The University of Manchester
Brooks World Poverty Institute

MANCHESTER 1824

Exploring a Political Approach to Rights-Based Development in North West Cameroon: From Rights and Marginality to Citizenship and Justice

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September 2009

BWPI Working Paper 104

Creating and sharing knowledge to help end poverty

www.manchester.ac.uk/bwpi

Abstract

Rights-based approaches to development promise to deliver many development goals, particularly in terms of creating a political environment conducive to development. As citizens become empowered through rights-based approaches to make increased demands on the state, it is envisaged that good, more accountable governance will emerge, as states fulfill their obligations to citizens. It is not clear, however, that the promotion of rights-based approaches by NGOs is likely to achieve this. Although processes of state and citizenship formation are critical for development, the sequencing of such processes and their outcomes, and the patterns of causality between them, remain historically and contextually specific. This paper reveals both the potential and the problems that arise when certain rights-based approaches engage with the politics of promoting progressive social change. It explores this challenge of transformation through a case study of a participatory rights-based programme that seeks to assist a marginal pastoral group in North West Cameroon to be empowered citizens. The programme has been relatively successful in catalysing underlying processes of sociopolitical and has improved the quality of local governance. However, the programme's explicit, often confrontational engagement with the power relations underpinning exclusion and exploitation has been both a strength and a liability in advancing progressive social change. This raises critical challenges for the strategic, theoretical and philosophical dimensions of rights-based approaches.

Keywords:

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Acknowledgements

Introduction

Rights-based approaches to development promise to deliver many of the goals towards which development actors currently work, particularly in terms of creating a political environment conducive to development. Good governance will emerge, particularly in the form of increased levels of accountability, as states fulfill their obligations to citizens, not least because citizens become empowered through rights-based approaches to make increased demands on the state. This vision of a virtuous circle evinces a liberal democratic confidence in the power of civic actors to reshape the state, already weakened by neoliberal reforms in many developing countries. It is therefore not surprising that NGOs claim to have taken a leading role in promoting rights-based approaches for and on behalf of poor and excluded citizens (e.g., Molyneux and Lazar, 2003; Nyamu-Musembi and Cornwall, 2004).

This is an ambitious agenda. Although moving towards more effective and accountable states and empowered citizenship is certainly desirable (Green, 2008), it is not clear that the promotion of rights-based approaches by NGOs is likely to achieve this. Processes of state and citizenship formation are indeed critical for development (DFID, 2004)—but the sequencing of such processes and their outcomes, and the patterns of causality between them, remain historically and contextually specific, rather than in any sense universal (Gledhill, 2009). For example, some states may be effective at delivering development without necessarily allowing citizens to take a central role in determining the direction or content of this development. And the promise being made for participatory rights-based approaches is not simply one of meeting a tough political challenge; it extends to catalysing processes of long-term social change, whereby previously excluded people develop sufficient agency to make demands on various duty bearers, either directly or through representatives in civil and political society. This places very high expectations on people whose exclusion is partially caused by a relative lack of agency (e.g., some women or disabled people; Cleaver, 2009), not only vis-à-vis the state but also in relation to other social groups whose claims to rights may in some instances conflict with theirs. It remains unclear whether the participatory approaches that NGOs employ to overcome this challenge are capable of these types of transformation (VeneKlasen et al., 2004; Hickey and Mohan, 2004).

We explore this challenge of transformation through a case study of a participatory rights-based programme that seeks to assist a marginal pastoral group in North West Cameroon to be empowered citizens. The project involves providing paralegal support aimed at challenging the practices of state and social actors who regularly seek to exploit this marginal (and in some ways isolationist) group. It is run by a local social movement, and funded by an international NGO with a growing reputation for innovative work on empowerment issues (Mohan, 2002; Hickey, 2002; Waddington and Mohan, 2004). This effort to counter exclusion and support minority rights is inherently political, and it reveals both the potential and the problems that arise when certain rights-based

approaches engage with the politics of promoting progressive social change.[1] We argue that the programme has been relatively successful in catalysing underlying processes of sociopolitical change—particularly shifts from clientelism to citizenship among the programme's participants—and that it has also improved the quality of local governance. However, the programme's explicit, often confrontational engagement with the power relations underpinning exclusion and exploitation—between state and citizens and between social groups in a context of ethnic and gendered inequality and difference— has been both a strength and a liability in advancing progressive social change. This raises critical challenges for the strategic, theoretical and philosophical dimensions of rights-based approaches.

Rights and citizenship in Cameroon: The politics of belonging

Cameroon offers a challenging context for the pursuit of rights-based approaches. The process of 'democratisation' that begun in the early 1990s has stalled, as evidenced most graphically by a series of discredited presidential elections and the prevalence of human rights abuses (Amnesty International, 2003; Krieger and Takougang 1998). President Paul Biya's government, in power since 1982, has skillfully manipulated the process of political liberalisation, while opposition parties have failed to unite and consolidate the wave of popular unrest, and international actors have offered little support for democratisation (Takougang, 2003). Political liberalisation has tended to intensify rather than undermine the neopatrimonial practices that dominate national and local political processes in Cameroon. This expresses itself in various ways, including the use of public resources for private gain and for the personalisation of political rule, and the tendency of predatory state agents to co-opt ethnically constituted power bases at local levels (Gabriel, 1999; Nyamnjoh, 1999). This neopatrimonial politics is closely linked to the politics of belonging in Cameroon, whereby the importance of belonging to a particular 'native' community in a particular place is stressed. Such discourse is often employed by political entrepreneurs at election time, and in efforts to secure 'natives' privileged access ahead of strangers' to reproductive resources and political power.

In this context, human right abuses remain rife, despite the fact that the 1996 amended Constitution commits the government to protect the inalienable and sacred rights of all human persons, and affirms Cameroon's attachment to the various UN declarations on

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[1] The findings presented here are based on evaluative and qualitative research carried out during October and November 2004. The authors are all more or less implicated in the actual programme, and although seeking to be critically reflective, cannot be said to constitute independent witnesses. Jeidoh Duni and Robert Fon are, respectively, the paralegal coordinator and the lawyer on the programme discussed here; Nuhu Salihu is Africa Programme Coordinator for Village AiD, the funder-partner in the programme, and Sam Hickey was a trustee of Village AiD at the time the research was carried out.

human rights (Dicklitch 2002). The national institutions required to guarantee these rights have yet to be established, leaving arbitrary arrest and detention, extrajudiciary execution of civilians, imprisonment of journalists, torture and corruption commonplace (Amnesty International, 2003). Further obstacles arise because Cameroon's colonial legacy left it with a bifurcated legal system, such that eight of its ten provinces are French-speaking and operate the civil law system, while the two English-speaking provinces operate the common law system. The 1996 Constitution in fact 'classifies Cameroonians into natives and foreigners (allogenes, indigenes) and makes large groups foreigners in their own country' (Nkwi and Socpa, 1997: 139); its apparent commitment to protecting minority rights seems to reflect the state's desire to play the politics of belonging for political gain, rather than a genuine dedication to challenging exclusion.

The Mbororo Fulani in North West Province: Citizens at the margins

These political tendencies play out in particular ways in the North West province of Cameroon, where the paralegal programme is set. The Anglophone North West is home to Cameroon's main opposition party and to a fairly vibrant civic arena, including human rights groups, hometown development associations, credit and savings groups, and farmers' cooperatives. Education rates are relatively high compared to other provinces, and North Westerners pride themselves on this and on their respect for democracy. 'Citizenship' in the North West also relates closely to membership of subnational political communities, which coalesce around traditional ethno-territorial groupings that were reified as political units through the colonial policy of co-opting them as the basis of native administration. Traditional structures have been somewhat resurgent in recent years in terms of local political influence and control over land; access to land is particularly significant here, given the heavy reliance on small-holder agriculture and the cultural significance with which land is invested by most groups.

Within this context, the pastoral Mbororo Fulani have historically constituted something of an anomaly.[2] Arriving into the Grassfields from 1916 as a seminomadic pastoralist group, they were markedly distinguished from the 'native' farming populations by their livelihood, attachment to Islam, dispersed and fragmented sociopolitical structures, and apparent disinclination towards community development. They have typically been viewed as strangers by both their neighbours and successive state regimes. Their tendency to settle towards the spatial peripheries of the Province entailed reduced access to government services, while their relatively dispersed settlement patterns further excluded them from the territorial definitions of 'community' on which

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[2] This section draws on Hickey (2007).

development efforts are generally based. Often lacking formal education, the Mbororo'en have historically been underrepresented in all branches of local government and administration, while their traditional leaders are viewed as subordinate to native chiefs. However, a tendency towards self-isolation is also characteristic among the Mbororo people, most notably through a code of conduct known as *pulaaku* that emphasises a general sense of reserve, otherness and ethnic exclusivity (Burnham, 1996).

This experience of citizenship formation—of how the Mbororo have engaged with the broader political community and on what terms—is differentiated among the Mbororo by gender, intergenerational and urban–rural disparities. Both within Mbororo communities and more broadly, particular injustices are experienced by women, including domestic violence and asset stripping in the event of widowhood. Mbororo women tend to have lower literacy levels and experience greatly reduced social mobility compared to men, on whom they are largely economically dependent. The shift to a sedentary lifestyle, and the increased Islamicisation that has accompanied it, have also further restricted women's role in broader social life.

However, the marginality experienced and often reinforced by the Mbororo'en is entwined with a high degree of incorporation within more patronage-based forms of politics at both local and national levels. With both colonial and postcolonial administrations viewing the Mbororo Fulani as temporary residents rather than full citizens, the pastoralists relied on paying tribute to local landowners for grazing rights, and this tradition involved developing close patron–client links with local chiefs and administrators. While this informal mode of political incorporation has benefited the Mbororo'en in several respects, it has also left them vulnerable to the more predatory elements of the system. The outstanding example of this involves a campaign by a wealthy industrialist and erstwhile member of the ruling party's central committee—Baba Ahmadou Danpullo—to co-opt the Mbororo'en as his client group. This campaign has been characterised by land evictions and cattle confiscation, human rights abuses and repression, and the co-optation and imprisonment of Mbororo leaders (for details see Davis, 1995; Hickey, 2004).

Similar (if less dramatic) forms of exploitation occur on a more everyday basis in the North West, most notably in relation to farmer–grazier disputes over land that are often framed as being between 'native farmers' and 'stranger pastoralists'. The conflict resolution process is widely considered to be ineffectual and corrupt, and the many points of engagement between officials and plaintiffs are open to bribery. The chief beneficiary here tends to be the local Divisional Officer as head of the Farmer–Grazier Commission, and with corruption institutionalised in the legal system, the graziers' relative wealth in cattle makes them a valuable focus for extortion. Their ability and inclination to pay bribes is resented by women farmers in particular, and has led to major public protests. For their part, Mbororo graziers argue that their low status in terms of

land rights leaves them with little choice over how they pursue access to land. They cite their lack of representation in the administration, and claim that the Commission is staffed by the cultural 'relatives' of the farmers and is thus biased against them. When matters reach the courts, the balance of power is reversed, as farmers generally have a superior knowledge of the law and legal system compared to the pastoralists. Similar types of adverse power relations persist beyond the land tenure system. Corrupt members of the security forces frequently target Mbororo men on trumped-up charges in the hope of securing bribes. To compound this, the preference of the Mbororo to allow third parties to represent them encourages other social groups (notably the Hausa or Fulbe) to take on this role and to then connive with state officials to exploit them.

Challenging exclusion and promoting citizenship through a rights-based approach

In the early 1990s, some Mbororo started to build alliances with lawyers, NGOs, political parties and human rights activists in order to challenge these processes of exclusion, adverse incorporation and self-isolation. This emerging elite—largely urban, often educated and comprising key female as well as male actors—formed the Mbororo Social and Cultural Development Association (MBOSCUDA) in 1992, with the explicit objectives of protecting the rights and promoting the culture of all Mbororo people in Cameroon. Immediate conflicts with Baba Ahmadou Danpullo (the political patron introduced above) offered an early introduction to the perils of promoting rights in this political context. By the late 1990s, rights and exclusion issues were gaining currency among international NGOs, and in 1998 MBOSCUDA and three other local NGOs formed a partnership with a UK-based development NGO, Village AiD (Hickey, 2002). This effort was in several ways more politically engaged than many NGO interventions, particularly through the partnership with MBOSCUDA and the adoption of the REFLECT approach to literacy (Regenerated Freirean Literacy through Empowering Community Techniques), which incorporates an explicitly political challenge towards 'structures of oppression'. In 1999, a second project was started, focusing explicitly on challenging social exclusion and heralding a shift towards a rights-based approach. A key element of this project was a paralegal extension scheme, which started in 2001 as a pilot in one division, before being extended across the Province in 2003. Given the relative newness of the paralegal component, any evaluation of its impact so far is necessarily provisional and cautionary.

The paralegal programme
The paralegal program has employed two key approaches to improve the citizenship status and rights of the Mbororo Fulani in the North West Province, namely *legal literacy* and *paralegal extension* (Orvis, 2003). Legal literacy is a process of acquiring critical awareness about rights and the law, the ability to assert rights, and the capacity to

mobilise for change. Paralegal extension uses community-based volunteers to extend legal advice and services to members of the public. Community-based paralegal officers work closely with community members, and engage in community education, legal advice, counselling and court representation. These activities are monitored and supervised on a monthly basis by a chief paralegal from the regional office. Where matters are beyond the capacities of the paralegal officers, the case is referred to the legal consultant of the project, who offers professional support to the paralegals and takes cases of human rights abuses to court if required. The process of developing legal and political literacy among clients has been achieved through the REFLECT method of literacy development (Archer and Cottingham, 1997). The radical edge to this method is gained through a Freieran approach that explores the structures of oppression facing marginal groups; this struck a chord with members of MBOSCUDA and key programme staff, as it resonated with the social movement's broader objective of challenging exclusion. This suggests that the focus in integrating participatory and rights-based approaches needs to move beyond questions of methodological innovation (e.g., Holland et al., 2004; VeneKlasen et al., 2004), by also considering the extent to which shared understandings of social change underpin each approach.

The programme is based around seven regional paralegal offices, each of which is managed by a trained paralegal. Each office handles an average of 40 cases annually, while the lawyer handles an average of 30 matters of human rights abuses in court each year, the most frequent perpetrators being state officials. Land disputes are also a key focus, as elsewhere in rural-based paralegal programmes (Orvis, 2003). In practice, a mixture of direct and fairly confrontational approaches (for example, written complaints, workshops and court cases) and more discursive strategies have been used to good effect, with the latter involving framing the programme in terms of broader discourses and institutions associated with wider drives within Cameroon towards good governance. A largely unplanned benefit has derived from the success of the cases, whereby the programme has taken on significant dispersion and demonstration effects.

The most common strategy has involved paralegal officers writing to the relevant authorities, setting out the precise legal grounds on which an injustice is being challenged and also the action that will be taken if the authorities fail to act lawfully regarding the particular problem. The use of phrases such as 'the matter will be pursued to a logical end', including hints at court action, have often been enough for cases to be addressed in their primary stages—as noted by one claimant, 'as soon as the letter was delivered to the Divisional Officer the matter died a natural death'. Where no action is forthcoming, the complaint is forwarded to the next official in the state hierarchy, with a note that the lower official has failed to resolve the issue and with copies of the earlier letter attached. This form of exposure has proved strikingly effective, and has turned on using Cameroon's often disempowering norms of bureaucratic practice—a heavily centralised, top-down, and patronage-based system—to the advantage of citizens.

These strategies have been employed within the context of a growing discourse around issues of good governance in Cameroon, which are often promoted by international agencies. The paralegal programme has made linkages to some of the institutions associated with this discourse, such as the National Anti-Corruption Unit. This reflects the fact that 'recourse to political discourses and practices of naming [is] extremely important in most political struggles, and . . . marginalized groups may take advantage of such discourses as one of their few assets' (Engberg-Pedersen and Webster, 2002: 267), and that the good governance discourse, although much criticised by development academics, has a genuine resonance with citizens in poorly governed countries (Corbridge et al., 2005).

Tracing the impacts so far
The outcomes of the programme so far appear to be promising. Members of the Mbororo community and state officials in Donga Mantung Division believe that Mbororo–state relations have improved significantly over the period of MBOSCUDA activity and, more specifically, the lifetime of the paralegal project. A key judicial official stated that 'there has been a remarkable change in the relationship between the Mbororo and the administration . . . over the past two years', a view with which the Divisional Delegate for Livestock concurs, arguing that 'the Mbororo people now see themselves more as citizens'. According to one North West government official, 'Years back, this community [the Mbororo] were serving as the milking cow of the administration[,] especially the forces of law and order. Nowadays this relationship has ceased from being unidirectional and has become mutual'. A lawyer who practises in the region stated that, in the past, the Mbororos were 'very juicy' clients, who paid any fee that was quoted to them, but that they now negotiate fees with lawyers based on the services rendered to them. Those Mbororo associated with the programme draw similar comparisons with the past, claiming that contrary to earlier experience, 'Now we have a say in any matter we have'. One Mbororo woman whose son was wrongfully accused of cattle theft states:

> I am vigilant now and any thing that I see is not satisfactory for me I will go to the paralegal for advice and redress. Now we are no longer in the dark . . . we have 'eyes' and as such these people now know that they cannot treat us like in the past.

The following section analyses the key impacts of the paralegal programme so far, in terms of good governance and citizenship formation, before exploring the critical challenges that face the programme, particularly in terms of power relations and exclusive forms of citizenship.

Towards good governance?

The paralegal programme seems to have had a positive impact on governance practices towards the Mbororo'en in the North West. The broad sense of success expressed in the assessments above can be evidenced according to a number of indicators, including the number of bribes the administration has been forced to pay back, the transfer of errant staff to posts elsewhere in the Province, and reduced levels of predation faced by the Mbororo'en.

The strategy of aiming for high-profile cases has been largely effective. Successfully prosecuted targets have included Brigadier Commanders, Divisional Delegates of Livestock, and prominent gendarmes. One of the latter used his Company Commander's car to move around the Division arresting Mbororo graziers and extorting large sums of money; programme staff managed to secure an investigation by the Anti-Corruption Unit of the Prime Minister's Office, with the result that the Company Commander's imminent promotion was suspended and both he and the gendarme were transferred out of the province. In several cases, the mere presence of a lawyer committed to the Mbororo'en seems to have had an immediate impact, ensuring that due process is followed, and balancing the generally superior capacity of the farmers to represent themselves at this level. In other instances, farmer–grazier conflicts have been removed from the courts where they were being improperly tried. The threat of being taken to court has led several officials to contact local paralegal officers, pleading that if an issue arises concerning them, then all efforts should be made to resolve the problem informally.

One of the key elements of the programme has involved enabling the state and the Mbororo'en to see each other in a different way (Corbridge et al., 2005). In particular, government officials have been removed from the pedestals upon which the Mbororo tended to place them: 'Now we no longer have that extreme fear for the officers that we had in the past.' This could in time constitute a key challenge to the vertical patron–client relations on which the Mbororo have relied, and which officials have exploited for personal gain. Therefore, although it is not yet possible to argue that the programme has ensured higher levels of good governance, there does seem to be progress towards what Merilee Grindle (2004) terms 'good enough' governance. Patron–client relations persist, but the terms of the relationship have become more 'democratic', with greater negotiating power from below.

From clientelism to citizenship?

This apparently increased capacity among the Mbororo'en to negotiate patron–client relations is one of the key aspects of progress towards citizenship empowerment. Others include a stronger sense of self- and group-empowerment, increased levels of legal and political literacy, and the removal of exploitative middlemen in dealing with the

administration. The capacity and willingness of many Mbororo graziers to pay their way out of conflict situations, and the propensity of state officials and middlemen to demand bribes, has been directly challenged. In numerous cases, claimants reveal that legal support has empowered them to either avoid or at least negotiate lower payments. Relating the details of one case, a Mbororo grazier proudly stated that he had shouted at the Divisional Officer, and paid only CFA 20,000—significantly less than the 100,000 plus that was being demanded. In many instances, this empowering confidence has been retained in subsequent cases without direct paralegal involvement. This newfound ability to stand up to local authorities is often reported by clients of paralegal programmes (Orvis, 2003: 261).

Increased levels of legal and political literacy among the Mbororo are becoming evident, with claimants now showing much clearer awareness concerning what they are entitled to and which processes are open to them. Much of this learning has been done experientially, through particular cases rather than training workshops. Successful claimants disseminate their increased understanding, both informally at markets and through helping others (usually family members) with cases. One judicial official noted that 'More Mbororo seem to be aware of their rights and duties . . . they feel themselves as citizens to a greater extent now . . . they do not shy away from most of the things the other citizens do.' Several claimants support this view, suggesting that whereas the Mbororo 'used to be frightened by the name "court"', they 'no longer fear the Gendarmes like in the past', and claiming that 'If someone is arrested I question the arrest even in the presence of the Commander'. Such statements indicate that these rural subjects are no longer intimidated by the institutions of civil society (Mamdani, 1996), and are indeed seeing the state in a different light. According to a Divisional Officer:

> Cases have now come up where Mbororo people quote the Constitution—they say, 'We have stayed here for over 30 years so why are we not citizens? The so-called natives have also moved [here] from another place.'

This altered attitude to the state appears to extend to the uptake of the obligations as well as the rights of citizenship. One judicial official praised MBOSUDA's sensitisation efforts, which ensured that the Mbororo made the best response regarding a campaign for registration of children with birth certificates.

This more legalistic culture appears to have led to a reduction, rather than an increase, in the number of incidents requiring legal intervention, probably because improper use of the legal system itself was a large part of the previous problem. However, there are more mixed reports concerning the impact on local relations between the Mbororo'en and their farming neighbours. One grazier who won a case against his farming neighbour reported that: 'We were enemies before we went to the court but not as bad as we are now. Before, we used to meet and discuss other things.' Gains in vertical citizenship relations

may therefore come with the cost of damage to horizontal forms of citizenship (Kabeer, 2005: 23–24).

A significant impact of the paralegal programme has been the reduced reliance of some Mbororo'en on the exploitative middlemen who previously acted as interlocutors between themselves and the state. These middlemen have been replaced by a mixture of paralegal staff and empowered Mbororo individuals acting for themselves and each other. As one Divisional Delegate for Livestock relates:

> You see many Mbororo people now going to the [government] offices without a Hausa man leading them to help talk with the administrators; it means that they too are citizens and can take their worries to the appropriate places.

Advocates of rights-based approaches generally welcome challenges to exploitative patron–client relationships as an indication of empowerment. However, shifting from clientelism to citizenship raises at least two potential dangers. First, it may deny people the benefits of patron–client relationships (such as security), and may even leave them at risk of a backlash from erstwhile patrons. For example, Kabeer (2003: 37) notes that rights-based approaches often 'require poor people to break with past relationships of dependency on patrons and to stand up for themselves, often at some personal and economic cost', and thus have some contradictory implications. As yet, few graziers have reported worsening relations with the state or reduced ability to secure grazing permits and other crucial state-controlled resources. Moreover, the association of previous patron–client relationships with high economic costs suggests that a more progressive outcome is possible here. However, it would be naive to imagine that the decades-long experience of certain patterns of political engagement can be overturned so easily without negative implications.

The second danger is that one form of patron–client relationship might be simply replaced by another, potentially even more unaccountable form of dependence. The relationship between programme trustees and clients remains highly skewed, with little evidence that rights-based approaches have prompted development agencies to become more accountable to their clients, despite this being central to the claims of such approaches (Nyamu-Musembi and Cornwall, 2004). However, paralegals have sought to minimise the risk of creating new forms of dependence by trying to ensure that claimants (rather than paralegals) take the cases forward wherever possible. In one case, a paralegal simply excused himself from the government office just before the case was to be taken to the officer concerned, effectively forcing the client to stand for himself.

Power relations and progressive politics

Given the particular problems women face in exercising their citizenship (Molyneux and Lazar, 2003; Cornwall and Wellbourn, 2002), it is concerning that so few have made use of the services offered by the paralegal programme. Although the Village AiD–MBOSCUDA partnership began with an almost exclusive focus on women's groups, the onset of paralegal work has shifted the focus distinctly towards men, largely because cases of exploitation tend to centre on male-dominated livelihood issues involving land and cattle ownership. The public–private division between male and female spheres of responsibility that characterises exclusive models of citizenship in many polities (Lister, 2004) ensures that matters requiring legal redress disproportionately involve men, and obscures the forms of exploitation experienced by women in the private sphere. So, although Mbororo women may gain from the benefits of the programme (e.g., since less household income is spent on illicit payments), there are a series of gendered patterns of injustice that the programme could address, notably with regard to cases of divorce, child custody, property rights and inheritance. Indeed, women form the majority of clients in other paralegal programmes (Orvis, 2003: 257), particularly in cases of marital and domestic violence. Significantly, women from local farming communities have taken up the services offered by the programme, particularly with regard to the common problem of asset stripping in the event of widowhood. This has achieved some notable successes; as one successful claimant noted, 'the whole community knows that a [woman] has stood up against a group of men and [has] successfully challenged them . . . just the fact that I am currently living in the compound is satisfactory testimony of success.' However, whereas most paralegal work involves demanding the enforcement of existing laws, some of the problems faced by women require changes to present rules in state and traditional practice, and potentially also new legislation (Nott, 2003)—a challenge yet to be addressed by the programme.

This gendered reading of the programme's relevance and impact highlights the challenge for rights-based approaches in addressing the relational field within which rights emerge and are realised (see Cleaver, 2009). In everyday life, rights are neither universal nor inalienable, but rather need to be continually negotiated and fought for through a series of encounters with social others, public discourse, and the wider political system. A particular challenge here concerns the historically informed but continually evolving sets of interethnic relations with which Mbororo households are involved. As already noted, the programme seems to have gone some way towards reshaping certain power relations, particularly between the Mbororo'en and the state, and between the Mbororo'en and other ethnic groups. This has involved granting Mbororo graziers the freedom to exercise their rights in quite powerful ways, but with little advance thought given to how such freedom might create new forms of inequality in local social relations. This reflects an individualised and legalistic tendency within rights-based approaches that essentialises individuals and groups, and casts rights as their

private property in a way that disregards the social context in which those rights will be exercised (Englund, 2004: 12). At the individual level, some graziers report worsening relations with neighbours as a result of their defeat via legal redress, and there is a wider fear that Mbororo empowerment may be occurring at the expense of other groups. Successful Mbororo claimants frequently boast of their 'victories' over their farming neighbours and of the Mbororo'en becoming a stronger group, raising the spectre of rights-based approaches converging with local discourses in ways that deepen problems of citizenship (Hickey, 2002). Such claimant responses need to be understood in the context of decades of subordination, and they may also be accentuated by the adversarial nature of the legal process. However, there remains a genuine concern that understandings of citizenship in Cameroon tend towards narrow rather than universal readings, whereby the gain of one group is seen as occurring at the expense of others. In a context where ethnicity is highly politicised, and in a country united only by ethnic difference (Nyamnjoh, 1999), to consolidate this dimension of politics would hardly constitute a progressive move—particularly considering the extent to which the Mbororo are economically wealthier than their farming neighbours, despite their status as second-class citizens.

In practical terms, the paralegal programme has started to recognise this problem, with paralegal offices now seeking to act as citizens' advice bureaux for all. In strategic terms, however, it has been apparent that a rights-based perspective in itself offers little guidance for achieving an equitable balance in advancing the rights of some at the expense of others. This is complicated by the fact that the marginal group in question is denied civic and political rights, yet at the same time envied for economic power (cattle rearing being more productive than agriculture). Therefore, while their historic marginalisation needs to be addressed, the prospect of the Mbororo gaining comparatively increased citizenship status across all three forms of Marshallian citizenship rights (civil, political and social) is hardly an equitable or just one, not least because women farmers would have very strong claims to being a still more subordinated set of second-class citizens in North West Cameroon. As noted by Munro (Chapter 11), the emphasis placed in rights-based discourse on achieving all rights fully leaves issues of sequencing and prioritising unaddressed. However, the challenge is also both theoretical and philosophical. Simplistic celebrations of minority rights within multiethnic communities and polities are of growing concern, and we would concur with Englund's advice that:

> If the current aesthetic of recognition allows little more than discrete individuals, groups and communities pursuing their own agendas, an alternative aesthetic must attempt to do more justice to the relational field in which the politics of recognition emerges (2004: 12–13).

For Englund, and for us, such an alternative aesthetic involves engaging with particular understandings and forms of citizenship, rather than of rights per se. Molyneux and Lazar (2003: 74) likewise argue that the key challenge for Latin American NGOs keen to promote rights-based approaches is to absorb the issue of citizenship into that project. Clearly, rights constitute a significant element of citizenship and might be seen as providing the overarching framework within which notions of citizenship are located. However, whereas rights-based discourses often appear to emerge out of a cosmopolitan ether, citizenship—or membership of political communities—exists and emerges in specific times and places, and is inextricably linked to actual political practice. Thinking in terms of citizenship helps to ground delocalised discussions of rights, placing them in relation to the specific histories of how political communities emerge and how people become incorporated into and make claims on these communities. This requires that we recognise citizenship as a substantive rather than legalistic phenomenon, as taking both an ethnic and national form, and also as a form of practice often undertaken by marginal groups through informal and private means (Mohan and Hickey, 2004). A focus on citizenship thus offers a way of grounding rights-based approaches within local political realities. These realities can be operationalised within programme research, monitoring and evaluation in a more tangible and contextualised form than more abstract notions of 'global' human rights.

The philosophical challenge here is to detach the promotion of rights from a wider project of securing *freedom* and to link it more directly to struggles for *justice.* Associating rights with freedom fails to offer a benchmark for assessing when the rights of some are being asserted to the detriment of others. Moreover, to curtail the progress of one group in such cases would be contrary to the wider project of freedom, under which they would be free to assert their rights fully. However, the word 'right' is derived from the Latin word *rectus,* which means 'that to which a person has a just and valid claim'. Notions of social justice offer clearer guidance concerning which claims have the most validity in particular contexts at particular times. Our preference in pursuing this avenue would be to relocate rights-based approaches within a wider philosophical and political project of 'relational justice', whereby injustice is understood to be located in unequal and 'unjustifiable' relations within and between states or groups, rather than in abstract notions of a 'good society' (Forst, 2001). Under such an approach,

> a judgement of injustice differs from moral judgements about human need and suffering or about inequalities in that it not only identifies asymmetrical social relations as unjustified, it also locates the responsibilities for that situation (Forst, 2001: 167).

It is arguably in promoting inclusive forms of citizenship as part of a wider project of social justice that rights-based approaches can make their most significant contribution.

Conclusion

The move from marginality and exploitative patron–client relations toward a 'negotiated clientelism' facilitated by the paralegal programme calls into question the feasibility of any easy shifts towards ideal forms of participatory citizenship. Nonetheless, the changes that have occurred in the Mbororo community are significant, and suggest that a broader and largely progressive process of social change has been catalysed, alongside moves towards a 'good enough' form of governance (Grindle, 2004). Our findings with respect to paralegal approaches to development indicate that such initiatives can have relatively high levels of impact on citizenship formation within fairly short periods of time, and this conclusion is supported elsewhere (e.g., Orvis, 2003). Although these results are promising, the success of paralegal approaches will rely heavily on the character, expertise and dedication of the facilitators and legal representatives involved. Programme staff need to confront a series of tensions that emerge when adopting a rights-based approach to work with marginalised groups in contexts where the discourse on rights and ethnic citizenship is associated with exploitation, patronage and privilege. A commitment to political activism as well as development professionalism seems to be important (see also Orvis, 2003: 261).

As with several social movements and NGOs in Latin America (Molyneux and Lazar, 2003: 44), MBOSCUDA and Village AiD have shown creativity in designing development work that connects rights to participation and empowerment. The case reinforces the extent to which global discourses around human rights can be mobilised as a strategically important ideological resource in local struggles for citizenship. This mobilisation of rights discourse has rested on an engagement with changing power relations in the context of pursuing a broader project of social change (VeneKlasen et al.,2004, 10). The national and politicised character of MBOSCUDA as a social movement has often been critical here, revealing once again the benefits of NGOs working directly with such movements. However, it would not be entirely accurate to say that rights-based approaches have offered MBOSCUDA a needed means of 'legitimising a more progressive, even radical, approach to development' (Nyamu-Musembi and Cornwall, 2004: 4). MBOSCUDA was arguably already pursuing a fairly radical agenda before Village AiD became a partner, and the political challenge of confronting the state held little fear for a cadre of leaders who had experienced the threat, and in some cases the reality, of imprisonment for their activities. Moreover, the more radical challenge remains, and will involve the MBOSCUDA–Village AiD partnership moving beyond issues of minority rights and into broader struggles for social justice.

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