

## Session Report: 'KPSRL Thematic Headline Discussion 2023'

### Executive Summary

- The [analytical paper](#) summarizes the 2022 Thematic Headline trajectory 'Reimagine Social Contracts'. It discusses its definition<sup>1</sup> and explores its use as an analytical tool and an ideal. It recognizes that we need more practical frameworks and tools to operationalize the concept and link it to SRoL topics.
- The KPSRL network voted to continue unpacking this topic in 2023 in a more operational and thematically focused way: 'Towards Just Social Contracts',
  - The [subthemes](#) are: (1) Inclusive & Participatory Social Contracts, (2) Authoritarianism & the Security Sector and (3) Resilience to Polarization.
  - To give an example of the first subtheme, Consilient Research presented how their research on the prospective for concrete reforms in the Somali traditional elders justice system connects to the place of the elders in local social contracts.
- In break-out groups, participants shared research, trends and events that should be on the KPSRL radar to unpack these subthemes and what they would want to learn.
- KPSRL shared three pathways to participate regarding year's theme: co-hosting events (see [this](#) registration form), conducting a KMF project (call for proposals follows soon) and hosting a session at KPAC23 (call for proposals before the summer).

### Session Report

#### Thematic Headline 2023: Towards Just Social Contracts

On Wednesday 13 April, the Knowledge Platform Security & Rule of Law (KPSRL) discussed its 2023 Thematic Headline 'Towards Just Social Contracts'. This theme will a.o. guide several events, a window of the Knowledge Management Fund (KMF) and the Annual Conference (KPAC23).

#### Analytical paper

The 2023 thematic headline builds on last year's theme 'Reimagine Social Contracts', whose main discussions have been bundled in this [analytical paper](#). A few topics from that paper were highlighted during the meeting:

- The definition of 'social contracts' remains ambiguous and context specific. Key factors are always (1) a plurality of actors (formal and informal), (2) the (expectations of) roles and responsibilities within society – esp. of those in power, and (3) the transactional approach of this concept to legitimacy and consent.
- Due to those factors, the concept was deemed useful as an analytical tool. An example is the analysis of 'the authoritarian bargain', where security and socio-

<sup>1</sup> As described in the analytical paper: "'Social contract' refers to the process by which people in positions of power (including both formal and informal authorities), and people and organizations challenging for power and social change, make promises to or agreements with society that raise expectations on the exercise of political authority. When these expectations are met, authority is considered across society to be legitimate, which builds consent and cooperation."

economic opportunities are traded for civil liberties, though this ‘trade’ is often also imposed through force.

- The ‘inclusive social contract’ was also deemed useful as an ideal. A participatory society where people equally have the means to influence decisions is something to strive for.
- The connection between the social contract and SRoL approaches that contribute to better social contracts should be clearer. Key elements for this connection are concepts like people-centered approaches to justice, community-driven peacebuilding, social and climate justice, or inclusive governance.
- Lastly, reimagining social contracts should happen together and inside localization and decolonization discourses, as they create awareness of international actor’s positionality and its many limitations in the long-term and messy process of domestic social contract formation.

### Thematic Headline 2023 & subthemes

Building on those discussions, the KPSRL network voted to continue this conversation in 2023. To go from ‘reimagining’ to ‘operationalizing’ and link it more to SRoL specific themes, the headline is ‘Towards Just Social Contracts’ with three [subthemes](#):

1. Participatory & Inclusive Social Contracts.
2. Authoritarianism & the Security Sector.
3. Resilience to Polarization.

As a practical example of the first subtheme, Consilient Research shared its work on exploring how open the leaders of Somali informal justice (*xeer*) are to changes in the way that justice is administered. The concept of the social contract and the place of the leaders in it helped Consilient Research to identify the conditions under which the leader would be open to change (e.g. codification for uniformity and access or presence of women in court).

### Discussion

In the plenary and subsequent break-out group discussions, the following points were brought up by the KPSRL network:

- Operationalizing such conceptual thinking of social contracts starts with the recurring knowledge gaps in the field and filling those with knowledge from decades of practice. Do not jump onto the next fashionable concept or framework too quickly but get to know the context thoroughly, adjust your planning accordingly and keep monitoring the intervention’s effects after implementation.
- Support for SRoL in FCAS should happen more at points of connection between formal and informal ‘players’ in the social contract on e.g. justice and security.
- Constantly remain mindful of non-Western conceptions of the state and the pitfall to support neocolonial changes to it. Interventions are intercultural and therefore require investments in building trust and mutual understanding.
- For ‘*Participatory & Inclusive Social Contracts*’: inclusive agenda setting is regarded one of the key structural changes to the way international policy and programming approach social contracts. Inclusivity requires incentives for ‘included actors’ and proactive outreach to those excluded, plus a concrete contribution to not remain tokenistic. It should be noted that inclusive democratic processes seem to be a silver bullet for Western donors, but they do not necessarily produce satisfying results for people in FCAS.

- It was mentioned that people centered justice is mainly about justice seekers, but should also be about justice producers and processes.
- For KPAC23, participants suggested to select and unpack concrete tools used to ensure that processes of decision-making are inclusive.<sup>2</sup>
- For '*Authoritarianism & the Security Sector*', the participants mapped a framework that categorizes countries' contexts among a scale from 'mass protests', 'consent', 'high cost of protest' etc. to map (potential) for collective action and repression. Research is needed to know well what people expect from their leaders; e.g. security, services, employment.
  - Policy choices that are currently debated is whether and under what conditions international actors like the UN can and should continue working on security sector reforms in authoritarian contexts.
- For '*Resilience to Polarization*': resilience to polarization can be interpreted as reinforcing coherence in society. This does not just mean empowerment of those excluded, but also including those in power in that conversation.
  - The concept of the social contract is useful there to map the spectrum of (informal) power for analysis, though it is not in the vocabulary during implementation.

### How can the KPSRL network participate?

- Co-hosting webinars, roundtables or other events. [This](#) registration form is open until 8 May.
- Conducting a KMF project. A call for proposals will follow in the coming weeks.<sup>3</sup>
- Hosting a session at KPAC23. A call for proposals will follow before the summer.

[Subscribe](#) to our newsletter to be notified once the calls for proposal are out.

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<sup>2</sup> The International Land Coalition toolkit for inclusive decision-making was shared as an example, or the UN Peacebuilding Fund.

<sup>3</sup> Date of writing: 20-04-2023.