chapters VII-IX were dedicated to time limits and deadlines for processes, ultimately aiming towards a complete cease fire, under supervision of the UN (ibid.).

The definition of the Chapultepec peace treaty as a cobweb reconnects the agreements to approaches of compromise as discussed above. Elements of shifts in priorities, horse-trading in different matters and ideological middle-grounds marks the peace agreements as a result of compromise between belligerents. This is noticeable in particular regarding the compromise on armed forces: the armed forces were to continue existing, but were now subordinated to the civil political power of the nation.

³ My translation. Roughly; The Group of Friends of the Secretary General

⁴ These were to consist of trained individuals from both belligerent parties

5 Political Situation Today

The presidential elections of 2009 were a landmark for El Salvador. For the first time in history, the leftist party FMLN, headed by Mauricio Funes, won the presidential elections. The electoral campaigns were not entirely without social and political disorder. Violent confrontations between sympathizers of both ideological sides led to several human casualties. The population held their breath as it was confirmed that the FMLN had won with a majority of 52%. Fears proved to be unfounded when right-winged ARENA, now in the role of opposition party handed over the political power without major incidents.

Although the change of regime was smoothly conducted, it was preceded by a very tough and violent electoral battle, where even the armed forces got involved. Reverse (2009:4ff) states that as many of the confrontations were ideologically induced, the much of this violent disturbance can be traced back to a high level of political polarization and immaturity of political actors.

The periodical elections in El Salvador⁵ have, although with varied figures of participation, contributed to strengthen the notion of democracy as *status quo* among the national elites. As all elections up until the 2009 elections have been won by ARENA, a constant political stability regarding national macroeconomic variables has been present since the transition to democracy (ECA 2009:3f). This reconnects to the dilemma of peace versus democracy as discussed above. The shift of regime challenges the frail political stability, built on ideological reforms by formerly dominant party and economic elites of El Salvador. Equally, the issue of violence and insecurity during the electoral battle reconnects to the issue of security: the reason that same party continuously rules a democracy for 17 years might be the fear of instability that follows a shift of regime.

Another problem in contemporary El Salvador is the continuous failure of representatives to meet and satisfy demands of the citizens, thus further widening the gaps between population and political elites. The continuously increasing violence and the failure of representatives to find a permanent solution to the problem, creates growing frustration and mistrust among the population. El Salvador is currently among the most violent countries worldwide (Ranum, 2007:354).

⁵ Five legislative elections, five municipal elections and three presidential elections have been held in El Salvador since the peace accords.

The political polarization can however also be traced back to the traditionally opposing parties such as the FMLN and an almost trademarking oppositional party intransigency. Smaller parties, such as central-leftist party CD have also failed to cooperate in a common strategy towards de-polarization. The phenomenon signals that political parties not only do not promote developing of democracy, but in fact are obstacles against it (Reverse, 2009:4ff). The power struggle thus becomes predominant, above issues of best interest for the people.

Recent polls in El Salvador have shown that a vast majority of the population show little to no trust in popularly elected political organs. In contrast, when members of parliament were queried on whether they believed that the population could identify with a political party, only a small percentage of these believed that this was not the case. The majority of members of parliament also expressed plenty of trust towards the parliament in a similar poll (Reserve, 2009:8f). These results underline the above mentioned widening gap between population and politics in El Salvador, which paradoxically enough also is perceived by the same political actors: the results of another poll show that a majority of political actors perceive a separation from the civil society (ibid).

The organization of the state might offer further comprehension on the polarization in El Salvador. El Salvador is a democratic republic, with a multiparty system, based on the principle of simple majority.

This system opens up for the scenario of a minority government, making it tactically viable for opposing parties to combine their votes to outnumber the ruling party. Being in a de-facto majority, opposing party coalitions can thus veto or oppose government proposals from the ruling party. In effect, the opposition is then holding power in government. This is the situation is currently in El Salvador: the parliamentary opposition outnumbers the party in office (ECA 2009:3ff).

The editorial in ECA⁶ (2009:3ff) points out that in this scenario the composition of government, depends not on the public will but on the political system. While the basis of distribution of power is popular votes, another system would have resulted in another distribution. This reconnects to the struggle for power: Currently the president does not have a parliamentary group large enough to support his political initiatives. The opposing coalition therefore holds the 'real' power in government. In a tactical point of view, it is in the opposition's best interest to see the ruling party fail during their mandate, thus increasing chances of being elected following election year. Interparty hostility and polarization can be identified also in the municipal authorities. As these are independently elected, neighboring municipalities can be ruled by opposing parties. In some cases, animus situations have resulted in mutual blockade-like measures (ibid.).

⁶ Estudios Centroamericanos,

Although this might be strategic moves in the dispute for power, it is not a step towards reforms, in the best interest for the population. Although this might be a strategic move in the dispute for power, it is not a step towards reforms, in the best interest for the population (ECA 2009:6f).

The notion of polarization is supported by the ideological climate in El Salvador. It is not uncommon in pluralistic polarized systems that ideological differences continuously increase. In the case of El Salvador the FMLN lie in 1,42 on a scale of 1 to 10⁷, and ARENA on 9,10. Oddly enough, a poll of ideological preferences of the Salvadorian people marks center-left on the same scale, further adding to the notion of discrepancy between political elites and population (Reverse 2009:13).

The ideological intransigency of the political parties in contemporary El Salvador impedes any sort of cooperation for a mutual cause. However, evidence suggests occurrence of intraparty discrepancies as well. Currently the debate within the FMLN regards president Funes, as he is did not fight in the war as a guerrilla soldier. If a difference of opinion within the party persists it might prove devastating for party unity, thus proving ARENA right in their prediction that the FMLN cannot rule without falling apart in structure (ECA 2009:7).

The shift in regime has however also brought forward reforms, welcomed by the Salvadorian people. The political program presented by the FMLN meets many demands on institutional reforms voiced by social actors in the country. These include fundamental reforms of the Supreme Electoral Court, a system of transparency and control for funding of parties, democratization of the political parties and a reform to enable expatriate Salvadorians to participate in Salvadorian elections (Reverse, 2009:16).

⁷ where 1 is left and 10 right

6 Final Analysis

6.1 Discussion

During the 1990s, around a dozen peacebuilding missions were launched worldwide, all with the common goal to democratize a country, previously plagued by civil war (Paris 2004:ix). As previously pointed out in my thesis, peace negotiations can, if circumstances and characteristics are ‘right’, come to be regarded as pure success stories. Nevertheless, the process of a peace treaty is long and complicated, with many factors of essence to the outcome.

This thesis has established that democratization in a post-civil war peace process is a way to transfer a power struggle to a more non-violent form. Looking into the case of El Salvador we find that although the war did not outbreak specifically as a struggle for power, the conflict certainly contains elements of power struggle, still visible in contemporary politics.

In the case of El Salvador civil war began as an uprising against dictatorship, but culminated in a struggle for dominating ideology. As seen above, the peace process was marked by ideological struggle, both in form and content. In this respect the peace process was set in the tone of democracy at an early stage, forcing belligerents to compromise and cooperate not only in content of the peace treaty, but also in negotiations, through different approaches of compromise. Regarded in this perspective, the democratic approach to negotiations seemed to work. The result, the Chapultepec Peace Treaty, is in form and design notably an ideological mixture, a result of cooperation.

Although the peace treaty could depart from existing structures in the country when creating a structural framework, the leap to a full democratic structure was yet to be taken. The physical security of belligerents was one such democratic advance. When initiatives for peace negotiations were taken this signaled a concession from the Salvadorian government; the FMLN were considered a legitimate opponent in conflict. After the signing of the peace treaty, the first step in the road to democracy was taken: the FMLN was no longer considered outlawed, but an accepted political party.

As established above, a number of circumstances such as the sensation of ripeness and the will to work towards a common objective have to be equally present for

all belligerents in a conflict. It is only then that serious peace negotiations can commence. During peace negotiations it is of importance to have an independent mediator, who can provide unbiased expertise and help to build trust between conflicting parties. Furthermore, the parties must be able to agree on a framework for a functioning democratic society and lasting peace.

This is not the easiest of tasks; the figures speak for themselves: The ratio of civil wars ended in negotiation since 1945 is a mere 25 per cent (Rupesinghe and Anderlini, 1998:139).

In this thesis, I have presented the Chapultepec peace treaty, seeking to determine if anything in its design or circumstances may have conditioned the outcome of present day democracy. I have in my research found that many commentators internationally count the Salvadorian peace process as victorious: a few years after the peace treaty was signed, the World Bank called the case of El Salvador “a remarkable success story” (Paris 2004:124). According to Wallensteen (2007:145), El Salvador belongs to the category of modern post-civil war countries that are functioning more democratically today, partly because prior to its peace agreement, El Salvador had a political structural base on which to build a democracy.

As previously pointed out, however, there are a number of dilemmas where both processes can have adverse effects on each other. While it can be said that the dilemma of inclusion originated early, and persisted throughout the civil war (the FMLN being enemy of state), the vertical dilemma emerged only with the start of the process of peace. The Salvadorian people, weary of the long conflict, called out for a prompt end to the war. The pressure was thus on the belligerents to conduct peace agreements and compromise solutions in as little time as possible. It is an interesting point that the dilemma of inclusion can still be traced in the political situation today: political polarization and incapacity to cooperate amongst the parties signals that there is not a complete acceptance of the adversary as yet.

As the international role in the Salvadorian peace process merely was the role of support and mediator, the question of ownership of negotiations never seem to have become an issue. It is nevertheless worth pointing out that although the importance of the mediator is not to be neglected, the support of this actor may conflict with this very dilemma. The element of analysis in the SWORD model discussed above indeed guides the mediator in his role to give support, but neglects the dilemma of ownership of process. The role of the mediator may be useful when it remains a help to push forward the process, rather than taking ownership of it.

The unstable situation in contemporary El Salvador points to the presence of the temporal dilemma: El Salvador is attempting to make their democracy work, but at the cost of insecurity, mistrust and violence in society today.

The picture of the situation today is quite gloomy: El Salvador is marked by political polarization, mistrust towards authorities and above all; a spiraling progression of violence. The figures presented in the study *Anuario 2009 de Seguridad regional en América Latina y el Caribe* (Mathieu et. al, 2009:12) are alarming. According to WHO (World Health Organization) 27% of homicides in the world are committed in Central America, where in turn 8,5% of the world population resides. The majority of these homicides can be linked to street gangs *maras*. There has also been an upswing of economic-purpose kidnappings, as well as drugs, arms and human trafficking. Yearly there are about 40 homicides per 100 000 inhabitants in El Salvador, making it one of the most dangerous countries in the world (ibid.). The economically related crimes are scaling as the worldwide economic crisis has struck Salvadorian economy quite hard. A fairly large part of El Salvador's BNP consists of *remesas*, money sent to the population from relatives abroad (PNUD 2010:10). Simultaneously, the gap between rich and poor is constantly increasing, as post war economic growth enriched solely a narrow fragment of the population (Paris 2004:124-125). In other words, while post war economic bonanza benefitted strictly the economic elites, the worldwide economic crisis has hit mainly the less affluent members of society.

All these facts seem to point towards a missing cog, needed to spin the wheels of democracy.

Yet examining the Chapultepec peace treaty, we find that the content bears strong indications of consideration of conditions for democracy discussed in previous chapters. In the agreements, each segment contained legislative proposals to legally establish previously mentioned institutional guarantees, vital to democracy. The structural base to consolidate a democracy was therefore set, possibly by looking at present day consolidated republic democracies. The question then remains why El Salvador has not fully been able to consolidate the democratic system.

Although the situation in contemporary El Salvador seems bleak, every cloud has a silver lining. The recent shift of power in El Salvador was marked by a smooth transition, thus proving internationally that, albeit in a small scale, some aspects of national democracy actually work. The recent political situation in El Salvador has also paved way for the FMLN to seek to put in practice politics they have constructed during their years as oppositional party. With the advancement of worldwide economic crisis, a mutual objective of political stability has become imperative to the situation of El Salvador (Reverse, 2009:15ff). A closer look at the political platforms of both major parties in fact reveal several common matters (ECA, 2009:6) that, with a little 'give/take' politics surely can be agreed upon. This, in itself might be an incentive for parties to look beyond ideological preferences and start working for the common good, and thus take a further step towards consolidation of democracy.

6.2 Conclusions

It has been established that El Salvador, 18 years after the peace accords, cannot be construed as a consolidated democracy. The road that lies ahead is still long.

While a few shy hints of democracy are budding in contemporary El Salvador, current national situation remains extremely frail. El Salvador today is a country marked by violence, with a political arena plagued by extreme polarization, corruption and general mistrust towards authorities by the population.

Above mentioned suggests that national politics in El Salvador, although continuously moving towards further democratization, is not entirely working well. The system provided not only doesn't promote political stability, but seem to be pushing towards instability and weak institutions, thus creating further popular mistrust. In other words, the democratic blueprint was provided with the signing of the peace treaty, but it doesn't seem to be enough.

Perhaps the situation would be different had the Chapultepec peace treaty designed a democratic system via 'constitutional engineering' taking institutional framework of another country with institutions known as more robust (Germany being an example), and a form of parliamentary democracy which would serve to bridge divides.

The question I initially sought out to answer was *what impact did the peace accords have on the process of democratization in El Salvador?* I have found that the answer varies depending on what perspective it is viewed upon. Without a doubt the Chapultepec peace treaty succeeded in putting an end to a long civil war and a long-spun power struggle. In addition, the peace treaty managed to draft blueprints for a democracy, based on a compromise between belligerent parties in the armed conflict. By doing so, it successfully eliminated an underlying cause of outbreak of war: the possibility of re-emerging of a totalitarian regime. Regarded in this perspective, the impact of the peace accords on the process of democratization in El Salvador was that it paved a way for a transition to democracy by ending armed conflict. Simultaneously, a foundation for institutions of democracy was laid. Regarded in this perspective, the Chapultepec peace treaty is the very definition of a success story.

As has been pointed out, the situation in contemporary El Salvador suggests something different.

Based on these findings, my conclusion is that while the Chapultepec peace treaty in many ways successfully completed its mission, it failed to address one of the major underlying causes of the outbreak of war: The uneven distribution of economical assets in El Salvador. The explanation for the disregard of this

underlying cause might be found in the dilemmas that follow when peace and democratization processes overlap. It has been established that sometimes, for the sake of one process, parties must compromise an element in the other, by either “leaving it until later” or focusing on other aspects. In the case of El Salvador, one might say the price of cease-fire and peace might have been poverty among population.

This underlying cause continues to haunt the Salvadorian population to date, manifesting itself as dissatisfaction among population, violence and a faulty political arena, lacking the full support of the people. This doesn't mean that there will be a new war in El Salvador tomorrow. The horrors of the Salvadorian civil war are still ever so present in the collective memory of the Salvadorians. However, a return to the initial state of misery that prevailed before the civil war suggests that the discontentment that caused conflict in the first place also might re-emerge. The spiraling outbreak of violence El Salvador has experienced after the civil war strengthens the hypothesis that the frail Salvadorian peace is progressing towards an uncertain future.

In the light of these arguments, a suggestion for further investigation would be to find means for remediation of these underlying causes in a democratic way. A redistribution of wealth is not a completely uncontroversial matter. Yet, in the case of El Salvador circumstances suggest it is the path towards a functioning consolidated democracy, once and for all.

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