



**Briefing Paper 16**  
2017

# Navigating Inclusion in Transitions from Conflict

## The Formalised Political Unsettling

Christine Bell & Jan Pospisil

---

The project of ensuring that political settlements are inclusive is key to the attempts of negotiating transitions from conflict over the last 25 years. Examining such transitions, we point to the emergence of the 'formalised political unsettling' as a persistent outcome. The formalised political unsettling translates the disagreement at the heart of the conflict into a set of political and legal institutions for continuing negotiation. As the conditions of its emergence will not change and the formalised political unsettling may be here to stay, we point to the opportunities for navigating between elite inclusion and broader societal inclusion that it offers.

**Political Settlements Research Programme (PSRP)**

Global Justice Academy  
School of Law  
Old College  
The University of Edinburgh  
South Bridge  
Edinburgh  
EH8 9YL

Tel. +44 (0)131 651 4566

Fax. +44 (0)131 650 2005

E-mail: [PoliticalSettlements@ed.ac.uk](mailto:PoliticalSettlements@ed.ac.uk)

[www.politicalsettlements.org](http://www.politicalsettlements.org)

@PolSettlements

This research is an output from the Political Settlements Research Programme (PSRP), funded by UK Aid from the UK Department for International Development (DFID) for the benefit of developing countries. The information and views set out in this publication are those of the authors. Nothing herein constitutes the views of the Department. Any use of this work should acknowledge the author and the Political Settlements Research Programme. For online use, we ask readers to link to the original resource on the PSRP website.

© Christine Bell & Jan Pospisil 2017

## Key Summary

Re-working political settlements to be more inclusive is central to peace processes – yet, two forms of inclusion often seem to have different needs: horizontal inclusion between elites, and broader social inclusion of a wide set of groups and interests.

The term ‘political settlement’ is often used by development actors as a way of emphasising the importance of understanding basis of power relationships within a country, so as to better shape interventions. We suggest that it is useful to keep the concept connected to common sense understandings of what a political settlement implies. Our purpose is to address the crucial question of how best to create inclusive political settlements that is realistic about the constraints but imaginative about possible entry points for inclusion.

We contrast political settlement as in the steady-state operation of formal and informal political institutions, with political unsettlement as in situations of violent conflict where power is seldom transferred peacefully. We view these situations as on a spectrum.

We argue that often peace processes achieve not a political settlement in any meaningful sense, but a state of ‘formalised political unsettlement’.

Formalised political unsettlements are situations where the peace processes **institutionalises disagreement** into a set of agreed political and legal structures that lead to perpetual ‘transition’ characterised by no war-no peace experiences, and ongoing contestation about the nature of the state, played out through its formal institutions.

‘**Formalised political unsettlement**’ has four key characteristics:

- the political and legal constitutional frameworks contain conflict (instead of solving it);
- despite being temporary and exceptional in nature, it is in practice long-lasting;
- it is a genuinely ‘glocal’ configuration, with multipolar sources of authority and legitimacy sometimes referencing local consent, and sometimes compliance with international standards;
- it is characterised by enduring transition and permanent ‘unsettledness’ and need to renegotiate through exceptional negotiating processes, rather than change things through the incrementalism of normal political processes.

We suggest that the formalised political unsettlement is here to stay and suggest that while it prioritises horizontal elite inclusion often at the expense of a social contract, it is worth trying to explore its potential entry-points for navigating a more broad-based inclusive outcome.

**Four key characteristics** have some potential:

- institutional arrangements are fluid and focused on group accommodation: this can offer space for including previously excluded groups to press and win inclusion in ways that ‘pure’ liberal democracy cannot;
-

- the need for perpetual reform can create sudden moments of opportunity in which the political settlement can be revised to be more inclusive, for example of women;
- with reference points that are multipolar, international, national and local visions can be used to check each other in ways that stop them from being pursued in particularistic self-interested directions which might lead to the imposition of anyone's unilateral vision for the nature of the state;
- contestation remains at the heart of the political order – no default position 'wins' and this is often the only basis for political equality and can provide for such equality on an incremental basis.

Understanding and navigating inclusion within the 'formalised political unsettlement' is a project which aims to work with the *realpolitik* of peace processes, while not giving up on claims of inclusion. It provides a useful starting point for understanding entry points useful to pushing the formalised political unsettlement to be more inclusive and transformative than it is set up to be.

Through the Political Settlements Research Programme ([www.politicalsettlements.org](http://www.politicalsettlements.org)), we aim to explore how those in conflict situations navigate and push the formalised political unsettlement.

A fuller article exploring these ideas is published at:  
<http://onlinelibrary.wiley.com/doi/10.1002/jid.3283/abstract>

The author's last version is available in open access at:  
[https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2922470](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2922470)

**Bell, C., and Pospisil, J. (2017) *Navigating Inclusion in Transitions from Conflict: The Formalised Political UnSettlement*. J. Int. Dev., 29: 576-593. doi: 10.1002/jid.3282.**

---

## About Us

**The Political Settlements Research Programme (PSRP)** is centrally concerned with how political settlements can be made both more stable, and more inclusive of those affected by them beyond political elites. In particular, the programme examines the relationship between stability and inclusion, sometimes understood as a relationship between peace-making and justice.

The programme is addressing three broad research questions relating to political settlements:

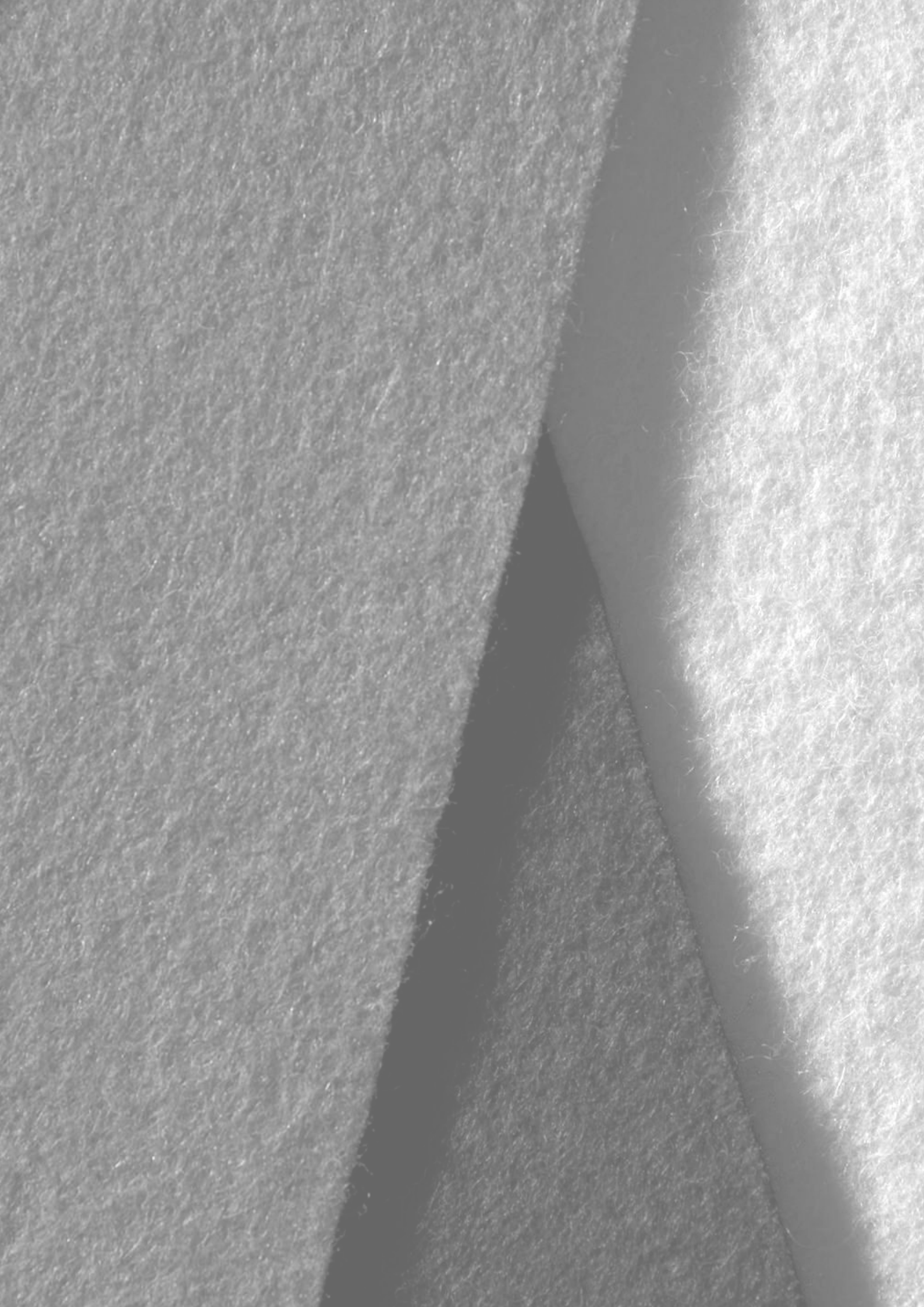
1. How do different types of political settlements emerge, and what are the actors, institutions, resources, and practices that shape them?
2. How can political settlements be improved by internally-driven initiatives, including the impact of gender-inclusive processes and the rule of law institutions?
3. How, and with what interventions, can external actors change political settlements?

The Global Justice Academy at The University of Edinburgh is the lead organisation. PSRP partners include: Conciliation Resources (CR), The Institute for Security Studies (ISS), The Rift Valley Institute (RVI), and the Transitional Justice Institute (TJI, University of Ulster).

**Find out more at: [www.politicalsettlements.org](http://www.politicalsettlements.org)**

---







**Published by the Global Justice Academy**  
School of Law, Old College, University of Edinburgh, South Bridge, EH8 9YL  
[www.globaljusticeacademy.ed.ac.uk](http://www.globaljusticeacademy.ed.ac.uk)



**CONCILIATION  
RESOURCES**  
working together for peace



THE UNIVERSITY of EDINBURGH  
Global Justice Academy

