Reconceptualizing the Social Contract

In Contexts of Conflict, Fragility and Fraught Transition

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Acknowledgements

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Executive Summary

This working paper[1] makes a case for rethinking the social contract concept in the contemporary era, in countries affected by conflict and/or fragility. Inspired by policy efforts to rethink the concept as a means to better address the challenges of peacebuilding and statebuilding, the paper aims to theoretically ground the topic and offer a heuristic framing that supports the evolution of scholarship, policy and practice. It is laid out in the following sections:

- **Introduction:** This section sets the context, pointing to the deep challenges undermining the state from above, transnationally and below. It highlights limitations of policy efforts in areas of peacebuilding and statebuilding to address these and the scholarly critiques surrounding their strategic design and delivery – all of which suggest the need for greater focus on the social contract.

- **Enduring themes of the social contract:** Historical and contemporary theorising efforts are scanned and their limitations assessed, making a case for the concept's rich applicability across time and geopolitical space. This is rooted in enduring themes and questions that transcend the classical liberal framings upon which its utility is often dismissed.

- **Scholarship and policy directions supporting reconceptualisation:** This section examines critical themes and debates, unpacking rising bodies of evidence and areas of emerging policy consensus, that arguably underpin a focus on forging resilient social contracts for sustaining peace. Disciplines including political theory, political economy, political science, peace and conflict studies, sociology and anthropology are engaged.

- **What is missing:** Gaps and weaknesses in these bodies of literature and policy thinking that, if brought into dialogue, might better serve a fuller conceptual framing are examined.

- **Annex:** This section presents a conceptual framing that is guiding an 11-country research and policy dialogue project.[2] This framing proposes three 'drivers' of a national social contract as a heuristic device – one that is resilient, with virtuous

movement towards attaining and sustaining inclusive peace. These are that: i) political settlements and social contract-making mechanisms are becoming more inclusive and are progressively addressing core conflict issues; ii) institutions are delivering in increasingly effective and inclusive ways; iii) there is broadening and deepening social cohesion both horizontally (between individuals and groups in society) and vertically (between state and society).

This framing paper, and the wider project it lays a foundation for, seeks to build the intellectual lineage and practical utility of the social contract concept in ways that encompass core values and mechanisms associated with the social contract historically, yet with attention to the dynamism and adaptability needed to address contemporary challenges and realities.

1.0 Introduction: The Need to Revitalise the Social Contract Concept

The social contract is a term familiar to all. With roots in antiquity, it is often dismissed for being too steeply rooted in traditional liberal thought to address the complexity and diversity of today's challenges. Yet as the world grapples with extreme challenges, and evermore resilient competing ideologies and traditions evolve, it is hard to contest the profound value underpinning the notion of the social contract. Simply put: we need basic agreements about how we can peaceably live together. And while most would not champion the way the Westphalian state system evolved, they might likely adopt the discomfiting realisation that we continue to need states. Developing another system – if it were possible to agree on one – would likely bring even greater global disruption. Within this context, the international system of states continues to be equated with some sense of stability – as a protector of citizen rights and interests and as a forger of agreements with other states to maintain international peace and security. Scanning the globe, however, it is clear that these assumptions rest on shaky foundations. In short: the social contract is in deep crisis. As a starting point, we need to better understand key challenges, particularly for states and societies affected by conflict and fragility.

Countries affected by violent conflict and fragility have strongly advocated for greater attention to their realities, the particularities of their contexts. By definition, such states are more vulnerable to the internal and external forces that challenge government ability to achieve and sustain legitimacy. Internally, the state itself is often characterised by destructive politics fuelled by elite competition and economic predation, often accompanied by virulent ethnic or sectarian mobilisation. Deep societal distrust of leadership and state institutions, rooted in decades of warfare or neglect, can overwhelm efforts to build viable states and a shared sense of shared citizenship. Weak institutions tend to support extractive corporate agreements, benefiting from internal elite predation and undermining the state's accountability to society. Interventionist international and regional agendas – often representing many unreconciled positions, interests and demands – are also often at play in countries affected by conflict and fragility. Afghanistan and Yemen present extreme examples of this. Such states are more vulnerable to crisis-driven migration and refugee flows, transnational groups willing to utilise violence and propagating extremist thinking to steer the achievement of goals, and humanitarian crises – all of which deeply challenge states and their societies forging a common vision for peace.

There is no dispute that attaining and sustaining peace is proving profoundly difficult to achieve. Most of the conflicts emerging in the 21st century are relapses of conflict (Walter 2010) with an 18 percent chance of relapse in the first year post-conflict (World Bank and United Nations 2018, 84). Compounding the problem, since 2007, the number of intra-state conflicts has grown steadily, and 2016 saw the highest number of internal state-based conflicts in more than 30 years (World Bank and United Nations 2018; Allansson et al. 2017; Gleditsch et al. 2002; Sundberg et al. 2012). Even in countries that have not seen the relapse of war, social tensions may be just under the surface. Bosnia and Herzegovina is illustrative, where, after nearly two decades post-Dayton Peace Agreement, facilitated by international actors, the core issues that drove conflict have not been addressed and continued nationalist rhetoric resting on separate, nationalist institutions undermines efforts at building a shared state. South Africa emerged from conflict with a highly inclusive political settlement and, while it shone as best practice with broad and active societal engagement in its transition, there is wide agreement that it has failed to translate these gains and promises into economic and social outcomes that can solidify a durable social contract – between the South African state and its people – that can facilitate a positive, enduring peace.

The international community has struggled to find effective approaches and has faced growing scholarly critique.[3] Critics argue that mainstream interventions have failed to understand and respond to the complexity of such contexts. They have relied too heavily on templated, externally driven approaches modelled on Western institutions insufficiently sensitive to, and engaging with, local realities, values and needs. A rising consensus in scholarship and policy discussions suggests, detailed in section 3.0, that i) elite-driven political settlements, while important in establishing the foundations of peaceful political orders, do not guarantee a path to nationally owned, lasting peace, ii) externally driven, templated approaches to peacebuilding and statebuilding do not lay a secure path for peace and iii) sustainability requires more than negative peace. Attempts to adapt have included a shift from focus on 'hardware' – the use of development assistance to build state capacities, i.e. police stations and government buildings – to an emphasis on the 'software', aimed at political processes to secure societally owned transitions, i.e. through national dialogue processes aimed at building greater national ownership over the political settlement and the design and functioning of institutions. These directions are promising, but often fall short by failing to get at the everyday dynamics and implicit agreements that characterize state-society relations and institutional functioning, where conceivably the seeds of more durable social contracts reside.

While the social contract concept is well established in political philosophy, with roots much earlier across civilisations and ideological traditions, its application to contemporary countries affected by conflict and fragility is not

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3   The first major critique: Paris (2004). Others include: Hameiri 2014; Zaum 2012; Doe 2009; Newman et al. 2009.

well understood. Some attention has been given to the relationship of failed social contracts and the onset of war (Azam and Mesnard 2003; Addison and Mansoob 2001; Murshed 2011), but its relationship to peace has not been investigated. Meanwhile, over the last decade, statebuilding literature has investigated the role that inclusive political settlements play in achieving stability, providing a useful foundation for reframing. The notion of the social contract, however, goes much further than the political settlement, transcending what are often unsustainable, ephemeral elite bargains, or even linking more inclusive ones, to more durable arrangements for achieving and sustaining peace.

Within this context, and as discussed later (Box A), the notion of the social contract is rising as a priority policy area to revitalise thinking and practice around how to transform and prevent violent conflict and forge lasting peace in countries affected by conflict and fragility. Leading policy actors engaging with the concept include the United Nations Development Programme (UNDP), the World Bank, the Organisation for Economic Co-operation and Development (OECD), the g7+ intergovernmental organisation of countries affected by conflict, and numerous bilateral donors including the United States and the United Kingdom. Yet, grounded, evidenced-based and comparative research is needed that can support this interest and, ultimately, more context-sensitive policy and practice.

This paper offers a critical reflection on literature – both academic and policy – in an effort to build the intellectual lineage and the practical utility of the social contract concept in ways that speak to the realities of countries affected by conflict and fragility. It aims to do so in ways that encompass core values and mechanisms associated with the social contract historically, yet with attention to the dynamism and adaptability needed to address contemporary challenges and that support pathways to attaining and sustain peace.

2.0 Enduring Themes of Social Contract Thought

People and communities across religions, civilisations and worldviews, have reflected upon themes that are core to what now constitutes a body of thought on the social contract. This began long before the classical Western thinkers turned their attention to unpacking the concept, as depicted in Figure 1 and discussed further at the end of this section. Tracing the classical and contemporary written lineage of debates on the social contract however, provides insight into the value and durability of these questions and concerns, which took a distinctive shape with the birth of the modern international political system of states in 1648 with the Treaty of Westphalia. Given the contemporary contextual challenges described in 1.0, and the need for revitalised conceptual work on the social contract to respond to them, reflecting on the concept's intellectual lineage and appeal across civilisations, and ideological and epistemological traditions, holds value. This brief survey, building upon Lessnof's (1990) work, suggests the importance of interrogating these roots.

FIGURE 1: ENDURING THEMES AND QUESTIONS OF THE SOCIAL CONTRACT

- **Purpose?**

- **Who is the social contract between?**

- **What mechanisms enforce/forge/sustain it?**

- **How can conflicting interests be handled (i.e. addressing moral obligations to others and self-interest, and the distribution of wealth?**

Ancient Era ~1000 BC – 400 AD	Medieval Era and Renaissance ~400 AD – early 17th century	Modern Era 'Classical' Political thought mid-17th-early 19th century	Current (contemporary) late 19th century - now

Early notions of the social contract put forth by Thomas Hobbes emerged in the mid-17th century were rooted in the notion that men are self-interested and exist in a pre-political state of nature from which they must escape by entering into a social contract (Estlun 2012). As such, it was an agreement "by everyone with everyone else to authorise one person to exercise political powers necessary to enforce the articles of peace," granting ultimate power to the sovereign (Estlund 2012, 8). Hobbes's thinking was a refutation of earlier Calvinist thought linked with the Protestant Reformation in late 16th century Europe, which tended to employ the social contract (with God) to justify resistance to tyrannical rulers. Prior to Calvin, in Ancient thought, kings were also expected to govern according to "right reason" or else the people were justifiably and reasonably released from obligation to obey him.[4]

Departing from interest-based Hobbesian tradition the concept of rights, central to liberal and democratic thought, entered into social contract thinking in the late-17th to mid-18th centuries through the works of John Locke and Jean-Jacques Rousseau. Locke argued that men are governed by a "law of nature" prior to their entrance into a social contract, but lack the necessary apparatus to enforce the law. For Locke and Rousseau, freedom and equality are fundamental political values that generate differences in thought and action and thus and cooperation must be grounded in consent and agreements of persons (Freeman 2013. 2). The purpose of a social contract was to protect the rights of citizens. The people retain the right to dissolve government if a ruler breaches trust (Lessnoff 1990, 11).

A notable shift in the conceptual development of the social contract occurred with the 18th century introduction of the hypothetical contract – one that deduces moral principles for society from what individuals motivated by self-interest agree to or would agree to (e.g. David Hume and Immanuel Kant). Hume distinguished two questions that are helpful when reflecting on durability of the social contract over time: was government founded on a contract? (YES); and does obligation now stem from original contract? (NO). Related to the latter, contemporary obligations derive simply from "evident advantages" of government. While these are motivated by the original contract, they are directly the grounds of our present 'duty of allegiance' and thus to refer to the original contract is an irrelevant detour (Lessnoff 1990, 13). At the same time, Hume assumed that the original contract was made with agreement of the governed around the advantages of government, that these governed were equals.

Critical perspectives emerged through thinkers such as Marx and Hegel, who fundamentally rejected the notion that a social contract, legitimising the State, could be based on individual self-interest. For Marx, the classical conception of the

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4   Lessnof (1990, 5) offers a useful historical discussion of the social contract. Here he points to Manegold of Lautenbach (late 11th century), proposing that writing about the Holy Roman Emperor Henry IV (1080-1106) suggests a general theory about the contractual relation between rulers and people.

social contract serves the interests of a particular class and therefore is incapable of delivering the true human emancipation; it suggests the transfer of the self-seeking individualism of capitalism from the economic realm into the political realm. Both Marx and Hegel found contractual relations better suited to the economic rather than political realm. (Lessnoff 1990, 15-17).

The 20th century brought new thinking around questions of moral obligations and how to deal with conflicting interests. John Rawls deepened discussions around justice; for him, the social contract required participants to begin from an "original position" of equality as defined by a "veil of ignorance"[5] to choose the principles that controlled redistribution of primary goods (Lessnoff 1990, 15). Contemporary thinkers on the social contract have differentiated themselves on their perspectives of fairness. James Buchanan rejects Rawls's "original position" as a starting point, instead allowing the presence of different incentives and desires, while Robert Nozick (1974) is concerned with fairness ("moral entitlements") of the rich. B. J. Diggs alternatively considers the notion of social contract from a position of "contractarian social morality" that admits variation in people's goals and interests, yet allows for governance based on what it would be "reasonable for all persons to subscribe to" (Lessnoff 1990, 19-21).

Critical perspectives on social contract theory are also concerned with fairness, including the schools of feminism and race-conscious thought. Feminists tend to resist a universal definition of the social contract and hold that modern social contract theory is rooted in "classical patriarchy" (Fiesered 2016). Religious perspectives also offer a view on the social contract. From a Judaic perspective, for example, one enters a social contract not from isolation, but from a communal background and agrees to accept its terms in order to be able to live at peace with persons coming from other communal backgrounds and to develop some common projects (Novack 2005). Muslims, on the other hand, like the Calvinists, traditionally have viewed their social contract with God, not a human being. As Patricia Crone observers: "Unlike Hobbes and other contract theorists… the Muslims usually saw the state of nature as having come to an end thanks to divine intervention rather than human action: God in His mercy sent a Prophet with a law, to found a polity" (Crone 2004, 263).[6]

Across the diversity of thinking, over these periods and across schools of thought, enduring themes around the social contract concept can be identified that can support framing discussions.[7] These are: 1) *its purpose* (e.g. an agreement to forfeit some rights for achievement of others; a method, to facilitate legitimate authority of free people through their consent), 2) *who the social contract is between*, (e.g. the

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5   This veil ensured that "inequalities in social distribution are just if and only if they would be acceptable to all in an original position of equality as defined by the veil of ignorance" (Lessnoff 1990, 18).

6   The reason that God made humans dependent on prophets is that self-sufficient humans would fight one another to death; "if it were not for religion and the laws of the Prophets [...] people would perish" (Al Razi 1977, 190).

7   This categorisation draws and builds upon the works of Freeman (2013) and Lessnoff (1990).

ruler, or God, and the people, different groups within society and the state, or both, between the people and God); 3) *the mechanisms through which it is forged and that enable it to sustain* (e.g. collective decision-making, elections, constitutional processes), 4) *how to address questions of moral obligations and how to manage conflicting interests* (e.g. assumed common interest, enforced norms by sovereign, application of justice or fairness principle, i.e. Rawls's veil of ignorance*; and 5) *how (and whether) to distribute wealth* (e.g. protect private property, government action to ensure a social minimum, decision left to sovereign or people). These enduring themes and questions that have confronted the rulers and the ruled, and states and societies, over time and across the globe, transcend classic ties the social contract and today lie at the heart of forging a common vision for peace and managing conflict.

Over the last 15 or so years, a literature has evolved that addresses social contracts and civil war and considers how breakdowns in the social contract can cause war and/or how social contracts between the state and rebels can be best managed. In this literature, rooted in political science and development and drawing heavily on rational choice theory, social contracts tend to be narrowly defined. Azam and Mesnard (2003), for example, argue that the social contract is an agreement between the government and a potential opponent (rebel group) in which the government attempts to reduce incentives to rebel by transferring or redistributing wealth and services. Evidence has shown that these transfers are needed to prevent secession in a polarized society (Haimanko, Le Breton and Weber 2001). Murshed describes contemporary civil wars as rooted in the breakdown of the social contract or what he terms "the institutional failure to peacefully resolve conflict" (Murshed 2011, 72). Specifically, conflict arises from the breakdown of agreements over the sharing of resources in the context of economic decline or from the malfunctioning of political institutions. Others suggest that economic grievances that lead to civil war, i.e. over public spending, taxation and resource revenues, can be addressed by improvements in the standard of living through economic growth and poverty reduction (Addison and Murshed 2001). This broad literature is valuable in laying a foundation for thinking about social contracts and peace, but there needs to be a deeper assessment of the richness and diversity of contexts and nature of challenges, of how society more fully plays into the picture and of what we are learning about achieving and sustaining peace. To do this, the next section draws from a rich set of literatures and policy discussions.

3.0 Scholarship and Policy Directions Supporting Reconceptualisation

Over the last decade, the policy community has begun to engage the notion of the social contract in the context of countries affected by conflict and fragility, with the hope that it supports the revitalisation of peacebuilding and statebuilding policy and practice. The complexity of the topic, in particular where it is linked to understanding how peace is forged and sustained and prevents violent conflict, presents considerable challenges for illustrating clear, causal connections between the myriad factors in play. It is possible to identify an evolving body of themes with evidence in areas that underpin this movement while recognising that they are delivered in and around normative arguments – unavoidable with any discussion of progress – be it peace, peaceful states, resilient societies or inclusive development. So, too, while key policy institutions are putting some of the emergent ideas into practice, often the theories of change and evidence base supporting them are unclear, and/or the practice is experimental – too often without robust evaluation to feedback into policy learning and design. This section reviews the rising body of evidence and core areas of emerging policy consensus, amongst other areas, that arguably underpin a focus on forging resilient social contracts for sustaining peace.

Policy movement is being driven by a growing, recognised body of evidence that is showing:

Sustaining peace and preventing violent conflict is not easy; it requires addressing root causes and ongoing grievances, particularly around exclusion, and building a national vision for peace

Over the last decade, increasing recognition has turned towards understanding the failure of peace agreements and resulting war reversion, on the one hand, and the nature of successful peace agreements and the processes by which they are forged and endure, on the other. The statistics for war recurrence are disputed, but most scholars argue that between one third and one half of all ended conflicts revert to warfare within five years (McCandless 2010 drawing on Collier 2009, 77)[8] and, as highlighted in the introduction, 18 percent revert in the first year post-conflict. A

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8   Estimates range between one third to one half, with divergence due in part to confusion around whether a renewed war is attributable to the recurrence of an old fight or outbreak of a new one and due in part to scholars defining data differently (Cousens and Call 2007).

more compelling statistic by the World Bank's World Development Report (WDR) of 2011, however, is that, of all civil wars that have been experienced in the last decade, 90 percent have occurred in countries where a civil war had ended in the past 30 years (World Bank 2011, 2).[9] At the same time, as highlighted earlier, conflict is increasing: intra-state conflicts have grown steadily since 2007.[10] In addition, the number of conflicts that can be defined as wars (by reaching the 1,000 battle deaths threshold) has more than tripled since 2007, while the number of low-intensity conflicts has risen by over 60 percent during the same period (ibid.).

Many conflicts that have arisen in recent years are especially resistant to peace agreements (World Bank and United Nations 2018, 36). Reasons for failure or simply intractability might best be simply attributed to their sheer complexity as new and old drivers of conflict intermix (United Nations 2015). Trusted assessments site poor design and implementation of settlements and lack of support for them (Mack 2007, 5). Others emphasise: the number of warring parties; the absence of an inclusive peace agreement with a sufficient buy-in from all parties; the presence of spoilers; the degree of collapse of state institutions; the number of soldiers; the availability of natural resources vulnerable to looting; the hostility of the neighbourhood; and whether the war in question is one of secession (Stedman, Rothchild and Cousens 2002; Doyle and Sambanis 2006). In countries with deep hostilities after long and bloody wars, factions may sign a treaty as they realise that they cannot win a military victory, but trust is exceedingly low and local capacities profoundly depleted, requiring greater external assistance to implement a settlement (Sambanis 2008). Awareness is rising about the complexity of warfare and reaching durable peace agreements, with asymmetrical conflicts increasingly the rule rather than the exception.[11]

With this growing awareness and following a 2015 Advisory Group of Experts review of the United Nations peacebuilding work, twin Security Council and General Assembly Resolutions (A/RES/70/262 and S/RES/2282)[12] set out an overarching conception to guide the UN's work going forward, around sustaining peace, that

"should be broadly understood as goal and a process to build a common vision of society, ensuring that the needs of all segments of the population are taken into account, which encompasses activities

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9   For discussions of the trends in civil war onset and termination see: Hewitt et al. (2010); Sambanis (2004); Elbadawi et al. (2008); Collier et al. (2003).

10   2016 saw the highest number of internal state-based conflicts in more than 30 years. World Bank and United Nations (2018) citing: Allansson et al. (2017); Gleditsch et al. (2002); Sundberg et al. (2012).

11   See, i.e., the AGE report for discussion on this, which argues that a number of factors are rendering conflicts more intractable, including the growth in violent extremism, links to illicit markets and organised crime, and the proliferation of small arms and light weapons (United Nations Advisory Group of Experts 2015). Also see McCandless (2009).

12   UN Security Council, Resolution 2282, adopted by the Security Council at its 7,680th meeting on 27 April 2016. http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2282(2016)&referer=http://www.un.org/en/sc/documents/resolutions/2016.shtml&Lang=E

> aimed at preventing the outbreak, escalation, continuation and recurrence of conflict, addressing root causes, assisting parties to conflict to end hostilies, ensuring national reconciliation, and moving towards recovery, reconstruction and development, and emphasizing that sustaining peace is a shared task and responsibility that needs to be fulfilled by the government and all other national stakeholders."

Others are suggesting that the articulation of a peaceful vision is an essential component of a peaceful society and that this is a likely needed ingredient for fostering regional and global peace systems (Coleman 2018, 4). Research points to peaceful societies as having national visions that embraces peace and a dominant discourse within society that reinforces a self-image of peacefulness, affecting behaviour in peaceful ways (Dobinson 2004, 160).

The emphasis on addressing root causes as a prerequisite to sustaining peace reflects a growing movement in our global policy institutions. The United Nations has gone back and forth on this point over the years, displaying official preferences for more symptomatic or negative peace-driven approaches (United Nations 2015, 46).[13] This is likely rooted in concerns around what types of commitments addressing root causes suggests and whether and how the international community has a role in this regard. Nonetheless, the evidence and related consensus at policy level have grown over the years that addressing root causes must be a goal of mediated agreements and a necessary condition for sustaining peace. The 'Report of the Secretary-General on Enhancing Mediation and Its Support Activities' (UN S/2009/189, 13) reflects this, pointing to the "need to address root causes and all major grievances, and to establish new institutions that can deal with them over time." Over the last year, a World Bank-United Nations (2018) study on conflict prevention has revived interest in the role of grievances in conflict and the need to address them to prevent its escalation. Furthermore, the long scholar and practitioner tradition of studying on causes and conditions of peace[14] is picking up steam again, with the United Nations starting to think more about this, as discussed in the next section. This comes with recognition, as Coleman rightly articulates, that "the drivers and inhibitors of peaceful relations are often categorically different from those of violence and war," and, as a result, sustaining peace requires not only preventing and mitigating destructive intergroup relations, but promoting peaceful intergroup relations (Coleman et al. 7).[15]

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13 Call (2008) has also argued against addressing root causes that he sees as setting unrealistic standards, cautioning for a focus on security and ensuring institutions are in place to manage political conflict.
14 This is the basis of Peace Studies as a discipline. See McCandless (2007) and Levy (1998).
15 Coleman et al. argue that the effects of destructive interactions are more powerful and long-lasting than the effects of constructive encounters (the negativity effect) and, as a result, policymakers must focus on strengthening positive intergroup relations and preventing and mitigating destructive relations.

Causes of violent conflict lie heavily in exclusion to power and resources and prevention lies in fostering the structural conditions and incentives for peace

The expansive *Pathways for Peace* study[16] investigates what drives conflict and violence and its prevention. The study conceptualises prevention as not only about the avoidance or stopping of conflict, but also about "proactively addressing deeper, underlying risks that prevent sustainable development and peace" (2018, 5-6). Further, it is about "fostering societies in which it is easier to choose peace and where people can confidently expect to live without being exposed to violence over long periods of time. It is about building societies that offer opportunities and are inclusive." It requires sustained efforts over time (ibid.). Also, "prevention requires a rethinking of the process in which state and non-state actors make decisions and negotiate different outcomes to create the mechanisms needed for them to commit, cooperate and coordinate along peaceful pathways (ibid., 97)."

Relying heavily on previously well-researched areas to build and expand consensus around what drives conflict and violence and what is needed to prevent it, key messages from the report include:

• Grievances, arising from objective or perceived inequality and exclusion, particularly horizontal inequalities or group grievances (United Nations and World Bank 2018; Østby 2008; Justino 2017), are major sources of violent conflict and violence. Economic exclusion is key,[17] as are exclusion from political power or loss of access to political power (Cederman et al. 2010; Cederman et al. 2013; Cederman et al. 2015) and the presence of multiple forms of exclusion.[18]

• People tend to fight over common, salient (over time) arenas of contestation – access to power, land and resources, equitable delivery of services and responsive justice and security. Contestation in these areas is shaped by degrees of inequality, exclusion and unfairness in society and can increase the risk of violence. Further, they all involve the state, which gives the state power to reinforce perceptions of exclusion or inclusion (World Bank and United Nations 2018, 140-41).

• There is strong path dependency of violence and perpetuation of war economies. Violence is highly path-dependent and, as conflict continues, societies can become 'caught' and incentives are reconfigured in ways that sustain and

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16 The World Bank-United Nations flagship study was built on 19 case studies and 50 thematic papers as well as on regional consultations with policymakers and key stakeholders held in Africa, Asia, Europe, the Middle East, North Africa and North America in 2016-17.

17 "Cross-country studies that construct summary indices of economic horizontal inequality generally find a positive and statistically significant relationship between horizontal inequality and conflict" (United Nations and World Bank (2018) drawing on Østby (2008a) and Østby (2008b).

18 Some groups may be excluded on multiple fronts (political, social) and this 'overlap' of exclusion has been shown to heighten the risk of conflict, with Cederman et al. (2013) showing that groups that are excluded on multiple fronts are more likely to engage in conflict than groups excluded in only one area.

perpetuate conflict, with actors organizing themselves with a view that conflict will continue (Collier et al. 2003, 1). The 'original causes' of conflict often evolve as new generations of actors become involved and as economies of war/conflict become entrenched. Path dependency can even worsen conflict, as it entrenches grievances or creates new grievances, with 'emotional legacies' transferred from one generation of actors to the next (World Bank and United Nations 2018, 83).

Given the emphasis on the first point throughout the report, a bit more attention on this topic is warranted. The wide literature on group exclusion resulting in 'horizontal inequalities' or 'severe inequalities between culturally defined groups', be they religious, ethnic or racial (Stewart 2002, 3) and the potential for conflict have been raised by scholars and practitioners for decades (ibid.). Francis Stewart's case study research, for example, found that, when "ethnic identities coincide with economic/social ones, social instability of one sort of [sic] another is likely (ibid.)." This supported Gurr's previous findings that, when political or economic grievances in society overlap with social identities, violence is more likely (Gurr 1993). Other strong findings supporting different variants of this research (Brinkman, Attree and Hezir 2013) illustrate that: excluded groups across all income levels are three times more likely to initiate conflict against the state compared with included groups that enjoy representation at the centre (Cederman, Wimmer and Min 2010); as a region's GDP per capita varies from the national average, the likelihood of separatist violence increases;[19] and there is higher probability of conflict where there are higher levels of social horizontal inequality.[20]

The *Pathways for Peace* report places valuable emphasis on the role of the state, where exclusion enforced by the state or state repression reinforces a perception that there is no other alternative for expressing grievances and frustration (World Bank and United Nations 2018, xxii; Bakker, Hill and Moore 2016). This corresponds with the fact that relatively privileged groups sometimes use violence to maintain their status/power and access to resources. In most cases, collective mobilization caused by group grievances results in conflict with the state, not conflict with another group or groups (Stewart 2002). Pointing to mixed evidence-based findings over the last 25 years,[21] the report argues that perceptions of exclusion may drive conflict even more than objective, measured inequality and exclusion. In addition, perceptions of inequality between groups have been shown to mobilize conflict more than objectively measured inter-group inequality (Rustad 2016; Stewart 2000, 2002, 2009). Related inequalities need to become politicized in order to become grievances (Cederman, Gleditsch and Buhaug 2013; Tarrow 2011).

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19   Graham Brown's research examines separatist conflicts in 31 countries in Europe, North and South America, and Asia. http://www.academia.edu/349893/The_political_economy_of_secessionism_Identity_inequality_and_the_state

20   Countries with low levels of social horizontal inequality, probability of conflict onset is 1.75 percent; but, if inequality in terms of education increases from 5 percent to 95 percent, probability doubles (Østby 2008b).

21   Some find support for the argument that there is a correspondence of objective inequality to violent conflict (Gurr 1993; Holmqvist 2012), while others find that there is not (Langer and Smedts 2013).

Mining evidence that has accumulated over decades, the Pathways report surmises that preventing societies from descending into crisis, including but not limited to violent conflict, requires making them resilient through inclusive and sustainable development, notably by:

- Promoting favourable structural conditions to address grievances, notably inequalities and exclusion. This can occur by fostering a social and political environment where the deeper drivers of conflict can be addressed, including, i.e. the group inequalities and the narratives that inform them (World Bank and United Nations 2018, 98).[22]

- Shaping incentives for peace, notably by reforming institutions and making them more inclusive (i.e. see below, *power sharing,* and *institutions)*.

- Influencing and changing the incentives of actors in the short term (i.e. through mediation, promotion of peaceful narratives).

- Shaping incentives on 'arenas of contestation' where access to power, resources and security are contested, notably by making them more inclusive, which can be challenging where these arenas are beholden to existing power dynamics.

- Addressing systemic trends like climate change, demographic shifts, the rise of transnational criminal networks, etc. by organizing global coalitions to tackle these (World Bank and United Nations 2018, 98).

State-making histories do not follow one path; they have laid distinct contextual foundations for statebuilding

"The story of statebuilding in recent centuries is neither linear nor even. The end point is never absolute and, over time, the normative goalposts are the object of contestation and redefinition. Viewing statebuilding in a historical context reminds us not only that it has often been a tumultuous and lengthy process driven by internal and sometimes external upheaval, but also that the historical antecedents of any state are fundamentally important to its contemporary character. The history of state formation plays a critical role in determining what sorts of connection formal states have to the societies and peoples they are intended to serve." (OECD-DAC 2011, 24)

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22   Drawn from Giessman (2017).

Also over the last decade in particular, scholars have provided strong evidence against universal theories about how states are 'made' – one indicator of why and how templated approaches to state*building* do not make sense. On state formation, Charles Tilly famously postulated that war makes states and states make war (Tilly and Ardant 1975) – rooting analysis in Europe's experience, where states were forged and nations built through massive war-making processes. Such wars required money and human masses to fight, relying on and fostering the formation of bureaucracies and administrations capable of extracting taxes. In the process, subjects became citizens and states grew beholden to fulfil obligations to society.[23]

Regional research has shown that this experience is more the exception than the rule. Ayoob has pointed to the fact that post-independence governments in Africa and farther afield in the developing world[24] the Third World have not had four to five centuries to overcome their weaknesses, remedy their administrative deficiencies and generate loyalty to the state. In post-colonial Africa, Doe, surveying statebuilding histories of African states, rightly points to the lasting structural impediments to successful state formation produced by colonialism. Following independence, many multi-party systems were abandoned for single-party politics to dismantle ethnic cleavages and construct broader political communities, often resulting in the entrenchment of autocracy (Doe 2011). In Latin America, Miguel Centeno (1957) points to the different history that post-independence governments faced – like Africa, they also did not have major wars with neighbours to consolidate territory and the opportunity to expand their bureaucracies and generate loyalty to the state in the process. As such, many Latin American states are highly despotic and infrastructurally weak, taking decisions without routine negotiation with civil society. Many Middle Eastern states are characterised as 'rentier states', where substantial portions of national revenue are derived from the rents captured by the sale of indigenous resources to external clients. In analysis of state formation in the Middle East, Schwartz (2008) illustrates how political accountability is not tied to citizens through bureaucracies, but by resource rents, including oil, while expenditures of public revenues are often focused on ensuring societal peace and political acquiescence. In short, variations in state formation shape the nature of state-society relations to come, including: the expectations that society has of the state; the incentive structures that impact the way state institutions function; and the type of state that can be built.

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23 As per Tilly and Ardant (1975) e.g. 'total war' shapes a dialectical process in which identities transform from subject to citizen.
24 The author uses the term 'Third World'.

Externally driven, 'templated' approaches to peacebuilding and statebuilding do not lay a secure path for sustainable peace, yet international actors play some important roles

Liberal peacebuilding assumptions have informed practice and not produced desired results

As highlighted earlier, for over a decade, strong critiques have been launched on the nature of 'liberal peacebuilding' premised heavily on the problematic approach of trying to replicate liberal institutions that may work well or that have developed well in conflict and fragility. Roland Paris (2004) examined 14 country cases that had hosted international peace missions between 1989-1999, all of which shared a common strategy for consolidating peace: immediate democratisation and marketisation. He concluded that, in most cases, these approached undermined rather than supported peace and that peacebuilding in this era amounted to "nothing less than an enormous experiment in social engineering." Premised on the faulty assumption that promoting liberalisation in countries emerging from war would help create conditions for stable and lasting peace, the work illustrated why early attempts to foster political and economic liberalism in such contexts is counterproductive and that "institutionalisation before liberalisation" is needed where institutions are weak, destroyed or simply never existed.

Paris's work highlights how speedy insertion of national economies into global economic infrastructure, often set out in peace agreements and despite levels of fragility and conflict, has been particularly problematic. This includes insertion into trading and financial circuits and exposing national producers, consumers and public treasuries to fluctuations in income, prices and revenues, which can often trigger violence (Brückner and Ciccone 2010; Brinkman and Hendrix 2011). At the same time, the distribution of power and resources in fragile and conflict-affected states is greatly shaped and affected by the international context, which ultimately makes it very difficult to pursue wholly 'national' approaches (Castellejo 2014, 6) – a stated goal of peacebuilding.

More generally, there is a wide consensus historically among national actor recipients of aid and scholars globally that externally driven and Western-modelled approaches have not produced intended results.[25] This continues, despite over a decade of international community efforts to ensure greater attention to notions of 'conflict and context sensitivity' and generally 'doing things differently' in countries affected by conflict and fragility.

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25   As discussed in McCandless (2016). See also Pritchett and Woolcock (2004) and, for a brief discussion, McCandless (2015). http://ecdpm.org/great-insights/ cautions-conflation-peacebuilding-statebuilding-distinct- complimentary-policy-agendas/

Others are making the case for new approaches, i.e. in the form of "post-liberal peacebuilding" (Liden, MacGinty and Richmond 2009). Within this trend, and building upon the resilience discussions (see *resilient states and societies*, below), "adaptive peacebuilding" as defined by De Coning refers to a systemic and pragmatic learning and adaptation on the part of peacebuilders who seek to work closely with communities affected by conflict and actively engage in sustaining peace through ongoing iterative learning, with a focus on local and national institutional resilience and the foregrounding of peacebuilding processes rather than simply end-states (De Coning 2018).

International actors can support and undermine sustaining peace efforts

Despite the critiques of 'liberal peacebuilding', other evidence points to positive and negative roles of international actors. Positively, international actors "can confer a degree of legitimacy to new political settlements (through international recognition) and send signals of their support and good faith" (Waites 2008, 20). Through direct intervention, they can provide key services such as security that create an enabling environment for peace processes to unfold. They can also provide critical safety nets – fiscal and economic, social and political – that support domestic actors in taking action (World Bank and United Nations 2018, 91), including budget support. International actors also can and need to play a key role in navigating systemic risks that lead to transnational and global challenges, including climate change, transnational crime and terrorism, and natural disasters (ibid., 92).

Work by several scholars has illustrated that United Nations peace operations have a positive impact in the early stages of peacebuilding. A study by Sambanis found that UN missions have a "large, significant, positive effect on peacebuilding." Transformative peacekeeping (multidimensional, missions, enforcement, or transitional administration) was found to be more successful than facilitative peacekeeping (observer missions or traditional peacekeeping); the probability of peacebuilding success in such cases increases by 36 percent (2008, 9). Collier's research, focused on troops rather than the combination of troops and civilians, found that, if US$100 million spent per year over a decade, the risk of civil war is reduced by 21 percent. The ratio of benefits to cost of peacekeeping to conflict is 4 to 1, where the estimated cost of conflict is US$20 billion versus a peacekeeping mission, which costs US$4.2 billion (2009, 77). Mack has backed these findings up, pointing to correlations in the decline of armed conflict (mid-1990s-2003) and the upsurge of international activism designed to stop ongoing wars and prevent old ones restarting – in particular, related to UN peace operations (2007, 4).[26] Sadly, however, these figures have not held with the rise of armed conflict, in particular related to violent extremism.

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26   For review of this evidence, see McCandless (2010).

On the negative side, building upon the earlier findings shared, it is argued that donors have too often inadvertently "strengthened the position of powerful elites operating under highly exclusionary, unstable and fragile settlements that actually undermine prospects for accelerated development" (Parks and Cole 2010, 25) when what is needed is support for increasingly multi-stakeholder-driven national ownership of plans and processes that will sustain peace for the long term (United Nations 2015). As well, they too often bring a medley of unaligned interests and influences to the table that undermine national actors' ability to forge a coherent path forward (Castillejo 2014, 7). Directly and indirectly, they can contribute to forces of violence – indirectly, for example, by not understanding their own roles in conflict dynamics, and directly by manipulating violence to further their own interests (World Bank and United Nations 2018, 91).

Peace agreements are only part of a process of political settlement that is messy and complex and takes time

Attention over the last decade has also focused on the reality that reaching agreement on everything important in politically challenged processes is often not feasible (Papagianni 2009, 7). This has fostered recognition that peace agreements can establish political processes for ongoing, long-term dialogue among wider groups of political actors instead of defining policies and institutions immediately in an attempt to solve all the problems faced by countries dealing with conflict (ibid., 3).[27] At the same time, the more complete a peace agreement, the easier it will be to implement (United Nations 2009), for there is less to negotiate over time. The immediate post-agreement is often a mediation- and negotiation-heavy period, with talks often continuing to bring armed opposition groups who refused to sign the agreement into the political process, and to deepen agreement on many outstanding issues amongst signatories (who often become members of transitional governments) (Papagianni 2009, 7). A key challenge lies in the fact that many of today's peace processes produce situations of "formalised political unsettlement" where root causes of the conflict are not addressed (Bell 2017), having implications for ongoing institutional arrangements.

The use of the term 'political settlements' has arisen in this context, first in academic circles and over the last five years, in international policymaking circles (Menocal 2015). While the concept remains contested, there is a fair degree of consensus that such settlements constitute:

• *A consensus between political elites on the rules of the game.* A key aspect of the political settlement is "the forging of a common understanding usually between political elites that their best interests or beliefs are served through acquiescence to a framework for administering political power" (Di John and Putzel 2009).

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27 These views are also resonant in the Secretary-General's report (UN S/2009/189).

- *An ongoing process containing specific events such as elite bargains and peace agreements.* In this sense, they can be considered dynamic political processes that include one-off events and agreements (Schunemann and Lucey 2015, 9).

Peace agreements and their associated processes, including elite engagement and campaigns to involve and bring awareness to the greater population, may impact or be affected by the political settlement. Where they exist, peace agreements may function as a key entry point for bringing greater transparency and societal buy-in to the overall process, influencing the political settlement to become more inclusive. Peace agreements can also be viewed as establishing political processes for ongoing, long-term dialogue among wider groups of political actors instead of defining policies and institutions immediately in an attempt to solve all the problems faced by countries dealing with conflict (Papagianni 2009, 3). However, while peace processes provide windows of opportunity to reshape existing political settlements, they may ultimately fail to address underlying power dynamics (DFID 2010, 7).

Political settlements require elite engagement, but more inclusive processes offer greater guarantee for a sustainable exit from conflict[28]

Engagement of elites is necessary but not sufficient for sustaining peace

Strong attention has been given to this topic to arrive at consensus that elites play a critical role in political settlements.[29] Charles Call (2012), examining 15 cases of war recurrence, found that political exclusion, particularly of former combatants (potential spoilers), is strongly correlated with violence recurrence, while, conversely, political inclusion of the same in power-sharing and other agreements is strongly correlated the consolidation of peace. In a similar line of argument, the 2011 WDR found in its analysis of all post-Cold War cases of civil war and relapse that the only cases that avoided relapse, with one exception, were cases that had adopted an "inclusive enough" settlement. This was either through a negotiated end to the war or, in cases of military victory, where the dominating elites displayed inclusive behaviour.[30] Others similarly point to findings by the Human Security Center (2006) to draw the logical conclusions about the "unacceptably high" failure rate of settlements arrived at via elite pact-making – where 43 percent of peace agreements in the 1990s failed, with return to armed conflict in five years (Barnes 2009).[31]

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28   This section draws heavily and builds upon McCandless (2016).
29   See Menocal (2015) and Evans (2012) for a full discussion.
30   As discussed in Menocal (2015), who cites Jones et al. (2012), 3.
31   Barnes (2009) referring to findings in Human Security Centre (2006).

Power-sharing, while not a guarantee, reduces risk of violent conflict

Power-sharing arrangements can importantly support greater inclusion in political settlements, i.e. by allocating a share of political power to different groups in society, preventing a monopoly of power – i.e. *vis-à-vis* oversight of ministries or offices, in decision-making arenas, including at the highest levels, or with respect to territorial governance. A substantial body of evidence suggests that power-sharing helps to prevent recurrence of violent conflict and is associated with greater stability overall.[32] Translating a power-sharing arrangement into a new constitution after following the conclusion of conflict has been shown to effectively prevent the recurrence of conflict by 60 percent, while the amendment of an already existing constitution did not correlate with a notable reduction in the risk of future conflict (Elkins, Ginsburg and Melton 2014).

Decentralisation and devolution of authority through mechanisms such as federalism and the transfer of power to the subnational level have also been shown to reduce regional horizontal inequalities and reduce the risk of conflict (World Bank and United Nations 2018, 146). When these power-sharing arrangements are institutionalised within national law, they can help address horizontal inequalities by ensuring equal access to the political process among different groups (Ibid.). In a post-conflict setting, decentralisation facilitates a state-society interface generally as citizens experience governance at the local level. It allows the state to "increase its visibility and establish its authority at a local level, deploy civil servants, prioritise infrastructure needs to benefit effective service delivery, communicate more effectively nation-wide, and maintain order and security" (McCandless 2012, 25).

Power-sharing arrangements may be weakened or destroyed by changing structural factors that cause a particular group to obtain an outsized share of power (Call 2012b) or by excluding certain groups.[33] Thus, such arrangements are not a guaranteed path to addressing underlying risks associated with exclusion (World Bank and United Nations 2018, 145). Power-sharing can also lead to political deadlocks and, if power is allocated based on group identity (such as ethnicity), there is a risk of reinforcing divisions between populations, thereby increasing the risk of future conflict (World Bank and United Nations 2018, 145; Bahout 2016; Rosiny 2016). Other potential downsides include elite capture, the institution of parallel structures, and ill sentiment on the part of higher-level governance officials who resent the decentralisation (ibid.).

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32 As identified in *Pathways for Peace*, these include: Putzel and Di John (2012) and World Bank (2011) on the former and, on the latter, Gleditsch and Ruggeri (2010), Linder and Bachtiger (2005) and Vreeland (2008).
33 World Bank and United Nations (2018), citing Felter and Renwick (2017).

Broader participation and quality inclusion improve sustaining of agreements; active civil society participation in peace negotiations correlates with peace durability

There is increasing consensus that fostering broader and more quality inclusion (than elites) in peace processes improves agreement sustainability (World Bank and United Nations 2018). In particular, fostering the participation of young people as well as of the organisations, movements and networks that represent them in political and economic arenas is associated with less violence (Idris 2016). As well, fostering women's meaningful participation has a direct impact on the sustainability of agreements reached.[34]

New research by Paffenholz (2014)[35] is advancing discussions on inclusion. Findings include:

• When included actors can influence peace processes, such as by affecting the quality of agreements or implementation or by pushing for negotiations, their influence is correlated with higher rates of sustained agreements. Specifically, "when included actors were able to influence the quality of agreements (defined as addressing the causes of the conflict), and/or the implementation of these issues, the rate of peace agreements being reached and implemented was much higher".

• When women's groups had an influential role, the positive impact is even stronger.

• That broader inclusion does not weaken peace negotiations.

And, in a reassessment of this work based on the same datasets (Inclusive Peace and Transition Initiative 2018), further findings point to:

• The importance of 'inclusion modalities' such as direct representation during negotiations, the granting of observer status, consultations, inclusive commissions and public decision-making. Mass action can be used to broaden participation/inclusion among a broad range of actors and a combination of these inclusion modalities has been shown to prevent violence and sustain peace.

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34 As highlighted in *Pathways for Peace*, research suggests that increased participation of women in the peace process where women take leadership roles result in agreements that last longer (O'Reilly et al. 2015; Paffenholz et al. 2017; UN Women 2015).

35 The cases are categorised according to seven inclusion modalities and a range of potential actors. Based on a review 40 case studies of multi-stakeholder negotiations within peace and transition processes covering 34 countries from 1989 to 2014.

- Inclusion creates political momentum and grievances are transferred into formal processes, thereby avoiding further conflict.

- Inclusion matters most when addressing grievances and building inclusive institutions and inclusive bodies are most successful when actors are representative of all stakeholders to the conflict and independent from the main conflict.

- External factors such as civil society (if it acts independently and is seen as legitimate by the local population) can support inclusive prevention, as can international and regional organizations that provide diplomatic and technical assistance in support of prevention.

In short, "what matters is not merely the quantity or diversity of actors included, but the quality and influence of their contributions" (Paffenholz 2015, 2). Older research on participation has importantly illustrated that the quality of participation relies in particular on the influence of political context, societal expectations of the process, and the method and organ of participation (Christian Aid 2002).

One investigation of 83 (or one third of) peace agreements between 1989-2004 concluded that, where civil society was involved, it increased the durability of peace (Nilsson 2012). Other research into 25 peace agreements (1996-2006) found a strong correlation between active civil society participation in peace negotiations and the durability of peace during the peacebuilding phase (Wanis-St John and Kew 2008). Specifically, civil society groups had active roles in the studied peace negotiations, which allowed them to be prominent stakeholders in the processes that followed. Research by scholars and the United Nations on the participation of women in peace processes supports Paffenholz's findings, indicating a correlation with peace process sustainability, especially at the community and societal levels (O'Reilly et al. 2015).

There remain questions around *how inclusive is inclusive enough?* The 2011 WDR's use of "inclusive enough coalitions" (Menocal 2015, 18) similarly makes the case that such coalitions are "inclusive enough" "when they involve the parties necessary to transform institutions and help create continued momentum for positive change, and when there is local legitimacy for excluding some groups – for example because of electoral gains, or because groups or individuals have been involved in abuses." (World Bank 2011, ivii). Menocal argues that this does not clarify what such a coalition actually looks like, when it is good enough, and that "further work and thinking is needed to assess the (lack of) inclusivity and its potential implications as events unfold." (Menocal 2015, 18). She also suggests that, despite the recognition of politics, the WDR's discussion does not sufficiently engage issues of power imbalances and struggles among different groups and arising challenges.

Political settlements shape institutions and are affected by the balance of power within them and society at large; institutional change is a conflictual process

There is little question in policy circles that robust institutions need to lie at the heart of peacebuilding and statebuilding.[36] Lessons from conflict-affected and fragile states illustrate, however, that building more inclusive, responsive and legitimate states takes time and involves deeply political processes. It is not about technical 'brick and mortar' interventions in support of merely efficient institutions, but about fundamentally altering power relations and underlying values and interests (UNDP 2014, 52) – which are reflected in the political settlement.

Considerable attention has been given to the relationship of the political settlement and institutions, though the directionality of influence is contested. Alan Whaites, on behalf of DFID, argues that the underlying political settlement shapes state institutions, though the state remains engaged in a "dynamic iterative process" shaped by elite interaction and by state-society relations (Waites 2008, 4-5). Khan, on the other hand, argues that a more stable settlement is understood to emerge "when the distribution of benefits supported by its institutions is consistent with the distribution of power in society, and the economic and political outcomes of these institutions are sustainable over time" (Khan 2010, 1). While supporting the notion that elite pacts are subject to constant renegotiation – in particular because conditions change – the 2011 WDR points out that institutional change "can increase the risks of violence in the short term, due to political backlash from groups that lose power or economic benefits" (World Bank 2011, 99). Lacking trust makes launching an initial agreement on change difficult because elites do not trust each other and few people trust the state. Further, maintaining an agreement is difficult because "institutional change can increase the risks of violence in the short term, due to political backlash from groups that lose power or economic benefits" (ibid.).

There are also questions about which services are most important and when. The WDR makes the case that institutions and governance work differently and the multiple transitions that need to occur to restore confidence and generate dividends for citizens can take 15-30 years to materialise (World Bank 2011, preface). While it suggests that education and healthcare reforms are only 'medium-term' challenges, findings from a study by civil society from Ebola-affected countries and active in the New Deal process surmised that this view "neither recognises the critically important roles that administrative and social services play in conflict and fragility, nor why they must be top early priorities for peacebuilding and conflict prevention" (McCandless and Bouchet 2015, 16). The study highlighted how, in countries affected by fragility, where institutions are vulnerable, disasters can derail progress in peacebuilding and statebuilding if they have not developed robust service delivery and crisis

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36 One only needs to look at the Agenda for Peace, and all evolving conceptions of peacebuilding put forth by the United Nations, to find institutions at the center (UN Secretary-General Boutros Boutros-Ghali 1992).

management systems (ibid.). Others have similarly argued that, while successful exits from violent conflict also require sufficient trust for a cessation of violence to take hold, the escape from fragility requires that society as a whole also develop confidence in state institutions and arrangements for security, justice and political accountability (Diamond 1990; Jones et al. 2008).

The literature on institutional change also gives attention to the important roles of informal institutions. Khan, for example, has reflected on their role in shaping power dynamics via their redistribution of funds over formal processes such as taxation. He concludes that the formalisation of institutions is not a prerequisite to promote "productive activities" (Khan 2001, 26-28). While it is often assumed that formal rules shape incentives when formal institutions are functioning effectively, informal norms may importantly enable or constrain actors' behaviour (Helmke and Levitsky 2012, 734). This raises important questions about the nature of statebuilding across continents and the very different trajectories and operating realities that constitute national frameworks for development and politics. Moreover, since formal and informal institutions are components of a political settlement, the need to examine informal institutions is an essential first step to take in understanding how inclusive and stable political settlements may progress from elite pacts (Menocal 2015, 27). This is also true of wider peacebuilding and development process, as explored in the hybridity literature and practice.

Institutions support peace sustainability

The World Bank has argued (World Bank 2011, 72) that institutions are the "immune system" charged with defending a society from pressures toward violence, mounting quick, targeted responses and with promoting overall resilience. They fundamentally provide formal legal frameworks and informal social norms and values that govern and limit actors' behaviour (North 1993, 3) while, at the same time, shaping overall incentive structures for peace and creating disincentives for conflict (World Bank and United Nations 2018, 81). The World Bank argues that effective institutions are impersonal, not beholden to particular groups or leaders, which enables them to build trust with the population and have a legitimating effect – an incentive for maintaining peace and stability – goals that are reflected in Agenda 2030 (ibid.). As highlighted above (see section on *sustaining peace,* above), there is also a growing body of evidence supporting the notion that exclusion, and in particular horizontal inequalities or group-based exclusion, is a driver of violence and violent conflict and that inclusive political and economic institutions support broader development outcomes and peace. Such institutions can mediate against the impact of unfavourable structural conditions, i.e. by allowing for greater voice and accountability and by offering a means for redistributing resources (Fearon and Laitin 2013; Raleigh and Urdal 2007).

As put forward by North, Wallis and Weingast, "limited access orders" – where institutions and organisations are controlled by a narrow elite – are more prone

to violent conflict than states that are grounded in the rule of law and formal institutions. They create disincentives for elites to refrain from violence most of the time (as instability reduces rent possibilities). "Open access orders" alternatively – where all citizens can compete in open access settings that help to sustain economic and political competition as well as an active civil society – are less prone to violence, where a 'virtuous circle' unfolds, involving citizens' beliefs in equality and inclusion, political avenues for dissent, and costs imposed on attempts to limit access (North et al. 2007).

Supporting much of the democratic peace literature, notably Lipset and Doyle (Lipset 1959; Doyle 1983), Acemoglu and Robinson (2012) find that democratic countries over the long term tend to be richer and better performing, more peaceful and eventually more equal. There are, of course, many important critiques of such findings that support the liberal peace thesis, including by Doyle himself – who provided significant evidence that liberal states, while peaceful towards each other, are aggressive and do go to war: for pre-emptive reasons, for competition, or conflicts of interest (Doyle 1983). Other evidence points to the conflictual nature of democratic transitions, notably in the context of countries affected by conflict and fragility, as discussed above. On the economic side, there is significant evidence to illustrate that unbridled growth-oriented liberal economics has, across much of the developing world, fostered significant inequality. When this takes on a horizontal nature, the links to conflict and violence are clear; when it does not, they are more nuanced, but still evident in indirect ways, undermining efforts to achieve and sustain peace.[37]

The focus on liberal institutions and forms of governance arguably leads to an undervaluing of the at times vital roles that parallel and non-state actors – who may not be deemed 'liberal' – play in delivering services. Some of these institutions have been in play since before the state and retain high levels of legitimacy with everyday populations, and thus are connected to the very legitimacy of the state (see sections on *legitimacy* and *hybridity*, below).

There is also rich thinking that has infused practice around for transforming institutions and promoting conflict-sensitive sector governance, where often issues of inclusion are at the core. UNDP argues that post-conflict recovery is often not about restoring pre-war economic or institutional arrangements or about "re-instilling the development pathologies (e.g. extreme inequality, poverty, corruption, exclusion, institutional decay, poor policy design and economic mismanagement) that fuelled conflict in the first place." Rather, it is about "creating a new political economy dispensation [...]. It is building back *differently and better.*" This is a transformative process, "requiring a mix of far-reaching economic, institutional, legal and policy reforms that allow war-torn countries to re-establish the foundations for self-sustaining development" (UNDP 2008, 5). UNRISD also points to the value of transformative change and of transforming institutions, which involve individual

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37   See, for example, Kanbur (2007).

agency and collective action to address the root causes of economic, social and political inequalities, rather than just their symptoms (UNRISD 2016, 4-5).

So, too, the vast literature on conflict sensitivity offers important insight into *how* this can be done, particularly through the notion of conflict-sensitive sector governance.[38] As put forth in a cross-agency UN report, strengthening sector governance is one of three theories of change that should drive service delivery. Specifically, this means "conflict-sensitive sector governance and policy reform and the development of responsive, inclusive and accountable institutions at national and sub-national levels [that] can improve state-society relations and lay foundations for a self-sustaining peace (McCandless 2011).

Statebuilding in contexts affected by conflict and fragility is a complex and variable undertaking, challenged by multi-faceted forms of fragility and competing sources of non-state legitimacy

Better understanding of how peaceful states are built is a policy imperative

While the state has been theorised for centuries, discussions around statebuilding are much newer and driven in particular by the development policy community with recognition of the centrality of states in development (and politics) and the potential for donors to help and hinder their improvement (Waites 2008, 3).[39] At the same time, countries affected by conflict and fragility have taken leadership in seeking to pull themselves out of fragility and conflict, as illustrated by the emergence of the g7+[40] voluntary organisation of 20 countries affected by conflict and fragility and the associated New Deal process (described in Box A).

As discussed earlier, there is growing appreciation of the need to understand the varied histories of state formation and the historical and structural legacies that need to inform thinking on statebuilding. The OECD's guidance on statebuilding is illustrative, recognising the very non-linear nature of state formation and pointing to legacies of colonialism and post-colonialism, structural cleavages, the history of violent conflict, geography and sources of revenue, economic development and the poverty trap and institutional legacies that must be better understood in donor efforts to support statebuilding (OECD-DAC 2011, 26). This has facilitated a movement away from development assistance focused on the more technical 'hardware' of building state capacities and institutions and an interest in more attention to the politics and relationships underlying the endeavour.

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38   See, for example, Haider (2014).
39   "Politics" added.
40   http://www.g7plus.org

Statebuilding literature tends to point to three dimensions of the state: **authority** (linked to its monopoly of violence, control of territory and recognition of national law), **capacity** (ability to provide citizens with basic life chances) and **legitimacy** (normative belief that rules regulating the exercise of power and distribution of wealth are proper and binding) lie at the core of the enterprise (Menocal 2015, derived from Putzel 2010; Stewart and Brown 2009; Menocal 2013). These share much with the dominant historical theories around the core roles of state: guaranteeing security (Machiavelli), providing public institutions or bureaucracies (Weber), nation-building (French philosophy of statehood) and forging state-society relations (Migdal). Recent literature goes further in Migdal's direction, on the state's duty to negotiate acceptance from the population through service – in other words, the state's duty to govern (Migdal 1988; Duvall and Freeman 1981). There has also been focus on the state's construction of legal bureaucracies and its role in the construction of a unifying national identity that enjoys widespread public acceptance. George Jellinik describes the state as "a community where citizenship is realised and where state authority is seen as a legitimate capacity to rule over people" (Jellinik cited in Speiser et al. 2005, 9). The state is also expected to provide and/or represent a collective identity of the population (Zartman 1995). Socialisation processes (such as education and history) can be used to solidify a national identity that is passed down from generation to generation (Miller 1995). Some have noted the vertical aspects of statebuilding, in which the bottom of society and the ruling elites are brought together with the aim of creating public acceptance of state identity and encouraging active participation of the population in the civic arena (Rokkan 1975, 570). At the same time, horizontal statebuilding aims to coalesce social values and histories of different communities as a unitary identity (ibid.).

In parallel with thinking about dimensions of the state, a policy consensus has formed around the view that statebuilding is "an endogenous process to develop capacity, institutions and legitimacy of the state driven by state-society relationships" (OECD-DAC 2008). As put forth in OECD guidance on the topic, this conceptual thinking has been driven by several key propositions:

- Statebuilding needs to be understood in the context of state-society relations; the evolution of a state's relationship with society is at the heart of statebuilding.

- Statebuilding is a deeply political process and understanding the context – especially what is perceived as legitimate in a specific context – is crucial if international support is to be useful.

- Statebuilding is first and foremost an endogenous process; there are therefore limits as to what the international community can and should do. At the same time, contemporary statebuilding processes are deeply enmeshed in broader global processes that can enable or constrain statebuilding.[41]

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41 Since the 1970s in particular, these include: rents from commodity exports, especially illicit goods; structures of international finance and financial liberalisation/tax havens; commercial market of military and security services/weapons (OECD-DAC 2011, 24).

The growing recognition that building peaceful states is a policy imperative can be seen in the myriad attempts to conceptualise how this can be done.[42] These include:

- The OECD's Statebuilding Framework (2010), which focuses on three dimensions of state-society relations that influence the resilience or fragility of states (i.e. the political settlement that reflects elite agreement, principally on the i) rules of the game and how power is distributed; ii) state capability and responsiveness to fulfil its principle functions and provide key services; and iii) state ability to foster productive relations with society, i.e. by address societal expectations.

- DFID's 'Peaceful States and Societies' articulates four objectives to build strong state-society relations that are "critical to building effective, legitimate states and durable, positive peace". They are: i) address the causes and consequences of conflict and fragility and build conflict resolution mechanisms; ii) support inclusive political settlements; iii) develop core functions of the state; and iv) respond to public expectations as the drivers of strong state-society relations (Evans 2012, 7).

- The New Deal (described in Box A) also rests on a theory of change about the need for key constituencies – international donors, governments and civil society – to cohere around three sets of principles.[43] While g7+ governments prioritise the need for money to come through country systems and the need for transformation in the way donor aid is delivered, legitimate/'inclusive politics' is prioritized especially by donors and state-society relationships are especially prioritized by civil society,

In all of these frameworks, the notion of the social contract is arguably central and, in the case of the OECD and DFID frameworks, explicit (discussed more in Box A).

Fragility is a multi-faceted, complex and dynamic phenomenon

The concept of state fragility is often linked to failed or flawed political settlements, notably of an exclusionary nature (Menocal 2015, 4), and generally associated with statebuilding challenges. Fragility-conflict links are also backed by strong evidence, considering that 70 percent of fragile states have seen conflict since 1989. Fragile states were also deemed the most far behind in meeting the Millennium Development Goals, which catalysed the self-mobilization of the g7+ and the New Deal process – specifically, to ensure that different goals could be developed that better suited and supported countries affected by conflict and fragility in being able to achieve development.

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42   Summarised and adapted from Menocal (2015).
43   These are TRUST, FOCUS and the Peacebuilding and Statebuilding Goals.

While indices postulate a range of measure that constitute a state as fragile,[44] policy acceptance coalesced around the notion of a fragile state as one with weak state capacity, legitimacy or will to deliver basic services and carry out basic functions of governing a population and its territory, and the lack of ability to develop mutually constructive and reinforcing relations with society.[45] At the same time, many countries – notably bearing this association – have pushed back on the concept. Within the International Dialogue on Peacebuilding and Statebuilding process, there is increasing desire to see more emphasis on looking at resilience and how to achieve it, hence focusing on strengthening the positives (see *resilient states and societies*, below).

From 2015, the OECD began shifting its scope of attention from production and analysis of a "fragile states list" in its annual reports on the topic, towards a concept of "states of fragility", recognising that fragility is multidimensional and dynamic and acknowledging the complex interactions between fragility and violence. Its 2016 report provides plenty of evidence to support this (OECD 2016), arguing, "It is now widely recognised that fragility is multidimensional and its challenges are universal" (ibid., 16). This supports the new *universal* Agenda 2030. The OECD's new framework is built on five dimensions of fragility – economic, environmental, political, societal and security. It measures each of these dimensions through the accumulation and combination of risks and capacity. Fragility is defined as "the combination of exposure to risk and insufficient coping capacity of the state, system and/or communities to manage, absorb or mitigate those risks" (ibid., 16). The report identifies 56 contexts as fragile in 2016, with 15 of those classified as extremely fragile. Over 1.6 billion people, or 22 percent of the global population, currently live in these fragile contexts, with 27 contexts of this group that are low-income, 25 lower middle-income and 4 are upper middle-income (ibid., 16).

Legitimacy is highly context-specific and often multiple narratives and types of legitimacy co-exist

As articulated by the OECD-DAC and fairly widely used in policy circles, "[a] political order, institution or actor is legitimate to the extent that people regard it as satisfactory and believe that no available alternative would be vastly superior" (OECD-DAC 2010, 7).

At the same time, there is wide agreement that legitimacy is multidimensional and highly context-specific and that multiple narratives of legitimacy co-exist. One well-

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44 The Fragile States Index, for example, has 12 indicators: social: mounting demographic pressures, massive movement of refugees or IDPs, vengeance-seeking group grievance, chronic and sustained human flight; political and military: legitimacy of the state, progressive deterioration of public services, violation of human rights and rule of law, security apparatus, rise of factionalized elites, intervention of external actors; and economic: uneven economic development, poverty, sharp or severe economic decline. Indicators available here: http://fsi.funorpeace.org/indicators

45 For conceptual discussions of fragility that this is compiled from, see: OECD 2007, 2010, DFID 2010, USAID 2005. See also Menocal 2015, 4.

sourced typology (OECD-DAC 2010)[46] in play has also come out of the OECD-DAC – articulating four sources from which states draw legitimacy (ibid., 23):[47]

- Input or process legitimacy, which is tied to agreed rules of procedure;

- Output or performance legitimacy, defined in relation to the effectiveness and quality of public goods and services (in fragile situations, security will play a central role);

- Shared beliefs, including a sense of political community, and beliefs shaped by religion, traditions and 'charismatic' leaders;

- International legitimacy, i.e. recognition of the state's external sovereignty and legitimacy.

These can often be in tension, i.e. where a state that falls short of certain normative or international standards "may still enjoy *de facto* legitimacy if those subject to its rule consider it legitimate" (Norad 2009). A peace process, it is argued, endeavours to reconcile competing narratives of legitimacy, gaining its legitimacy through acceptance by many constituencies and through multiple sources (Ramsbotham and Wennmann 2014, 6).

Various methods can be used by states to establish their legitimacy, including international recognition, performance (e.g. economic growth, service delivery), ideology, procedural forms (democratic procedures) or traditional authority (Norad 2009). In countries affected by conflict and fragility, there are many competing sources of authority and poor quality of mechanisms to engage different actors effectively in decision-making processes. Nonetheless, "building legitimacy is a primary requirement for peace, security and resilience over the long term" (ibid., 16).

Interest in legitimacy is also tied to discussions of inclusivity, both deemed important factors in development trajectories out of fragility and conflict (as sourced in Dudouet 2017). The first goal in the New Deal's Peacebuilding and Statebuilding Goals (PSG1) is focused on "legitimate and inclusive politics", although, the g7+ constituency to the Dialogue has distanced itself from supporting the concept of legitimacy, opting for inclusive politics to characterize the goal.[48] Nonetheless, the

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46 Another useful typology of legitimacy: *geographical* (do the citizens want to live in the state? e.g. citizens of the Basque region of Spain?); *constitutional* (are the rules of the game considered to be fair, right and proper?), whether the state is unitary or federal, and regarding what autonomy different regions have *political* (do citizens question the legitimacy of the government? e.g. Kenya, Myanmar and Zimbabwe), *holistic* (is a state effective at delivering services and protecting and promoting civil liberties or freedom of speech/press, e.g. Botswana, Cuba, Korea, Singapore and Taiwan?). (Held 1996; Leftwich, 2000 and Fukuyama, 2004) as cited in State-Building, Peace-Building and Service Delivery in Fragile and Conflict-Affected States: Literature Review http://www.gsdrc.org/docs/open/SD34.pdf
47 This typology may be found in other OECD-DAC reports, including OECD 2008a; OECD 2008c; and OECD 2010.
48 This has much to do with the challenges for newly post-conflict or fragile states in establishing trust throughout society with often limited resources and capacities, and high demands and expectations for far-reaching, quick change.

g7+ and wider International Dialogue that it is a core constituency of, were strong advocates driving the agenda to bring the notion of inclusive societies into the Agenda 2030 for Sustainable Development and notably to achieve Goal 16, on Peace, Justice and Strong Institutions.[49]

Resilient states and societies are a key policy imperative; building resilience for peace requires enriching endogenous capacities, engaging complexity and transforming institutions

The concept of resilience is in fact gaining much currency in peacebuilding and statebuilding literature and policy/practice, yet consensus on its added value and approach and evidence to support its clear practice is not yet strong. Resilience has been commonly juxtaposed conceptually to fragility in the statebuilding literature, i.e. the OECD states:

> More resilient states, in contrast, are capable of absorbing shocks and transforming and channelling radical change or challenges while maintaining political stability and preventing violence. Resilient states exhibit the capacity and legitimacy of governing a population and its territory. They can manage and adapt to changing social needs and expectations, shifts in elite and other political agreements, and growing institutional complexity. Resilience increases when expectations, institutions, and the political settlement interact in ways that are mutually reinforcing (OECD-DAC 2010, 22).

Consensus on the term is lacking but growing as the concept gains traction and policy institutions such as the EU, OECD and World Bank (De Weijer and McCandless 2015) incorporate the concept into their work. While the concept is well utilised in disaster risk management and other disciplines and areas of practice, efforts to develop and utilise the concept with respect to conflict and fragility and peacebuilding are at earlier stages. My own collaborative work on the topic has included the surveying of the intellectual and practice lineage of the term, arguing that understanding, assessing and building resilience requires: often, *transformative* approaches that effectively engage structures and institutions, towards sustainable peace – rather than simply absorptive or adaptive ones, common in the disaster field; ii) recognising, understanding and engaging complexity; iii) working with endogenous capacities as a starting point; and iv) engaging with and supporting

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49   See comprehensive discussion of the New Deal and inclusion in Donais and McCandless (2016).

social capital and social cohesion. The involvement of international actors demands critical reflection prior, as it "may remove the natural feedback, self-organisation and may compromise the reaction processes of a society itself, potentially fostering dependency and depriving learning opportunities for the system" (McCandless and Simpson 2015, Executive Summary).

A 2014 roundtable hosted by UNDP, UNICEF and Interpeace built this discussion in conversation with major institutions working in this area. An outcome document that emerged stated, "[R]esilience reinforces important areas of our work and adds specific values to our discourses of conflict, peacebuilding." It highlighted the value that it places on questions of what allows people, endogenously, to thrive; that this should drive thinking about capacity in ways that allow societies to "regenerate and renew themselves, and adapt or transform their contexts"; that it goes beyond the linear and reductionistic understandings of conflict and fragility, embracing complexity; and that assessing it requires a new set of tools that reflect this and that engage and respond to the interdependent paths to resilience (UNDP, UNDP and Interpeace 2014).

As revealed across this emergent research, with its emphasis on the endogenous capacities that exist within societies to respond to crisis, its rich multi-disciplinary appeal and emphasis on how systems function in particular contexts, resilience holds promise for strengthening the understanding and practice of peacebuilding and for laying a path for new ways of assessing progress in peacebuilding that will better serve societies.

Strong state-society relations underpin state legitimacy and sustainable peace; at the same time, civil society is a complex concept, especially in contexts affected by conflict and fragility

The state-society relationship in recent years has seen revitalised attention in statebuilding discussions, given its primacy of place in the popular statebuilding policy conception as the *driver* of the "endogenous process to enhance capacity, institutions and legitimacy of the state" (OECD 2008). Scholars have similarly pointed to the importance of strong and well-distributed social control of the state, the challenge being "how to ensure that such distributed social control of the state truly reflects the diversity of, and needs across, society" (cited in McCandless 2016).[50] This ties the concept to the notion of legitimacy. Evans, reviewing evidence to support DFID's work in this area (Evans 2012), argues that "states are legitimate when elites and the public accept the rules regulating the exercise of power and the distribution of wealth as proper and binding" (Papagianni 2008, sourced in Evans 2012).

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50   See, for example, Migdal (1988) and Alexandre Marc (2013), who argue that the state is embedded in a network of relationships that are rooted in society.

Growing research examines how contexts of conflict and fragility shape the nature of civil society and its relations with the state (summarised analysis in McCandless 2016). It is suggested that such contexts tend to exhibit:

- Lack of trust between actors and weak social cohesion, both needed to support frameworks and processes that allow actors to interact constructively to develop common goals (ibid. and Marc et al. 2013, 32);

- Weak and parallel institutions and low levels of state capacity and resources as well as social capital in environments of insecurity and violence (ibid.; Ohiorhenuan and Kumar 2005, 4);

- Politicisation and radicalisation of civil society, where civil society is vulnerable to such influences and/or the perception of this, while institutions to support constructive political contestation and consensus building are weak;

- Weak enabling environment for civil society that derives from above, as well as restrictive laws pertaining to the conditions under which civil society can operate[51] and to independent media upon which civil society relies;

- Low levels of capacity and funding, interrelated trends that deepen the challenges. This is often due to donor bilaterals tending to work with known counterparts (often through their own country NGOs) or their own national government laws restricting them from receiving funds (ibid., 79).

State and (civil) society relationships, particularly in countries affected by conflict and fragility, are thus dynamic and evolving and scholars caution against functional, static roles assigned to civil society. The common perception that civil society must be either a 'watchdog' of government – common with the liberal tradition, or a 'service provider'. This latter notion is common with governments that fought for independence – alongside individuals in civil society – to achieve freedom from foreign rule, believing that they must remain partners in manifesting the vision for the country (McCandless 2012). The strong support by donors through the 1980s – primarily for professionalised NGOs and civic education networks involved in democracy promotion and political advocacy rather than older, established more development-oriented voluntary organisations and social movements – had mixed, often negative reverberating effects on relationships among national, local and international actors and arguably not positively influenced state-society dynamics in many countries.[52] In short, civil society actors must be seen for what they are: constant sources of social innovation, shaping context

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51 In 2014, CIVICUS documented significant restrictions of civil society rights in at least 96 different countries (CIVICUS 2015, 77).
52 For fuller discussion, see Carothers and Ottaway 2000.

and culture and expanding the forms of engagement for civil society (as cited in McCandless 1997) and state-society relationships.

There is also a burgeoning scholarly literature on what has come to be known as "the local turn" in peacebuilding, championed by Roger Mac Ginty and Oliver Richmond, which posits the importance of local-level dynamics in the success or failure of national-level peacebuilding efforts. The revitalising of attention on subnational and local-level dynamics is linked to the broader crisis of liberal peacebuilding, which has "proven itself insufficiently responsive to contextual matters and to the subnational realities and dynamics that surely need to be leveraged in building societally owned – and thus more likely sustainable – peace" (McCandless et al. 2015, 1). Within this newer literature on the local turn, the concept of the 'everyday' focuses analysis "beyond intra-elite dynamics, to consider the often-overlooked major structural matters or causes of conflict" (Mac Ginty and Richmond 2013, 768). In fact, specific localities may experience peace of a local design, as "the pursuit of everyday tasks may allow individuals and communities […] to develop common bonds with members of other ethnic or religious groups, to demystify 'the other' and to reconstruct contextual legitimacy" (ibid., 769). Such results exist apart from formal peace accords, but are key to understanding peace and conflict dynamics. Ashutosh Varshney has found that civic networks can play an important role in "facilitating or constraining elite strategies", thus rendering the local or everyday influential in peacebuilding. In a study of Hindus and Muslim communities in India, "pre-existing local networks of civic engagement between the two communities stand out as the single most important proximate cause of violence." The finding was most pronounced in organised civic networks such as film, reading and sports clubs and trade unions, though it was also evident in quotidian interactions such as joint participation in festivals and visits between families, especially in rural areas (Varshney 2002, 10).

Scholars are also investigating the notion of 'vertical integration' in peacebuilding to better understand how peace efforts can produce greater impacts. Valuable research by Collaborative Development Action has pointed to less than strong results in the cumulative effects of many peace efforts on national peace (Ernstorfer et al. 2015). As articulated by McCandless, Donais and Abitbol, vertical integration "at the most basic level, [is] a strategy to link actors, ideas and efforts vertically for peacebuilding and development impact" (McCandless and Donais 2016). It is "an inherently political project, intent on enabling the structural transformation of destructive state-society relations, while creating conditions for more inclusive and sustained peacebuilding and development" (ibid., 8). This literature is pointing to key questions around how to understand the relational dynamics of and between the 'top-down' and 'bottom-up' as well as the horizontal dimensions and what forms of interaction between them are likely to produce results: precisely who is the 'local' in any given context and what constitutes 'bottom-up' and how to understand and address competing forms of legitimacy as well as power asymmetries in these relationships and processes.

The relationship between service delivery and state legitimacy is not linear; process and outcomes of service delivery are important

Much contemporary thinking around statebuilding has nurtured the notion that there is a causal link between service provision and improved state legitimacy and state-citizen relations. As with theories of the state, theories of statebuilding tend to argue or assume that, as states provide services, citizens will offer allegiance.[53] Several point to policy trends that focus on the delivery of services as a way to bolster legitimacy and confidence in the peace process and note the lack of strong evidence base (Whaites 2008; Mallett et al. 2017). Whether service delivery contributes to increased legitimacy can depend on various factors, including timing and the array of actors delivering high- and low-profile services, and often leaps in judgement are made with respect to which service delivery areas will have the greatest statebuilding impact (Whaites 2008, 16). Levels of performance vary with political will and commitment as well as capacity, while the nature of expectations vary from state to state, though "even repressive states usually deliver against some expectations as a way to reduce dissent" (ibid., 9).

In recent years, research is further challenging assumptions about a simple relationship between access to services and people's perceptions of the legitimacy and performance of government. Synthesis findings from the Secure Livelihoods Research Consortium (SLRC) from six years of research include that: livelihood recovery is neither automatic nor linear after conflict, and that it is the 'how' that matters when it comes to the question of whether service delivery can enhance state legitimacy. Similar findings are backed up by other research; based on their research in Burundi, Stel and Ndayiragiie, for example, argue,"[W]hat matters for state legitimacy is not only what state institutions are, do or are capable of doing, but also what they are seen to be and perceived as doing" (Stel and Ndayiragiie 2014, 6). They claim further, "[I]t was the process of interaction, coordination and joint implementation rather than the projects' concrete effects on service delivery that impacted people's perceptions of the state" (ibid., 10).

While the recognition of the 'how' is clearly important, suggesting that grievances are more perception than objective reality, or underplaying the importance of outputs or actual deliverables, is dangerous ground. There is little room for question that national actors, globally in countries affected by conflict and fragility, strongly equate peace with development and desire material results of peacebuilding and statebuilding efforts. The processes of service delivery are deeply connected to the content and outputs. For example, research shows that state

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53   Carpenter et al. speak of "received wisdom that there is a causal link between service provision and improved state legitimacy and/or state-citizen relations" when findings illustrate lack of clarity (Carpenter et al. 2012, 79).

legitimacy can be effected by a deterioration in service quality, availability of services across geographic areas/groups/socioeconomic class, and cost (Brinkerhoff et al. 2009). Similarly, the SLRC research suggests that grievances with respect to unfairness of delivery and exclusion (and particularly exploitation in the labour market) matter – and lead to negative perceptions of the government (Mallet 2017, 2). These findings underscore that people care about actual delivery.

Service delivery is, and has long been, considered a core function of the state; it plays a role in state legitimacy and the capacity of the state to address violent conflict as it is the most primary way in which citizens interact with the state (Brinkerhoff et al. 2012; Sacks and Larizza 2012; Stel et al. 2012). Brinkerhoff, Wetterberg and Dunn argue that services are often the most "concrete embodiment of the [g]overnment" and that effective service delivery plays a key role in establishing citizens' trust in the government's ability to provide stability (Brinkerhoff et al. 2012, 277). As such, service delivery has been referred to as giving "content to the social contract between the rule and the ruled" (World Bank and United Nations 2018, 158, citing Rotberg 2004). State provision of public goods and services needs to be at levels of quality, quantity and equity satisfactory to a majority of citizens in order to fulfil the state's duty (Brinkerhoff et al. 2012, 276). If service delivery output is poor or insufficient, citizens often turn to other sources that will then compete with the state for legitimacy (ibid.; Vaux and Visman 2005).

Research is also suggesting that the state does not need to be sole deliverer of services; rather, it is key that it be recognised as responsible for ensuring that services are delivered and for organising the contributions of other actors (Bellina et al. 2009). The SLRC research concurs, finding that "'exterior' aspects of provision including physical distance-related access and provider identity matter very little when it comes to shaping people's perceptions" (Nixon and Mallet 2017). This supports policy-oriented thinking and practice on the need for conflict-sensitive governance, that is, on the need for greater focus on the *way* that services are delivered (McCandless 2011). While the evidence of services supporting state legitimacy and positive state-society relations may be weak, there is a rising body of evidence illustrating how poorly delivered services can contribute to conflict (ibid. for discussion). In the area of education, UNICEF is supporting research illustrating that the delivery of social services can reproduce broader patterns of inequity and political economy that drive violent conflict. A recent study on Uganda argues, "[I]t is often assumed that education will play a positive role in peacebuilding, but it can in reality have 'two faces', potentially driving conflict by fuelling grievances and stereotypes" (Vinck et al. 2015, 22).[54] Findings point to spillover, as a lack of resources may impact school feedings and contribute to violence inside schools (Vinck et al. 2015).

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54   Referenced work: Smith 2010; Bird 2009; Davies 2009.

Some are investigating how multi-stakeholder processes (MSPs)[55] can enhance service delivery, state legitimacy and relations with societal stakeholders. One four-country study found that, under certain conditions, MSPs did realise this goal, having a positive impact on service delivery, partly because they helped improve the capacity of their participating stakeholders. A considerable number of MSPs contributed to policymaking and enhanced the sustainability of their services. However, only one third contributed to the legitimacy of state institutions, mostly by bringing about positive changes in the interaction between these institutions and non-state partners (Stel et al. 2011, 3).

Hybrid orders and institutions are a pervasive reality that can support or undermine peace efforts

In conflict-affected and fragile settings, where governments lack strong legitimacy, authority across their territories and capacity and infrastructure to deliver basic services, non-state actors often perform key functions and deliver essential services. Illustrative, data across many settings on support for customary institutions over and above state/formal institutions are strong.[56]

Understanding how non-state actors function as holders of legitimacy,[57] where and how they collect and compete with the state for control of rents and generally how they influence political, economic and social life is a vital ingredient for better peacebuilding, statebuilding and development practice. They may be long-standing or newly created or adaptive to the context and they may be playing very important and complimentary roles to the state or, alternatively, they may be seeking to profit directly and undermine the role of the state (McCandless 2014). Engaging with these hybrid forces at play can support the strengthening of political settlements and peace agreements and be used to tailor programming and strategy in conflict-sensitive ways, building trust between the state and community actors (ibid.).

There is a rich and blossoming literature in the area of hybrid political orders and systems, focusing on political orders and governance (e.g. Jarstad and Belloni 2012; Menkhaus 2006), systems/forms of justice and conflict management (Richmond 2014), hybrid peacebuilding and peace-making, economic governance (Strazzari and Kamphuis 2012), forms of violence (Krause 2012), legitimacy and ownership (Jarstad and Olsson 2012) and parallel systems (civil and customary) across different sectors (McCandless) that can support analysis about how resilient social contracts are forged, often out of elite and unstable political settlements.

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55 MSPs are "initiatives with the notion of bringing together different actors, who have an interest in a problem and engaging them in a process of dialogue and collective action to address this problem (service delivery)" (Stel et al. 2011, 4).
56 For data and analysis on this, see McCandless 2014. Surveys such as Afrobarometer have also illustrated this trend across many African countries.
57 Some argue that legitimacy is depended upon for non-state-made standards where enforceable rules or standards are not in play, requiring their voluntary compliance (Peters et al. 2009, 511).

Social cohesion is reflective of, and a contributor to, more peaceful societies

The concept of social cohesion, a classic social science concern,[58] has gained traction in peacebuilding and statebuilding scholarship and policy discourse in recent years, driven by the desire to understand what holds people, communities and societies together. First, the reason is that a lack of social cohesion is strongly linked to conflict.[59] Studies by the World Bank in particular have suggested that violent conflict deepens social divisions and erodes trust between groups and the state (World Bank and United Nations 2018, 220). Conversely, more cohesive societies enjoy higher levels of trust and collaboration, which provide a framework for groups to interact constructively and develop common goals (Marc et al. 2013). Understanding how social cohesion operates and develops is particularly vital in complex, transitional settings where it is likely that many forms of allegiance to different actors and types of compacts are at play.

The social cohesion concept is being used to reflect on the design of public policies and institutions "that address the causes and effects of poverty, social exclusion, social distrust, and political marginalisation" (Cox and Sisk 2015, 12), a response to research pointing to how inequalities and divisions within a society can increase the risk of breakdown of the political system.[60] This is particularly the case if inequalities are horizontal, that is, between identity groups, rather than vertical, or income, inequality (Brinkman et al. 2013). The OECD defines a cohesive society as one that "works towards the wellbeing of all its members, fights exclusion and marginalisation, creates a sense of belonging, promotes trust, and offers its members the opportunity of upward social mobility" (OECD 2012). In a similar vein, Kaplan contends that the willingness of elites to promote inclusiveness is a good proxy for the existence of overall social cohesion, arguing that "the roots of this readiness among elites to extend opportunity to all members of a society can usually be found in a shared sense of identity, whether national, cultural, ideological, religious, or ethnic, or in some other form of intellectual, spiritual, or physical kinship", and concludes that "effective institutions that serve people equitably can intensify this sense of attachment or compensate for its absence" (Kaplan 2013, 6). Many view social cohesion as a means and a desirable end to inclusive development (Jenson 2010).

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58 As observed by Cox and Sisk (2014), Durkheim (1951) was concerned with the similar notion of "solidarity".
59 See results of population-based surveys on peace and education as well as attitudes and perceptions about peace, security and justice by UNICEF/Harvard Humanitarian Initiative (case studies include Guatemala, Timor Leste, Liberia, Burundi and Uganda); also see FAR Country Notes on Timor Leste, Guatemala and Liberia; Frances Stewart's work on horizontal inequalities between groups is also important here.
60 See, for example, Berger-Schmitt (2002).

Addressing vertical and horizontal dimensions is important

Increasingly, emphasis is put on the need to repair and build relationships across the vertical (between state and society) and horizontal (within and between groups within society) axes – with some suggesting that the degree to which they intersect determines the likelihood that inclusive conflict management systems will exist (Marc et al. 2013). Chan et al., commonly cited in the literature, define social cohesion as "a state of affairs concerning both the vertical [state-society] and the horizontal interactions among members of society [actors, groups, organisations, institutions] as characterised by a set of attitudes and norms that includes trust, a sense of belonging and the willingness to participate and help, as well as their behavioural manifestations" (Chan et al. 2006, 290). They operationalise the concept *vis-à-vis* the vertical/horizontal dimensions and two components, "objectivity" and "subjectivity" (ibid.).[61]

It is helpful to consider dimensions of social cohesion to support measurement

The considerable scholarly and policy work on conceptualising social cohesion is matched with burgeoning efforts to measure it, although evidence around what works still remains rather thin. Most would agree that a combination of subjective and objective measures is needed. Most efforts also conceptually frame social cohesion to support measurement through varied 'dimensions' that cut across vertical and horizontal dimensions, e.g. for UNRISD (Jenson 2010), they are inclusion, participation, solidarity and trust, while for UNICEF, three noteworthy dimensions are belonging and institutions, tolerance and participation (UNICEF 2014).[62] Others focus on an inequality dimension – concerned with promoting equal opportunities and reducing disparities and divisions within a society – and a social capital dimension – concerned with strengthening social relations, interactions and ties.[63] Several databases (Afrobarometer, World Value Survey, Positive Peace Index to a certain extent) as well as country case studies by UNICEF suggest that social cohesion can be measured or proxied by using perception-based indicators that look at levels of trust in societal groups/institutions, perceptions of belonging and inclusion, and levels of participation (in decision-making processes but also in voluntary organisations).[64] The Cyprus Social Cohesion and Reconciliation Index (SCORE), developed by UNDP, is considered the pioneer project in measuring social cohesion. It examines the two main components of peace – reconciliation and social cohesion – and the intricate relationship between them.[65]

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61 Objective measures can be viewed as i.e. concrete actions of cooperation and participation (ways in which the state establishes institutions and incentive structures for different actors/societal groups to engage) and subjective measures, as i.e. intergroup attitudes, levels of trust and "grievances" (Sisk 2013, 2).
62 Case studies that operate with these three dimensions include Uganda, Burundi and South Sudan (UNICEF/Search for Common Ground).
63 See UNDP 2009. *Community Security and Social Cohesion: Towards a UNDP Approach.* New York: UNDP-BCPR.
64 The Positive Peace Index includes a measure for "Acceptance of the rights of others." (http://www.visionofhumanity.org/#page/news/1264).
65 Indicators for social cohesion are: trust in institutions; feeling adequately represented by institutions; human security; satisfaction with civic life; freedom from corruption; satisfaction with personal life; ethnic group identification; and civic engagement. http://www.scoreforpeace.org/.

BOX A: POLICY EFFORTS TO CONCEPTUALISE THE SOCIAL CONTRACT AND PEACE

The OECD and UNDP have led conceptualising efforts around the social contract to inform their work and other key policy institutions such as the World Bank and USIP are embracing the importance of the social contract in their work.[66] DFID's research has also laid important foundations for the emerging thinking, discussed above (Evans 2012).

For the OECD, the social contract emerges from the interaction among i) the expectations that society has of its state, ii) state capacity to provide services, including security, and to secure revenue from its population and territory to provide these services (in part a function economic resources) and iii) elite will to direct state resources and capacity to fulfil societal expectations. It is crucially mediated by iv) the existence of *political processes* through which the bargain is struck, reinforced and institutionalised. Finally, v) *legitimacy* plays a complex additional role in shaping expectations and facilitating political process – and is produced and replenished by other four factors (OECD 2018, 17). The OECD directly ties the social contract to fragility, suggesting that fragility concerns the absence or insufficiency of political processes for managing changes in the state-society contract (ibid., 18). The social contract lies at the heart of the OECD's statebuilding framework and the matter of legitimacy, which provides the basis for rule by primarily non-coercive means.

For UNDP, the social contract is "a dynamic and tacit agreement between states, people and communities on their mutual roles and responsibilities, with participation, public goods, public policies and taxation chief among them" (UNDP 2016, 3). UNDP suggests at the heart of a robust social contract is a strong match "between people's expectations of what the State (and other actors) will deliver and the institutional capacity available within the State (and other actors) to meet those expectations" (UNDP 2016, 18).[67] UNDP's conceptual thinking was catalysed by a 2014 workshop on the topic with scholars, policymakers and practitioners from around the world, who strongly endorsed the value of engaging the concept for revitalising peacebuilding and statebuilding efforts.[68] The gathering underscored the value of a social contract as a broad-based bargain to expand an elite-based political settlement, which requires building institutions, processes and platforms that facilitate two-way interaction between the state and people, and inclusive political and economic institutions. In line

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66   The United States Institute of Peace (USIP) is foregrounding the notion of the social contract in its work and the World Bank has a new major study underway, on social contracts in Africa.

67   Key factors that influence the social contract are: quality of education; perceived fairness of taxation system; degree of respect for human rights; the quality and fairness of (formal and informal) justice systems; and the degree to which people have access to information.

68   See UNDP Conference on the Social Contract, Glen Cove, New York, 15-17 January 2014. *Shaping the State through the Social Contract in Situations of Conflict and Fragility.*

with its Strategic Plan, UNDP now places the consolidation of a strong and inclusive social contract, at local and national levels, at the centre of this integrated approach to governance, conflict prevention and peacebuilding.

Rooted in evidence derived from country work around the world, UNDP argues that "multiple formal and informal structures that mediate and shape the relationships between people and the state" (2016, 3). With this comes the recognition that multiple social contracts, or 'social covenants', can co-exist within nation states, operating at different levels.[69] A notion of social covenants has also come into play that emphasises society and horizontal dynamics, rather than the state-society contract (Sacks 2007, 110). "In covenants, the major groups within a society come together and agree on a new framework and vision for cooperation. A social covenant may inform and underpin a formal peace accord or even a nation's constitution" (UNDP 2016, 10).

The New Deal for Engagement in Fragile States and the global policy dialogue that created and is implementing this agreement – the International Dialogue on Peacebuilding and Statebuilding (IDPS), which refocuses how aid is delivered to conflict-affected and fragile states – also offers insight into policy-related movements in this area. The New Deal spotlights the role of "compacts" between states and their (civil) societies, on the one hand, and international organisations/donor bilaterals, on the other, that aim to forge agreements on priorities for peacebuilding rooted in shared assessments of what is driving conflict and fragility. This is one element of the core set of FOCUS principles that are guiding constituency efforts to implement the New Deal. While compacts are meant to reflect the third step of "inclusive country-led and country owned transitions out of fragility",[70] civil society has persistently made the case that "the tendency to date is that they reflect priority agreements between governments and donors, without clear linkages to the fragility assessments and without clear efforts to build inclusive and societally owned agreement around priorities" (McCandless 2015). While there are varied views on the success and value of these efforts to date (Hearn 2016; Donais and McCandless 2016; McCandless 2016), the wider political will and desire to move in this direction, amongst varied state, society, and international community constituencies, points to an emerging consensus around what is needed: greater emphasis on the notion of social contracts to drive more effective peacebuilding and statebuilding.

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69 Scholarly research also challenges the application of classical conceptualisations of the social contract in contexts such as certain African countries, pointing to the reality that contracts may be multiple, being: "(i) community governance structures with local families; and (ii) the state with community governance systems, with supplemental ties to individuals. The bargains are (iii) the regime with the military; and (iv) the state with the international community" (Leonard 2013, Abstract).

70   The New Deal for Engagement in Fragile States: http://www.newdeal4peace.org/wp-content/uploads/2013/01/new-deal-for-engagement-in-fragile-states-en.pdf

4.0 New Thinking Needed and Proposed

What is Missing?

Revitalising the concept of the social contract towards better understanding its heuristic value, and its normative value for supporting thinking and practice about states and societies are achieving and sustaining peace, arguably rests on the critical engagement of several bodies of thinking discussed above. This section suggests what might be particularly important and why. It points to the gaps and weaknesses in existing bodies of literature and policy that need to be addressed, and to how these conversations need to be brought into dialogue, in ways that can serve such a conceptual framing.

Social contracts that achieve and sustain peace

The topic of peace – and how to attain and sustain it – has long held value, though always suffered from lack of consensus around meaning and approach. The revitalised energy brought with the new global agendas – the *sustaining peace* and *conflict prevention* agendas and the Agenda for Transformation 2030 – is useful in generating demand for and supply of, new ideas and evidence, that might forge new areas of convergence. As highlighted earlier, the twin United Nations resolutions suggest that sustaining peace is a goal and a process to build a common vision of society, ensuring that the needs and aspirations of all segments of the population are taken into account. This speaks directly to the notion of the social contract. At the same time, with the plethora and diversity of challenges confronting states and societies as discussed in this paper's introduction, such a common vision will inevitably need to be rooted in resilient agreements and institutional arrangements that can adapt and respond to contextual needs and challenges over time, supporting transformation in ways that achieve and sustain peace.

Thinking more about what kind of contracts will support peace, and how these evolve, can cover an immense terrain, as illustrated above. While there is much investigation into social cohesion (both vertically and horizontally), how processes linked to building trust and more peaceful relationships, and ensuring inclusivity, relate to substantive agreements being realised in ways that ultimately support and sustain peace, are areas that demands deeper understanding. Specifically, we need to know more about how such processes

transmit into results (e.g. institutions and policies that deliver needed services with broadly shared results, and that concretely address grievances that led to conflict in the first place, while providing ongoing and trusted means for addressing grievance), and ultimately that create incentives for sustaining peace.

Transitional pathways from political settlements to social contracts that address and manage conflict

Second, in countries divided by intractable conflict, or deeply unable to meet the needs of society due to fragility or violence, addressing these issues is by definition, a prerequisite for a social contract that supports peace. In this context, and given the related gaps in thinking and practice, there is need for mapping of the linkages and transitional pathways – conceptual and practical – between the peace agreement, the underlying political settlement and the institutional arrangements that can underpin and nurture a robust and resilient social contract. Substantive and process-oriented issues need deeper investigation. On substance, while databases are invaluably documenting the implementation of peace agreement provisions,[71] by nature – quantifying to keep simple – they offer insight neither into *how* conflict and fragility issues – be they drivers, root causes, grievances – evolve, adapt and transform as the process unfolds, nor, more vitally, how they are addressed – transformatively and in support of attaining and sustaining peace. While there is acceptance that addressing conflict issues tends to occur more in post-agreement stages by government actions, there is need to better understand how agreements can promote and/or adversely affect the abilities of governments to take coherent, consistent, follow-on action. Related, the institutional arrangements – be they transitional and formal governance, as well as informal mechanisms at all levels – need to be better understood in terms of how they actually and can potentially serve a pathway towards a social contract that can sustain peace.

On process linked more specifically to actors, new research is importantly focusing attention from the role of elites in political settlements to more inclusive political settlements – and on what constitutes findings on the importance of the *quality* of inclusion rather than just numbers. At the same time, there is insufficient understanding around whether and how particular non-state institutions, groups and wider society can shape political settlements over time,[72] i.e. through their relationships with elites, by resisting and supporting different aspects of the settlement and by changing group and societal expectations

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71 McLeod (2014) cites 11 major databases relating to peace agreements, including the UN Peacemaker, INCORE and USIP's Peace Agreement Digital Collection. Kroc Institute's Peace Accords Matrix (PAM) is the key source of comparable data on peace agreements, focused on 34 comprehensive peace agreements signed between 1989-2012.

72 As observed by Menocal (2015) building on Evans (2012).

Institutional delivery that supports state legitimacy and state-society relations

Third, in the context of conflict affected and fragile states where the reality is more often than not, that the State does not have full control over, or legitimacy across its territory and there are many actors delivering services, we need to understand more about how this 'institutional delivery complexity' affects the allegiance of society to the state. The rising research notes that i) *how* services are delivered is as important as, if not more important than, *whether* services are delivered and ii) who delivers services may not matter as much as that they are well delivered. This raises important, and enduring (see section 2.0) questions around the nature of the social contract – notably: *its purpose, whom the social contract is between, the mechanisms through which it is forged and sustained, how to address questions of moral obligations and how to address conflicting interests, and how to distribute wealth (and resources)*. Further, the research stills suggest that process and results matter to people, as does the immense research done for the *Pathways for Peace* report, which suggests that exclusion, particularly of groups (objective and subjective) is paramount in driving grievance.

This suggests the need for more research into questions about how service delivery can better meet people's needs and expectations and how this shifts in particular contexts, i.e. when people value processes that ensure inclusion and institutional accountability, versus prioritisation of results, *why,* what constitutes fairness for different groups, and how and why might this shift in particular contexts. It also requires understanding of how non-state actors factor into the equation – when, why and how they hold allegiance of societal groups and how that supports or undermines allegiances to the state. Research on hybridity has offered new and important pathways to thinking about the alternatives to 'liberal peacebuilding', although much of the work to date has overly focused on the international-national elements of hybridity. **Greater insight is needed into how different societal actors – be they customary institutions or non-state actors more generally – who are delivering services and may hold legitimacy with sizable populations support the development of a unified civic identity and allegiance to the state and how to better harmonise the functions and claims to legitimacy of these actors and the state where they do not.**

How social cohesion grows horizontally and vertically

Fourth, **we need to understand a good deal more about how relationships across society and between the state and society are forged, horizontally and vertically, and the dynamism and interplay within and between them**. This clearly lies at the heart of the very notion of a social contract and at the heart of the question of whether the nation-state will continue to survive and, if so, in what form. Research in this area has grown over the last couple of years, yet is still at a

very early stage, and consensus is greatly lacking on how to conceptualize social cohesion, and to measure it. It is key to understand how structure, agency and objective and subjective aspects of social cohesion play out and indeed how trusted relationships forge and sustain within and across different contexts and settings. How social cohesion advances and is undermined in response to movements in the peace process – notably the addressing of core conflict issues and grievances and in relation to the delivery of core functions and services – lies at the core of understanding how a social contract would support peace. Better insight on these issues would contribute to a more dynamic, adaptive conceptualisation of social cohesion that is greatly needed to inform better policy and practice – and, how social cohesion can support the fostering of peaceful social contracts.

Across each of these areas we need to know more about how inclusion functions. Specifically, we need to know more about *how inclusive is inclusive enough* in particular contexts and how issues and processes adapt over time and through different mechanisms to move state and society forward towards a more accepted social contract that supports peace. Within the inclusion literature, there is strong focus on the *processes* of inclusion, rather than the results that inclusion brings (Donais and McCandless 2016; McCandless, 2016) – including around who benefits and how – and how this informs and correlates with different types of social contracts and different types or states of peace. Given the focus on *sustaining* peace, and addressing root causes of conflict, this connection between the processes and results of inclusion is paramount.

Intersecting with each of these areas are questions around the role of international actors in the forging of *national* social contracts cannot be overlooked, given the major roles they play in today's transitional settings, especially in the processes around the political settlement that shape political processes into the future, but so too in ongoing processes of peacebuilding, statebuilding and development. Greater reflection is needed on the roles that international actors can appropriately play in 'accompanying' local actors as they strive understand how to ultimately live together, and how this affects understanding about the nature and durability of a social contract. The question of how international actors address and support societal efforts (directly) versus government efforts (directly) and processes that link them is key – the politics around how this is done and the implications for fostering a nationally owned social contract that serves peace – remains profoundly challenging and important.

In closing, these identified gaps – and critically – the ways in which these vital areas interact – lay the foundation for a research framing to support case study research on the topic of social contracts and achieving and sustaining peace.

ANNEX: Forging Resilient Social Contracts: Project Research Framing

This research and policy dialogue project is focused on countries undergoing multiple processes of transition and/or affected by conflict and fragility, inspired by the question: *What drives a resilient social contract in such countries?* A social contract can be understood in short form as a dynamic national agreement between state and society, including different groups in society, on how to live together and channel conflict peacefully. Resilient national social contracts are conceptualised more fully in this study (see Box 1). This approach ensures attention to core values and mechanisms associated with the social contract concept across time and geographical space, but with attention to the dynamism and adaptability that countries in transition from conflict and fragility demand.

BOX 1: RESILIENT NATIONAL SOCIAL CONTRACTS

A resilient national social contract is a dynamic **national** agreement between state and society, including different groups in society, on how to live together and notably around how power is exercised and resources are distributed. It allows for the peaceful mediation of different demands and conflicting interests and of different expectations and understandings of rights and responsibilities (including with nested and/or overlapping social contracts that may transcend the state), over time and in response to contextual factors (including shocks, stressors and threats) through varied mechanisms, institutions and processes.

Our research investigates three postulated 'drivers' of a resilient social contract that will help attain and sustain peace, focusing on i) inclusive political settlements addressing core conflict issues, ii) institutions delivering effectively and inclusively and iii) the broadening and deepening of social cohesion (see Box 2 for full articulation). We are also reflecting on cross-cutting issues – state formation processes, exclusion and inclusion, the role of international actors, and resilience capacities for peace – in and across the 11 case studies. These were developed through in-depth examination of relevant bodies of literature and extensive discussion within our Working Group of advisors.

Study Questions, Propositions and Research

This research examines the following overarching questions:

- What drives a resilient national social contract?

- What does a resilient social contract look like, in different settings, and how is it sustained?

- How do social contracts evolve/adapt over time in ways that facilitate and/or undermine achieving and sustaining peace? (top-down, bottom-up; path dependencies; sequencing; driver interactions)

- What are the implications for policy and scholarship, including for how international actors can support nationally owned pathways towards more peaceful and resilient states and societies?

The study's research propositions are:

- A resilient national social contract is indispensable to preventing violent conflict and attaining and sustaining peace.

- A resilient social contract is forged through virtuous progress on three interlocking drivers related to the nature and quality of political settlements, institutions and social cohesion (see Box 2).

Figure 2 illustrates the three postulated 'drivers' of a resilient social contract:

FIGURE 2: THREE DRIVERS OF RESILIENT SOCIAL CONTRACTS

> ## BOX 2: POSTULATED THREE 'DRIVERS' OF RESILIENT SOCIAL CONTRACTS
>
> 1. Political settlements and social contract-making mechanisms are becoming more inclusive and responsive to core conflict issues.
>
> 2. Institutions (formal, customary and informal) are increasingly effective and inclusive and have broadly shared outcomes that meet societal expectations and enhance state legitimacy.
>
> 3. Social cohesion is broadening and deepening, with formal and informal ties and interactions binding society horizontally (across citizens, between groups) and vertically (between citizens/groups and the state).

Explanation of Drivers, Cross-cutting Issues and Sustaining Peace

Driver 1: Inclusive political settlements addressing core conflict issues

The first driver engages the burgeoning literature on the need for political settlements to i) develop and expand inclusion in the peace process[73] and ii) address the root causes of conflict as well as the historic grievances of groups.[74] These two elements are interlinked, with initial agreements including more stakeholders in order to address more issues and work through the details over time.
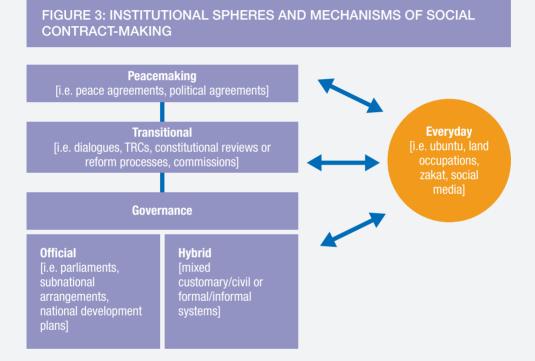
Our research assumes the need for stronger mapping of the linkages and transitions – conceptual and practical – among peace agreements, underlying political settlements and the institutional arrangements for resilient social contracts. Thus, our research develops and employs a typology of 'institutional spheres and mechanisms of social contract-making' (see Figure 3). These spheres and related mechanisms are:

- **Peacemaking** (i.e. through a peace agreement or political agreement);

- **Transitional** (i.e. sequenced dialogues, commissions, truth and reconciliation processes);

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73 The *Pathways for Peace* (World Bank and United Nations 2018) report exhaustively reviews the evidence base on exclusion as a core driver of conflict and violence and makes the case for greater inclusion across politics and policy. Research by Paffenholz (2014) has renewed a focus on the importance of inclusion for achieving sustainable peace agreements and on the fact that the quality of participation matters. Paffenholz, Thania. 2014. "Broadening Participation in Peace Processes: Dilemmas and Options for Mediators." The Centre for Humanitarian Dialogue, 9. See McCandless 2018 for full review of literature on these topics.

74 Recent (2016) twin Security Council and General Assembly Resolutions (A/RES/70/262 and S/RES/2282) highlight sustainable peace as a primary United Nations goal, underscoring the need to address root causes of conflict and inclusive national ownership as criteria for its achievement. The new World Bank-United Nations study on conflict prevention has revived interest in the role of grievances in conflict and the need to address them to prevent its escalation (World Bank Group and United Nations 2018).

- **Governance-related**, including formal mechanisms (i.e. codified structures of government, formal institutions, national development plans, devolution frameworks/policies) and hybrid mechanisms (i.e. where religious/customary/ non-state actor and state mechanisms interact); and

- **'Everyday'** (i.e. citizen actions, practices, norms, mores). In this study, the everyday sphere also serves as a litmus test of the extent to which higher-level, formalized agreements or processes represent wider societal views.

FIGURE 3: INSTITUTIONAL SPHERES AND MECHANISMS OF SOCIAL CONTRACT-MAKING

Peacemaking
[i.e. peace agreements, political agreements]

Transitional
[i.e. dialogues, TRCs, constitutional reviews or reform processes, commissions]

Governance

Official
[i.e. parliaments, subnational arrangements, national development plans]

Hybrid
[mixed customary/civil or formal/informal systems]

Everyday
[i.e. ubuntu, land occupations, zakat, social media]

The research considers how some core conflict issues (CCIs) – defined as those that, the main parties and society broadly agree, are drivers of conflict and discord – and addressed through these mechanisms, zand whether and how this results in more broadly owned results. Consequently, this research offers rich insight into what has gone well – and what not well – in various settings and why. At the same time, recognising renewed policy and scholarly interest in what *positively* drives peace and resilience in society, we investigate how 'resilience capacities for peace' (see cross-cutting issues below) also factors into social contract-making.

Driver 2: Institutions delivering effectively and inclusively

The second driver responds to the rising awareness in the statebuilding and peacebuilding literature that a causal relationship between service provision and

state legitimacy cannot be assumed.**75** This raises important questions about the social contract – especially about the mechanisms through which it is forged, and through which it is forged among whom and about how broadly development, prosperity and wellbeing are distributed. The research on this set of issues seeks to provide a rich comparative analysis of the different ways in which key services are delivered and how, and what actually matters to people. This is particularly important in the context of myriad actors delivering services – including powerful non-state actors with considerable power, authority and legitimacy with at times considerable parts of society. It also assesses why/how this changes amidst conflict and fragility, over time, and how this relates to core conflict issues are being addressed. This requires an understanding of how CCIs affect institutions and relationships between institutions and people and how those issues are addressed, including how institutions become more inclusive within political settlements and build social cohesion. To this end, the following issues are explored:

- **Expectations** (of society about the roles of the state and its institutions and of how these expectations change and in relation to what factors);

- **Performance** (the effectiveness and fairness of delivery and outcomes, especially for different groups); and

- **Processes** (for reliable delivery of services, for meaningful participation of all stakeholders and for effective redress of grievances).

We also consider how these issues affect societal understandings of the legitimacy of the state and its institutions, inspired by the OECD typology of legitimacy that identifies four types: input/process; output/performance; shared beliefs; and international legitimacy.[76] Research on hybridity is relevant to questions of legitimacy, while offering new thinking to inform alternatives in the context of templated approaches that have informed 'liberal peacebuilding'. To date however, much of the work has overly focused on the hybridity present in the interaction between international and national actors and institutions; this has insufficiently noted how various groups holding legitimacy with parts of the population, and alternative, endogenous forms of political, social and economic systems and institutions in play, can coexist and interact. Our work in this driver also explores this.

Driver 3: Social cohesion is broadening and deepening

The third driver reflects the consensus evolving in the policy community around the need to better understand how social cohesion is forged, that is, how people

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75   See, for example, Mallet, Richard and Rachel Slater. 2017. "How to support state-building, service delivery and recovery in fragile and conflict-affected situations: Lessons from six years of SLRC research." *SLRC Synthesis Briefing*, 2.

76   Organisation of Economic Co-operation and Development. 2010. *The State's Legitimacy in Fragile Situations: Unpacking Complexity*. OECD, p 27.

and groups bond in constructive ways that support peace. This is imperative in the context of peacebuilding and statebuilding efforts, as lack of social cohesion is linked to conflict (Sisk 2017).[77] There is a need for more detailed knowledge about how relationships across society (horizontally) and between the state and society (vertically) build and how the vertical and horizontal interact. This is of particular importance in fragile and fragmented societies where difficult horizontal relationships are worsened when vertical relationships are considered to be the exclusive terrain of certain groups in societies.

In spite of a spike in recent publications in this relatively young research area, consensus is generally lacking on how to conceptualise social cohesion, let alone on how to measure it. Figure 3 below illustrates the study's approach to social cohesion, which examines how people bond vertically and horizontally through three domains that are grounded in policy research and scholarship: *belonging and identification; trust and respect;* and *access, participation and representation.* This research contributes to thinking about how social cohesion is strengthened and/or is undermined as core conflict issues are addressed (Driver 1), core state functions are undertaken and services are delivered (Driver 2). This will contribute to a more dynamic, adaptive conceptualisation of social cohesion that is critically needed to inform better policy and practice on how to forge a resilient social contract that prevents violent conflict and sustains peace.
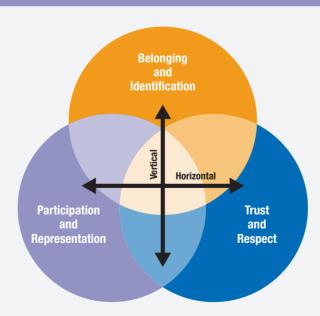
FIGURE 4: SOCIAL COHESION

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77 Sisk (2017) points to examples, including Turkey, Indonesia, Kashmir, Kosovo and Ukraine.

The three drivers capture substantive, material aspects of the social contract, i.e. what needs to be delivered, and the rights, responsibilities and expectations around these, as well as the process elements, i.e. the nature of participation, exclusion and inclusion, and forms of accountability. Their interactions are also important in thinking about a resilient social contract – how they might be mutually reinforcing through processes and outcomes that transform root causes of conflict and prevent it from recurring, and moving countries towards achieving and sustaining peace.

Cross-cutting issues

Across the three drivers, four cross-cutting issues are examined. The first two – state formation processes and international actors – influence the forging of resilient social contracts. The latter two – exclusion and inclusion, and resilience capacities for peace – are cross-cutting drivers in their own right.

State-formation processes, sometimes conflated with statebuilding processes, are influential in shaping political settlements and social contracts. Research over the last several decades, by scholars from different continents, has usefully pushed back on theories that suggest that particular state-formation experiences (notably, those of Europe) are generalisable.[78] In Europe, states were forged and nations built through massive war-making processes that required money and human masses to fight, relying on and fostering the formation of bureaucracies and administrations capable of extracting taxes. In contrast, other continents were subject to colonisation and decolonisation processes and have and continue to be subject to extreme and diverse forms of international and regional intervention, experiences that have fostered different incentive structures, societal expectations, institutions and relationships (vertically and horizontally in society and with the state). This research factors this cross-cutting issue and the differing views underpinning it into context analysis and it emerges in and through different findings below.

Intersecting with the three drivers are questions around the roles of **international actors and issues** in their influence on and support for how national social contracts are formed. This topic is crucial for international actors working in and on transitional settings seeking to ensure they do not unwittingly doing harm – across work relating to political processes, political settlements, peacebuilding, statebuilding and development. There should be greater clarity about the roles that international actors can play in 'accompanying' local actors as they strive to understand how to live together and about how this affects understanding of the nature and durability of a social contract. How international actors support societal efforts (directly) versus government efforts (directly) and processes that link them is key; the politics around

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78   For example, Tilly's postulation, based on the European experience, that war makes states and states make war, does not hold true for countries in Africa, Latin America and Asia. See Tilly and Ardant (1975).

this and around the implications for a nationally owned social contract to sustain peace remains as challenging as it is important. At the same time, there is need for a much wider conversation around how exogenous factors and issues, including norms, practices and processes that transcend national borders – i.e. migration and refugee movements, trade and finance flows, and climate change – both generate and fuel grievances and drivers of conflict, and affect the shaping of national social contracts.

While recognising the importance of international actors and exogenous factors in the shaping of national social contracts, Phase I of this research nonetheless takes the national context as the starting point, reflecting the agreed international consensus of the need for national ownership of peacebuilding, statebuilding, development processes. This demands greater understanding of the roles, interests and efforts of national actors at the heart of forging a national social contract.

Issues of **exclusion and inclusion** are investigated across the three drivers and also emerge as an independent finding. In many cases, core conflict issues are variants on the theme of exclusion. Inclusivity is examined with respect to the manner in which core conflict issues are addressed through each of the social contract-making spheres. We also pay attention to how this affects adaptations of the process, as well as its results. In looking at service delivery, authors have been asked to examine the ways in which 'who delivers' matters, when and how participation matters, as well as results (subjective and objective). In our social cohesion research, inclusion is examined in different ways through the domains of investigation, including examination of perceptions and practices linked to what holds people, communities and societies together.

Finally, in addition to investigating select core conflict issues across the drivers, we examine what we label **resilience capacities for peace**.[79] This research approach is consistent with endeavours to understand how national actors can better engage their endogenous capacities to address conflict as well as to understand wider shocks and stressors in ways that ultimately uproot and transform the drivers of conflict and fragility and foster new or revitalised structures and systems that support peace. The authors collectively reflect on how selected resilience capacities are directly or indirectly engaged in the design and implementation of peace efforts. They ask how resilience capacities can better support, in virtuous ways, the achievement and sustaining of peace.

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79 This approach draws upon on an Interpeace paper that lays a foundation for conceptualising a 'resilience for peacebuild-ing' approach, distinguishing the concept that "has evolved from a more narrowly defined notion of a set of attributes, qualities or capacities that enable a society or community to endure, respond or 'bounce back from external shocks,' to a more process-oriented and relational concept, that speaks particularly to the agency of individuals, groups, com-munities, institutions and societies in shaping their environment, including dealing with stressors and conflict within the context of complex adaptive social systems" (McCandless and Simpson 2015).

Sustaining peace

This study reflects on priorities for sustaining peace within the context of the new United Nations global agendas described above – through the forging of resilient social contracts, addressing root causes of conflict, building national visions and fostering inclusion around important issues.

While there has been much investigation social cohesion (both vertically and horizontally), not enough attention has focused on the link between processes of trust and inclusivity, on the one hand, and the strength of commitments to implement substantive agreements, on the other hand. We know little about how keeping or not keeping commitments affects outcomes (e.g. considering institutions and policies that deliver needed services with broadly shared results, and that address grievances that led to conflict in the first place while providing ongoing and trusted means for addressing grievances). Making and measuring progress on sustaining peace requires rigorous examination of particular cases, focusing on the interactions and outcomes of these processes. This is precisely the purpose of our research.

Methods and Outputs

The research approach is exploratory and explanatory,[80] involving case study analysis led by authors who are nationals of the countries under study. Across the three drivers, authors were asked to consider the different concerns and interests of social groups, notably women, youth, and ethnic and religious communities. They were also asked to reflect comparatively on the experience of different regions in relation to the drivers.[81] While the emphasis of case study research is qualitative and context-rich, interviews, focus groups and wide examination of primary and secondary material, and survey data from six major global indexes[82] were used to triangulate data and buttress research findings throughout. Findings have been validated in numerous ways, notably through a series of scholar-policy dialogues. The working group of the project (Annex A) and notably a core group of 'methods' advisers have played a key role in reviewing multiple drafts of the framing documents, guidance for authors and case study drafts – which also were robustly peer reviewed by independent experts.

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80 This is consistent with a pragmatic research methodological paradigm (Creswell 2013).
81 Authors are asked to choose to investigate three regions for comparative purposes – two regions that have benefited differentially from development supported by the state and, third, the capital.
82 These indices were mined by the project team with support from methods advisers to distill a strong set of existing indicators to support analysis of the three drivers. The indices included: Global Peace Index, Positive Peace Index, Fragile States Index, Commonwealth Youth Development Index, Gender Inequality Index (from UNDP Human Development Index) and Social Institutions and Gender Index (OECD).

Assessing the quality of the social contract in this study is two-phased:

- Phase 1 research focuses on examining how well the postulated drivers help us understand resilience of the social contract in the countries under investigation – its inclusiveness (breadth and depth), dynamism and directional movement – and the implications this has for different countries in attaining and sustaining peace. Development of indicators across the three drivers supports insights into their movement – forward or backward. Critically, the research seeks to examine how the drivers interact and catalyse one another in a virtuous movement – or not.

- Phase 2 of the focuses on the initial findings of the first phase to develop a detailed mixed method methodology for assessing the social contract and with implications for preventing violent conflict and attaining and sustaining peace. This may include the development of an 'expert-based' scoring scheme around the three drivers.[83] This will enrich the comparative policy findings and impact and serve as a pilot for the development of a possible social contract index and/ or a participatory assessment tool.

The Phase I project activities taking place from 2017-2018 include 11 country case studies, a series of policy and scholarly dialogues, and a comparative summary finding document. Phase II will include a series of policy papers on cross-cutting and critical themes emerging from the research, a scholarly book and/or journal special issue focused on the case studies, and policy-oriented publications on assessing and forging resilient national social contracts, to be launched in several settings internationally.

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83   The analysis's quantitative scoring dimension will draw upon the author's qualitative research as well as available quantitative data.

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