

# Political Settlements: The History of an Idea in Policy and Theory



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Over the past five years, several major international development policy statements and declarations have adopted 'political settlement' as a framing concept to guide statebuilding practice in fragile and conflict-affected states, and encouraged efforts towards achieving an inclusive, or inclusive enough, political settlement in order to underpin stability. Despite the policy enthusiasm, the concept itself remains elusive.<sup>1</sup> This discussion paper explores how the concept 'political settlement' arose and where it came from, identifies its essential elements and the level of consensus around them and tests out some of its normative content. Finally it considers where the concept might go from here.

## The Recent Appearance of 'Political Settlement' in International Development Policy

The concept made its debut in development policy around 2007<sup>2</sup> as policymakers wrestled with the central challenge of how to promote stability and growth in fragile and conflict-affected states. Technical approaches to institutional reform and development following liberal-democratic and market economy templates were simply not working and the spotlight was on the political dynamic driving the choices of partner governments. 'Political settlement' offered a useful framing concept for analysing the complex development context and for calibrating development interventions to fit that context.

The United Kingdom Department for International Development (DFID) led on the adoption of 'political settlement' as a framing concept for policy. Thence it was quickly taken up by the OECD International Network on Conflict and Fragility and its members. The concept bridged the interconnected processes of peacebuilding and

statebuilding, which were high on the development agenda. A political settlement was portrayed as both the circuit-breaker for conflict, and the platform for statebuilding: it established the conditions to end a conflict, and it formed the core, or cornerstone, or foundation of every political order. The words vary, but the sentiment is the same: every political regime is based on some kind of political settlement (DFID 2009; Fritz and Rocha Menocal 2007; OECD 2010, 2011a, 2011b, 2012; Whaites 2008).

The concept was pressed into service before its usage was settled, leaving its proponents to reflect on the absence of definitional clarity (Parks and Cole 2010:3; Whaites 2008:7) or its still unfolding interpretation (OECD 2010:31) while nonetheless positioning it centrally in statebuilding policy. Within DFID, the definition underwent minor adjustments over its first few years until emerging in a major DFID practice paper on building peaceful states and societies in the following terms:

Political settlements are the expression of a common understanding, usually forged between elites, about how power is organised and exercised. They include formal institutions for managing political and economic relations, such as electoral processes, peace agreements, parliaments, constitutions and market regulations. But they also include informal, often unarticulated agreements that underpin a political system, such as deals between elites on the division of spoils. (DFID 2010:22)

In its major policy guidance note on supporting statebuilding in situations of conflict and fragility, OECD characterised the term as referring to:



... how the balance of power between elite groups is settled through agreement around the rules of political engagement. Political settlement may be (re)shaped by the outcome of a single event (such as a peace agreement), or it may reflect an ongoing process of exchange and (re)negotiation that extends over time where what matters is the conduct of key actors ... Political settlement refers not only to the formal architecture of politics, but also to the web of political institutions — the informal rules, shared understandings and rooted habits that shape political interaction and conduct, and that are at the heart of every political system. (OECD 2011a:31)

Despite the caveats around the unsettled usage of the term, there are significant common elements in the DFID and OECD definitions. First, political settlements are centrally about the organisation and exercise of power. Second, their forging is an elite affair. Third, they involve not only the formal institutions but also the informal institutions that underpin a political system. These features recur in the usage adopted by other development agencies (AusAID 2011:13; UNDP 2012:18).

The adoption of political settlement as a framing concept was intended to highlight the quintessentially political character of statebuilding: it is the political settlement that is instrumental in shaping political and developmental outcomes, and not the design of institutions (Di John and Putzel 2009:6; OECD 2011a:31; Putzel and Di John 2012:1). Understanding of the political settlement is hence a crucial tool for framing effective development interventions, for assessing the potential impact of those interventions on the processes of statebuilding, and for avoiding doing harm (Booth and Golooba-Mutebi 2014:5; Golooba-Mutebi and Booth 2013:6; OECD 2010; Parks and Cole 2010:ix). Putzel and Di John, drawing together the policy implications of a decade of DFID-funded research through the Crisis States Research Centre, pick up on all of these elements. Their central premise is that

A better understanding of the possibilities of progressive institutional change and policy reform can be achieved by seeing the state

as a political settlement embodying a set of power relations. (Putzel and Di John 2012:1)

In the policies emerging in the period 2008–2012, the character of the political settlement assumed considerable prominence: inclusive political settlements, it was argued, were fundamental for the stability of the state, and shaping the character of the settlement was elevated to a policy goal. DFID's 2010 practice paper *Building Peaceful States and Societies* included as one of its four policy objectives 'support inclusive political settlements and processes'. The accompanying text observed that exclusionary settlements are more likely to lead to instability (DFID 2010:7).<sup>3</sup> OECD's policy guidance *Supporting Statebuilding in Situations of Conflict and Fragility* similarly encouraged the international community to look for opportunities to promote inclusive political settlements (OECD 2011a:13) and observed that fragility may be a function of an exclusionary settlement that represents a narrow coalition of interests, while conflict and instability may result from settlements drawn along exclusionary lines (OECD 2011a:21, 31).

The International Dialogue on Peacebuilding and Statebuilding, a grouping of 19 fragile and conflict-affected states, multilateral and bilateral development partners and international organisations which was formed in 2008, has also embraced inclusive political settlements and peaceful conflict resolution as a paramount goal. Its April 2010 Dili Declaration lists the fostering of inclusive political settlements and political processes, and inclusive political dialogue, at the head of its seven peacebuilding and statebuilding goals. In its 2011 *New Deal for Engagement in Fragile States*, the first goal is 'legitimate politics — foster inclusive political settlements and conflict resolution'.

The World Bank, in its 2011 World Development Report on the theme of conflict, security and development, takes a slightly different tack. It focuses not on inclusive political settlements but on 'inclusive enough coalitions' which bring together the parties needed to move states away from the brink of violence. They may involve formal power-sharing arrangements, but most

frequently they are informal. The key is that they include those parties who are necessary to restore confidence, transform institutions, and build momentum for positive change (World Bank 2011:xvii, 119–21). In parallel, the OECD also began to ask how inclusive is inclusive enough in a political settlement (OECD 2011b:30).

In this fast-moving policy discourse, the pivotal concepts are still evolving and little related empirical work has been undertaken. How then does the policy analysis connect with the broader research literature and how strong is the evidence base for the policies adopted?

### Where Did the Political Settlement Concept Come From?

The political settlement concept has been described as lacking a specific pedigree in political theory or political science (Di John and Putzel 2009:6). But as a mongrel concept, it can trace its ancestry from several literatures including comparative politics, international relations, international law, peace studies, political economy and development studies. Within these bodies of literature the concept has three quite distinct meanings, with some overlapping features:

- (i) a negotiated settlement to end interstate or intrastate armed conflict
- (ii) a new and transformed political order born of crisis and achieved through elite cooperation
- (iii) the interdependent arrangement of political power and institutions on which a regime is based.

The first of these meanings, which has the widest currency, sits within the international relations and peace literatures; the second meaning is found in a small body of comparative politics literature; and the third belongs with a small but influential cluster of political economy and development studies writings. These three conceptual applications are discussed further below.

#### (i) Political settlement as negotiated settlement to end interstate or intrastate armed conflict

The idea of a negotiated settlement to conflict has had a prominent place in international relations

for at least a century. The 1919 Covenant of the League of Nations developed during the Paris Peace Conference after World War I provided for adjudicated settlements to prevent states in dispute from embarking on war. Several articles of the Covenant outline mechanisms to initiate a settlement process between states in dispute and to determine terms for a settlement. The 1945 Charter of the United Nations, signed as World War II was nearing its end, gives the new body a strong role in dispute settlement. The first purpose of the United Nations listed in Article 1 of the Charter is the settlement of international disputes by peaceful means. Chapter VI of the Charter, entitled ‘Pacific Settlement of Disputes’, details the role of the Security Council in both initiating and recommending the terms of a settlement in an actual or looming dispute.

As the easing of Cold War polarities in the late 1980s created a new spirit of collegiality within the Security Council, the effective mandate of the UN expanded rapidly into the domain of intrastate conflict. The mandating of peacekeeping operations to support implementation of ‘comprehensive settlements’ of conflicts became a growth area for the UN from 1988; in some instances, peacemaking missions were fielded to help fashion a political settlement to create the conditions for peace (Goulding 1993:457–59).

From this period, the term ‘political settlement’ found its way into the mainstream of UN parlance. It was tried out by the General Assembly in 1989 when it requested ‘the UN Secretary General to encourage and facilitate the early realization of a comprehensive political settlement in Afghanistan’<sup>4</sup> and came into its own with the succession of resolutions supporting a ‘comprehensive political settlement’ of the Cambodia conflict.<sup>5</sup> Since then, the term has been in general currency in the UN as the established mechanism for peacemaking.

In the international relations and peace literatures a ‘political settlement’ describes, at its broadest, a negotiated set of terms to bring a conflict to an end or to prevent it from beginning. It is distinguished from other mechanisms to end conflict such as military victory or peace imposed by third parties, or other mechanisms to stop

fighting from commencing, such as disarmament and external security guarantees. The term is applied to both interstate and intrastate conflicts, and is generally represented as a transaction fixed at a point in time.

Political settlement is something of a fungible term, being used by different authors interchangeably with ceasefire, peace agreement, peace settlement and negotiated settlement. Kreutz, for example, describes ceasefires and peace agreements as forms of a political settlement and, further into the text, of a negotiated settlement (Kreutz 2010:245). The interchangeability of political settlement and negotiated settlement or the conflation of the two terms is common (e.g. Barakat and Zyck 2010; Bell 2006; Fuller 1990; Karl 1992; Rosen 1977; Singer 1958). Other authors move about seamlessly between the terms peace agreement, peace settlement, negotiated settlement and political settlement (e.g. Crocker and Hampson 1996; Hartzell and Hoddie 2007; Hoddie and Hartzell 2005; Walter 2002). The term 'political settlement' is also used to describe two complementary but distinct transactions: the *process* of reaching a settlement by political means (e.g. Gaddis 1986:129; Lloyd 1995:160), and the political *outcome* of a negotiated settlement (e.g. Hannon 1967). In the past two decades, the latter usage has dominated.

Typically, a political settlement as outcome spells out in some detail the provisions for the organisation and exercise of political power in a state emerging from conflict. For example, the 1991 Agreement on a Comprehensive Political Settlement of the Cambodia Conflict sets out in detail the machinery and processes for the exercise of power in the transitional period, arrangements for the conduct of elections for a constituent assembly and for the development of a constitution, and specific principles to be reflected in the constitution. The 2001 Bougainville Peace Agreement, which detailed the terms of the political settlement between the leaders of the people of Bougainville and the Government of Papua New Guinea, included very detailed provisions for the amendment of the constitution of Papua New Guinea, the development of a

constitution for an Autonomous Bougainville Government (ABG), the division of powers and functions between the two, the transfer of powers to the ABG, fiscal transfers and the organisation of the judiciary.

The interest in negotiated settlements takes off in the literature in the 1990s in tandem with the proliferation of peace processes ending civil conflicts.<sup>6</sup> Achieving a settlement of the basic political issues behind *interstate* conflicts in the post-World War II period was relatively rare (Fortna 2003:346). In contrast, some recasting of the political order is a basic element of the negotiated settlement of *intrastate* disputes. Across the literature, a negotiated settlement to civil war is characterised by its focus on the future organisation of political power. For Hartzell and Hoddie, 'One of the central characteristics of a negotiated settlement is that adversaries involved in this form of war-ending bargain directly address the question of how power is to be distributed and managed in the post-war state' (Hartzell and Hoddie 2007:5). The institutional provisions built into the terms of the settlement, they argue, are 'the central mechanisms for establishing enduring, peaceful relations among former enemies' (ibid:3). Bell, similarly, describes the link between an end to fighting and agreement to 'new political and legal arrangements for holding and exercising power' (Bell 2006:374). Manning observes that 'a formal democratization process has been at the center of virtually every negotiated agreement to end civil conflict since the end of the Cold War' (Manning 2004:54).

#### **(ii) Political settlement as a new and transformed political order born of crisis and achieved through elite cooperation**

The concept of 'elite settlement' was launched in 1987 by Burton and Higley 'as a major, but largely overlooked, form of political change' that paved the way to stable democracy (Burton and Higley 1987:295) and it has continued on as a small niche area of comparative politics. Their initial article characterised elite settlements as 'relatively rare events in which warring national elite factions suddenly and deliberately reorganize their relations by negotiating compromises on their most basic disa-

greements' (ibid). Elite settlements are triggered by a sharp and profoundly dangerous crisis — a necessary but not a sufficient condition — which drives elites to abandon competition and cooperate to effect a change of regime. The effect is to fundamentally transform relations among existing elite factions, creating a consensually unified elite structure that provides a foundation for lasting political stability. The authors characterise this phenomenon as the 'taming' of politics (Burton and Higley 1987, 1998; Higley and Burton 1998).

The determination of the essential elements of the settlement is done swiftly, and it is generally formalised in a written text such as a signed pact or new constitution embodying the understandings reached. Once achieved, elite settlements take time to consolidate and require a high degree of accommodation by elite actors. While they involve power-sharing, they always exclude some individuals and groups, most notably the former power-holders who were overthrown. According to the concept's proponents, elite settlements emerge only infrequently. In their 1987 article, they identified somewhere between four up to possibly six or more in the modern period. By 1998 the count had risen to a dozen. To a significant degree, they concluded, 'elite settlements are historical accidents whose watershed consequences underscore the centrality of contingent elite choices in political change' (Higley and Burton 1998:115).

Despite the name, elite settlements engage non-elites. Burton and Higley observe that although elite factions and their leaders have considerable autonomy from mass followings and their demands, this is not to suggest that they could fashion their settlements without regard for non-elite reactions (Burton and Higley 1987:301). Gunther reinforces this point, noting that 'The essence of an elite settlement is a bargain among elites that their respective supporters will accept' (Gunther 1992:66). While the characteristics of elite settlements overlap those of elite pacts and other elite processes, settlements can be distinguished in that they are much more than transient tactical agreements: they fundamentally transform political systems and processes (Higley and Burton 1998:100–101).

A historical example of an elite settlement is the Glorious Revolution in England in 1688–1689. Triggered by the threat of a return to a Catholic monarchy and the prospect of political alliance with Catholic France, Whig and Tory leaders collaborated in a conspiracy to unseat the deeply unpopular King James II and replace him with Prince William of Orange (Burton and Higley 1987). A more contemporary example is the political transition in Spain in the wake of General Franco's death in 1975. The democratic consolidation in Spain is attributed to the profound transformation of Spain's elites from disunity to consensual unity through two years of constitutional negotiations culminating in the adoption of a new constitution in December 1978. In the process, national elites put their former political and social cleavages behind them and achieved a high degree of structural integration (Gunther 1992).

Although political settlements as negotiated settlements and as elite settlements share some common features, there are also some fundamental points of difference. First, elite settlements involve the spontaneous initiative of elites to unite to achieve regime change. Negotiated settlements, in contrast, are typically brokered by third parties such as multilateral or regional bodies and regime change may be, but is not necessarily, the central goal. Second, although elite settlements emerge at a time of crisis, this may manifest in any number of ways: economic crisis, the death of a dictator or sectarian threat are more often triggers than armed conflict. Negotiated settlements, in contrast, emerge when armed conflict is threatened or real. Intrastate settlements in particular are a response to actual and often already protracted conflict.

### **(iii) Political settlement as the interdependent arrangement of political power and institutions on which a regime is based**

This third usage of the term 'political settlement' made a number of cameo appearances in the sociology and political economy literature from the early 1990s before gaining rather wider traction a decade later in the think tanks supporting international development policy. Seemingly the

first use of the concept in an analytical sense (Laws 2012:7) was in a study of the role of the British state in welfare provisioning, which argued that ‘the social policies of the state formed part of a wider political settlement at key moments of development’ (Melling 1991:219). A few years later, the concept was employed in an analysis of how institutions create national trajectories of growth: the answer, it was suggested, was a function of policy and of ‘the political settlements that establish the terms of economic development’. The settlement acts as a platform for institutional performance while new settlements, emerging from crisis, can be a game changer for the development of new institutional forms (Zysman 1994:256–60).

The concept first made its way into the development domain in 1995 when Mushtaq Khan employed it to challenge the explanations of new institutional economics (NIE) for state failure in developing countries. Where the NIE approach explained differences in institutional performance in terms of institutional structure, Khan argued that institutional performance was not just dependent on the character of the institution ‘but also and critically on the balance of power between the classes and groups affected by that institution, that is, on the *political settlement*’ (Khan 1995:77).

Khan returned to this theme 15 years later, adopting political settlement analysis as a tool to examine institutional behaviour and to identify workable governance changes likely to achieve a developmental difference (Khan 2010:1). Echoing the language of North, Wallis and Weingast in their 2009 book *Violence and Social Orders*, Khan notes that:

At the highest level, a political settlement is a description of the ‘social order’ that describes how a society solves the problem of violence and achieves a minimum level of political stability and economic performance for it to operate as a society.

He goes on to argue that ‘at a deeper level, a political settlement implies an institutional structure that creates benefits for different classes and groups in line with their relative power’. This suggests that the notion of a political settlement

as a stable agreement between elites will only be viable if ‘underpinned at a deeper level by a viable combination of institutions and a distribution of power between organizationally powerful groups in that society’. This leads to his definition:

We define a political settlement as an interdependent combination of a structure of power and institutions at the level of a society that is mutually ‘compatible’ and also ‘sustainable’ in terms of economic and political viability. (Khan 2010:20)

If the combination of power and institutions is not viable, there is not a political settlement. Viability in turn is defined as the minimum level of economic performance and political stability needed to hold the institutional structure together (Khan 2010). There is an element of circularity in this definition: a political settlement exists only if it can exist. It also leaves hanging the question of whether a polity can exist *sans* a political settlement.

Two important elements of Khan’s analysis are the evolving character of political settlements and the interplay of formal and informal institutions. No political settlement, he tells us, is static. Evolution may be gradual or cataclysmic. Where political stability or economic performance collapse, they are only likely to recover when a new settlement emerges, possibly at the end of a period of significant conflict (Khan 2010:4–5). Once a ‘social order emerges, the distribution of power becomes embedded in institutional arrangements that sustain it’ (Khan 2010:8). In developing countries, informal institutions are an important component of the institutional structure defining the political settlement, and significantly influence the behaviour of formal institutions (Khan 2010:126–27).

Khan was one of a small group of senior academics working closely with the governance team of the United Kingdom development agency, DFID. Adrian Leftwich was another. He also rejected the technocratic approach to designing formal institutions as a development solution. As he graphically puts it, ‘developmental states ... cannot be constructed out of institution-building

kits devised in western capitals or think-tanks' (Leftwich 2000:8). Writing at the same time as Khan, he argues that developmental outcomes are politically determined (Leftwich 1994, 1995, 2000). Central to his analysis is that politics shapes institutions (Leftwich 2005:593). Politics, he suggests, should be thought of at two levels: the first concerns the fundamental institutions (or rules of the game) that shape political life; the second concerns the politics (games) that take place within the rules. In many countries the rules, both formal and informal, pull in different directions. In other words, it is the political settlement that constrains development choices (Leftwich 2006:24–25). Booth and Golooba-Mutebi (2014:5) make the same argument:

The political settlements/elite bargain approach rejects the proposition that progress is a matter of adopting the 'right' formal institutions or of complying with generally accepted liberal-democratic norms and practices ... It is the nature of the political settlement that shapes a country's possibilities, not the formal structures as such.

The characterisation of a political settlement as an arrangement of political power and institutions done by elites is common across the development literature of the past decade. For Di John and Putzel, drawing on Khan, political settlements are 'bargaining outcomes among *contending* elites', producing the distribution of power on which any state is based and expressed through the prevailing institutions (Di John and Putzel 2009:4). Subsequently the same authors argue that the state is best seen as a political settlement embodying a set of power relations (Putzel and Di John 2012:1). Rocha Menocal introduces an element of social contract, defining a political settlement as 'the expression of a common understanding, usually forged among elites, about how political power is to be organised and exercised, and about how the nature of the relationship between state and society is to be articulated'; she goes on to refer to the evolving character of settlements as social actors continue to negotiate the nature of their

relationship (Rocha Menocal 2011:1721). While Laws finds no empirical support for political settlements as a social contract, he does argue that they are a 'two-level game' of interactions between key elites, and between those elites and their respective followers; 'it is *this* combination of horizontal and vertical relations that should be at the centre of the definition of political settlements', he argues (Laws 2012:9).

Empirical research supporting this third usage of 'political settlement' is surprisingly thin, and follows very different analytical paths. One approach is to describe political settlements in terms of broad types (e.g. capitalist, clientalist or limited access order) based on the defining features of the economic and social order; a very different approach describes political settlements in terms of their context-specific organising principles. Khan uses the first approach. He presents a typology of political settlements based on whether or not formal institutions are growth-supporting, and whether or not holding power is aligned with formal institutions. He then examines how the type of political settlement and changes to it help to explain critical aspects of institutional performance in several national and sub-national case studies. Golooba-Mutebi and Booth's analysis of the political settlement in Rwanda uses the second approach. They describe the political settlement in terms of three interdependent elements: a commitment to power-sharing among those parties who are firmly aligned against a revival of ethnic sectarianism; a focus on development rather than negotiation as the principal path to national reconciliation; and pursuit of an alternative to clientalist political competition (Golooba-Mutebi and Booth 2013:4). Phillips, also following the second approach, finds that the defining feature of Somaliland's political settlement is popular acquiescence to capture of the key drivers of economic growth by elites in exchange for protection from violence in the form of civil war (Phillips 2013:12).

The boundaries between political settlements, elite bargains and elite pacts, and the substance of these distinctions, are far from clear. Laws is careful to distinguish political settlements from

‘elite pacts and related concepts such as elite bargains and peace agreements’ (Laws 2012:26). In contrast, an OECD paper (2011b:11) makes an *en passant* reference to settlements as elite pacts. Golooba-Mutebi and Booth (2013:8–10) reference political settlement and elite bargain as alternative but fundamentally synonymous terms. Extrapolating from his definition and typology of political settlements, Khan seems to suggest that a political settlement is likely to be in existence for an extended period. It undergoes adjustments over time as elites engage in bargaining and realign, but the settlement itself remains in place. In other words, the actors change, but the script and the set design do not. Di John and Putzel (2009), on the other hand, give greater prominence to the elite bargain: it is described as both underpinning the political settlement and underpinning the state. To further muddy the waters, they note that settlements can take the form of ‘political coalitions’. Lindemann largely sidesteps the term political settlement altogether, framing his cognate research around the concept of ‘elite bargain’ (Lindemann 2008, 2010a, 2010b, 2011).

Pinpointing where a settlement begins and ends is another amorphous exercise. An OECD framing paper reflects on the dynamic character of political settlements, which must adapt to shifting power relations. It goes on to observe that ‘the malleability of the concept of political settlement makes it difficult to determine in some cases whether a certain settlement is still in place, has only been adapted to changing circumstances or has been replaced by a new one’ (OECD 2011b:10, 29).

The foregoing is just a sample of the shifting, intersecting and diverging interpretations of the term ‘political settlement’ in this third usage, complicating its application as a tool of analysis.

### Where Does This Leave Us?

Across the literatures, there is a shared kernel to the idea of political settlement:

- settlements at their core address the organisation and exercise of political power
- settlements are largely elite-driven, although they also draw on wider support bases

- settlements are the product of conflict and/or crisis
- settlements shape institutions.

Importantly, there are also significant areas of difference. The first relates to the form of the settlement. In the international relations and peace literatures, it assumes concrete form as an agreement made at a point in time; similarly in the comparative politics literature the elite settlement is resolved swiftly and embodied in a written document such as a pact or constitution. In contrast, in the political economy and development literatures the settlement is a rather nebulous phenomenon. The OECD framing paper on political settlements (OECD 2011b) captures the distinction well, describing a settlement variously as an *event* and as a *process*. But the characterisation of political settlement as process has its limitations, as Laws points out:

if ... political settlements are characterised exclusively as on-going political processes, and are not identified in part by their embodiment in formal institutional details, agreements, pacts, events, and so on, then a risk is that they simply become synonymous with ‘politics’ more generally. (Laws 2012:24)

The second difference relates to the purview of the settlement: in the peace and international relations literature it may involve either an interstate or an intrastate agreement, although the latter has become more frequent; in the comparative politics, political economy and development literatures, a settlement pertains to a single state, describing its basic organisation of power.

The third difference is around the institutional outcome of settlements. In the international relations, peace and comparative politics literatures, the outcome is a set of *formal* institutional arrangements for the exercise of power, spelt-out peace agreements, pacts and constitutions. In the political economy and development literatures, the effect of the settlement on informal institutions is also an important element.



## The Inclusion-Stability Nexus in Policy and Theory

Recent international development policies on statebuilding in fragile and conflict-affected states enjoin development practitioners to promote inclusive political settlements in the interests of stability. There is considerable support for the nexus between inclusion and stability — and exclusion and instability — in the academic literature, but the relationship is not quite as unequivocal as policy suggests.

Strongest support for the link between inclusion and stability is found in the research on the negotiated settlement of civil wars. This research stepped up exponentially in the period following the Cold War as settlements proliferated. In tandem, attention progressively shifted from the conditions bringing conflict to an end to the conditions preventing conflict from recurring, opening up in turn an exploration of the empirical relationship between the character of the settlement and stability or instability. A study from the Cold War transition period found that ‘*stable settlements can emerge under a remarkable variety of conditions*’ but continued on that the nature of the political settlement — or expressed another way the kind of polity that emerged — was clearly useful in explaining the recurrence or otherwise of civil violence (Licklider 1993:17–19, 315). This study reported a mixed outcome on inclusiveness. Citing the conflict resolution literature which suggests that settlements are more likely to survive where rivals are included in the governing process, it replicated this outcome in three of its civil war case studies but identified a fourth very stable settlement that was deliberately exclusionary (Licklider 1993:17–18, 315).

In the past decade, a succession of significant studies of the negotiated settlement of armed conflicts or the recurrence of armed conflict after a civil war is brought to an end explore the relationship between the features of the settlement and subsequent peace trajectories, establishing a strong a nexus between inclusion and stability or conversely exclusion and instability. Walter

(2002) found that when warring parties obtained power-sharing guarantees (and third-party security guarantees for the demobilisation period) as part of a negotiated settlement, they would implement the settlement. Without such guarantees, they would sooner or later walk away from the settlement and revert to war. Hartzell and Hoddie (2003, 2007) found that the inclusion of power-sharing and power-dividing institutions in negotiated settlements played a significant role in fostering an enduring peace. The more dimensions of state power were shared or divided, the greater the prospect of peace. Call (2012) starts not with the settlement, but the downstream failure of peace and explores why this occurred. While noting that ‘no single factor or variable accounts for success in consolidating peace and averting war recurrence’, he finds that

... one factor seems to play a more common causal role in civil war recurrence than others. This central finding is that political exclusion, rather than economic or social factors, plays the decisive role in most cases of civil war recurrence: Political exclusion acts as a trigger for renewed armed conflict. Conversely, political inclusion, including but not limited to powersharing arrangements, is highly correlated with consolidation of peace. (Call 2012:4)

The evidence, however, is not entirely one way. Jarstad and Nilsson (2008), who look beyond the inclusion of power-sharing provisions in negotiated settlements to the actual *implementation* of those provisions, find that the implementation of political power-sharing pacts does not reduce the risk of peace breaking down whereas the implementation of military and territorial power-sharing pacts produces a positive correlation with the maintenance of peace. Martin (2013) confirms this result and, through a more granular analysis of several elements of political power-sharing, finds that the sharing of executive power is a particularly unstable form of post-conflict governance. Samuels (2006:681) reaches a similar conclusion.

A central pillar of the elite settlement literature is that a broadly inclusive elite settlement provides

the foundation for stable politics. A segment of the considerably larger comparative politics literature on institutional design is also centrally concerned with the relationship between inclusive (power-sharing) institutions and stability. Consociational theory, pioneered by Lijphart, argued that specific power-sharing and power-dividing structures afford the mechanism to achieve stable democratic government in plural societies where political alignments correspond closely with ethnic, religious or other divisions. The principal institutional elements identified to achieve broad-based inclusion were the sharing of executive power and localised group autonomy (Lijphart 1977). In the wake of the Cold War, Lijphart extended the analysis to deeply divided societies, concluding that ‘consociational democracy is not only the optimal form of democracy for deeply divided societies but also, for the most deeply divided countries, the only feasible solution’ (Lijphart 2002:37).

From the 1990s, consociationalism acquired a new lease of life in the academic and applied literature on peacebuilding as a broad consensus emerged on the need for inclusivity and power-sharing to secure the peace. Rothchild (2002:119) writes that ‘Of all the choices encountered by those engaged in negotiations to end a civil war, none is more crucial than designing the representational basis of political institutions’. Reynolds, in his book *Designing Democracy in a Dangerous World*, takes a similar line: ‘If there is a single take-home message drawn from this study it would be: *the foundations of democratic stability rest on inclusion*’ (Reynolds 2011:11; emphasis in original). Inclusion, he continues, is a necessity. The key is to determine ‘**who** needs to be included in the process of governance and **how** that inclusion is manifested’. While generally rejecting majoritarianism in any fledgling democracy, he suggests that ‘the precise framework of the actual inclusive (power sharing) arrangements required can vary substantially’ (Reynolds 2011:12). Reilly and Reynolds, working on a smaller canvas, argue that when doing institutional design of electoral systems, transitional democracies emerging from deep-

rooted conflict have a greater need of inclusiveness and a lower threshold for adversarial politics (Reilly and Reynolds 2000:435).

Despite the enthusiasm of its proponents, the academic community is divided about the efficacy of institutional design as such in stabilising conflict-affected states. This is less an assault on the relationship between inclusion and stability than on the mechanism of institutional design alone as the determinative factor. Bastian and Luckham (2003), distilling a collection of case studies, conclude that it is often less the formal institutional choices that matter than the politics around them, that it is difficult to envisage institutional designs that would fully resolve any of the conflicts included in their analysis, and that institutions alone will not resolve conflicts. Reflecting on the evidence, they suggest that they are tempted to propose a new iron law: the ‘iron law of the perverse consequences of institutional design’ (2003:314). Kurtenbach and Mehler (2013:1) share the scepticism about the efficacy of post-conflict institutional design, observing that ‘the balance sheet of such efforts remains mixed and the academic debate is inconclusive as to what works and what does not ... In practice, examples of successful institutional engineering are rare while failures abound’.

Lindemann, like Bastian and Luckham, argues that it is not institutional design but rather the inclusive nature of the underlying configuration of political power that determines stability (Lindemann 2011:1843). Putzel and Di John (2012:4) emphasise institutional effect over institutional form, distilling an extensive body of research into the policy dictum ‘Patterns of inclusion and exclusion are central to the stability and resilience of political settlements, but important more in terms of outcomes than the formal institutional arrangements governing access to state power’.

The relationship between inclusion and stability is central to two recent and highly cited political economy studies which describe, in essence, the character of political settlements. The central thesis of Acemoglu and Robinson’s book, *Why Nations Fail* (2012), is that inclusive political and economic

institutions are the engine room for growth and stability. This is contrasted with the effect of extractive political and economic institutions that are tightly controlled by narrow elites to maximise their interests, ultimately stifling growth and sowing the seeds of instability and, at worst, state failure. The thesis is buttressed by a plethora of examples from across the globe and across history. A few years earlier, North et al. in their book *Violence and Social Orders* (2009) also spanned history to explore the relationship between state structures and violence. How is violence limited, they ask? 'Our answer forms the basis for this book and, we believe, a new conceptual framework for the social sciences. Controlling violence depends on the structure and maintenance of relationships among powerful individuals' (North et al. 2009:18), that is, on an inclusive-enough coalition of elites to ensure mutual cooperation rather than conflict.<sup>7</sup>

This analysis has wide currency among scholars of development. Khan (2010) argues that political stability is a function of inclusive-enough political settlements that afford sufficient benefits to significant power-holders to discourage them from attempting to overturn the status quo. Di John and Putzel, similarly, argue from case study research that an elite 'bargain that is *inclusive* of major contending elites and protects their shared economic interests has the best chance to endure over time' (2009:15). Lindemann (2008, 2010a, 2010b, 2011), across a series of case studies, also argues that postcolonial trajectories of civil war or political stability are largely determined by the character of the elite bargain. Foreshadowing Call's analysis (2012), his central hypothesis is that 'a country's vulnerability to civil war is determined by the character of its elite bargain. While inclusive elite bargains facilitate civil war avoidance, exclusionary elite bargains favour the onset of civil war' (Lindemann 2010a:7).

Is the relationship between inclusion and stability as unequivocal as some of the literature seems to affirm? The political economy literature points to an important qualification: the central consideration is *how inclusive* the elite settlement or elite bargain is, that is, whether those with

sufficient power to destabilise the polity are included or not. This is reflected in some of the main conceptual commentaries on political settlements. Di John and Putzel distil from the literature the observation that 'at low levels of development, the general nature of political settlements that are likely to generate political order are far from inclusionary' (2009:14). Laws (2012) also argues against a straightforward link between the inclusivity of the settlement and political stability, referencing instances where exclusion of a particular group actually contributed to the stability of a settlement, at least for a certain period. What is important, he suggests, is the relative political power of those who are included and excluded. In line with this analysis, Golooba-Mutebi and Booth observe that while elite bargains and political settlements are not necessarily highly inclusive, they do not last where elites with the power to mount an effective challenge to the dominant elite are left out (2013:10).

The bottom line would seem to be that an inclusive settlement is conducive to stability, but stability is not necessarily a function of an inclusive settlement. The critical question for policymakers is, rather, how inclusive is inclusive enough in a particular context, and what policy compromises might that entail.

### Conclusion

While the term 'political settlement' has been around for at least 60 years and possibly rather longer,<sup>8</sup> it is striking that it rose to prominence in several literatures around the late 1980s and early nineties. The timing seems more than mere coincidence. This was when the Cold War was coming to an end, creating fundamental geopolitical shifts: new states were emerging, existing states were undergoing major transformations, and new avenues were opening up for multilateral efforts to bring conflicts to an end and strengthen 'fragile' states. For various academic fields examining aspects of these changes, the settlement concept helped to characterise or to explain a route to stable democracy (comparative politics), the mechanism for ending conflict (peace and international relations) and the highly political character of

statebuilding in fragile and conflict-affected states (political economy and development studies).

Two of these literatures seemingly met and intermingled in the highly charged policy space focused on statebuilding in fragile and conflict-affected states in the mid-2000s: the peace and conflict literature concerned with the political settlement of armed conflicts, and the political science and political economy literature concerned with the politics of development. Out of this was born a hybrid concept of political settlement with features of both parents, but without the strong empirical roots of either. As a result, the concept is simultaneously attractive and familiar but also amorphous and under-elaborated, and those using the term 'political settlement' often find themselves talking at cross-purposes. The common features of the concept that can be distilled from the various literatures — the organisation and exercise of political power, the agency of elites and coalitions, and the impact on institutions — provide a valuable analytical frame for understanding the politics of development, but it cannot be said with any confidence that these add up to a common understanding of what constitutes a political settlement in the policy discourse and how that understanding should then be applied to support empirical work to in turn inform development practice.

The policy contention that inclusive political settlements support stability while exclusionary settlements contain the seeds for instability finds solid support in the literature, but the relationship is more qualified than early expressions of the policy concept suggested. The language is now shifting to achieving an 'inclusive enough' settlement or coalition, but without much exploration of what this entails and what the implications may be. This suggests a new and important area for empirical work.

### Author Notes

Sue Ingram has wide experience in public policy, peacebuilding and international development. Career highlights include 16 years as a senior executive in the Australian Government, senior

appointments in two UN peacekeeping missions in Timor-Leste, head of the Machinery of Government pillar of the Regional Assistance Mission in Solomon Islands, and principal governance adviser in AusAID. Sue most recently worked as an independent consultant/adviser focusing on governance and statebuilding in fragile and conflict-affected states for AusAID, the World Bank, UNDP and OECD before taking up full-time study towards a PhD through the State, Society and Governance in Melanesia Program.

### Endnotes

- 1 The development policy community has commissioned several conceptual studies to work out exactly what 'political settlement' means and what it builds on (e.g. Di John and Putzel 2009; Laws 2012; OECD 2011b).
- 2 The first appearance that I have identified is Whaites (2007). The analysis contained in this paper parallels that of Fritz and Rocha Menocal (2007).
- 3 DFID's emerging policy paper, *Building the State and Securing the Peace*, from the previous year contained a similar argument, that maintaining stability would depend on the political settlement (DFID 2009:18).
- 4 UN General Assembly 1989, 'The situation in Afghanistan and its implications for international peace and security', resolution adopted by the General Assembly, 1 November 1989, A/RES/44/15, 1 November 1989.
- 5 UN Security Council 1990, Resolution 668 (1990) Adopted by the Security Council at its 2941st meeting, on 20 September 1990, S/RES/668 (1990); UN Security Council 1991, Resolution 718 (1991) Adopted by the Security Council at its 3015th meeting, on 31 October 1991, S/RES/718 (1991); UN General Assembly 1990, 'The situation in Cambodia', resolution adopted by the General Assembly, 15 October 1990, A/RES/45/3; UN General Assembly 1991, 'The situation in Cambodia', resolution adopted by the General Assembly, 20 November 1991, A/RES/46/18.
- 6 In the 15 years from 1990, some 50 per cent of all civil wars ended with negotiated settlements, compared with 20 per cent in the previous two centuries (Bell 2006:373).

- 7 Lindemann (2011:1843) characterises the description by North et al. (2009) of a stable political order achieved through the formation of a dominant elite coalition as a political settlement.
- 8 The term appears, for example, in Oppenheimer (1953).

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