RIGHTS AND LIVELIHOODS APPROACHES: EXPLORING POLICY DIMENSIONS
Tim Conway, Caroline Moser, Andy Norton and John Farrington

Over the last decade several donors and NGOs (and more recently some developing country governments) have adopted a livelihoods approach to development. More recently, there have also been efforts to approach socio-economic development through the framework of human rights. Drawing on case studies of rights-based approaches to livelihood development, this paper briefly reviews the main features of these two approaches, and the possibility of integrating them.

Policy conclusions

- Livelihood approaches have considerable potential for improving the focus of programmes and policies and the overall strategic coherence of interventions that a government or donor uses to promote poverty reduction. However, operational staff often find the conceptual frameworks on which they are based somewhat complex.
- Approaches to development informed by a human rights framework also have much to offer. A rights approach draws attention to who does and who does not have power, and how this affects the formulation and implementation of policy – insights which livelihoods approaches do not always capture. However it too may be intimidating for practitioners, and on its own it provides little guidance on pro-poor policy priorities.
- Recent elaboration of rights approaches to livelihood-focused development, informed by a growing body of practical experience, offers promising but realistic conclusions:
  - The international human rights framework provides a powerful tool for focusing state actions on the livelihoods of the poor: provisions can be drawn down by national actors seeking to change policies and budget priorities.
  - The relationship of rights to sustainability is ambiguous. The argument that conferring rights leads to unsustainable resource use or public expenditure has some credence, but may also be used to defend patterns of resource use and service delivery which favour the rich. Rooting policy in universal basic rights may be the only way to reorient government priorities towards the poor. Basing entitlements in rights rather than discretionary policy makes it easier to defend continuity of service provision, increasing the political sustainability of pro-poor actions. By guaranteeing a minimum livelihood and discouraging extreme inequalities, enforceable economic and social rights also help to promote the social and political stability necessary for sustainable national development.
  - Rights on paper are a necessary but insufficient condition for pro-poor policy. Highly marginalised groups lacking organisation and resources may be unable to realise their formal rights: improving livelihoods may be necessary to give them the incentive and leverage to lobby for realisation of rights. Social capital, effective allies, and voice are thus essential. Struggles for the realisation of rights require sustained action in a variety of national and international fora. Donors can play an important role: in changing the incentives for government, in providing state and civil society actors with information on international human rights and advice on how to incorporate these, and in absorbing the upfront costs civil society groups face in developing a capacity to make use of their rights (e.g. assisting community forestry groups develop processing and marketing skills).

Background

Livelihoods approaches are concerned largely with household-based productive activities and (generally to a lesser extent) with risk management, 'voice' and social protection. Rights approaches have conventionally concentrated upon wider entitlements and been defined primarily in reference to the role of the state in terms of respecting, protecting, promoting or fulfilling internationally-defined rights. Crudely, then, livelihoods approaches have been primarily concerned with the practical means of development (improving the level and reliability of household entitlements to material goods and services), and have built upwards from analysis of existing circumstances to identify opportunities available in the near- to medium-term. Human rights debates, by contrast, have conventionally concentrated upon the ultimate ends (freedom and wellbeing), and extrapolated back to the social and political relationships that are required to achieve this ideal state. As described below, however, both approaches are evolving beyond these archetypes, and in the process are becoming more complementary.

This paper summarises the basic logic and tools of each approach before examining ways in which they might complement each other. Case study material collected during a DFID research project on 'livelihood security, human rights and sustainable development' (see Moser *et al,* 2001; Conway, 2001a) is used to illustrate the arguments. The full texts of the case studies can be obtained from www.odi.org.uk/pppg/tcor_case_study.pdf.

Livelihoods and assets

Before the development of coherent sustainable livelihoods (SL) approaches (such as those of DFID and Oxfam UK), there existed a number of policy-focused analytical approaches (e.g. the urban asset vulnerability framework, entitlements analysis, or food security and survival strategy frameworks), all of which could be considered to fall within a livelihoods approach. All these approaches have in common:

- a perspective on development problems and process which begins with an understanding of the household and the resources it owns or can access, including natural resources (NR), which are held and used collectively, and social capital – understood to mean the advantages that can accrue from strong social relationships;
- a recognition of the diversity of livelihood strategies and contexts within and between households;
- attention to the dynamics of household wellbeing, with an interest in how households balance short- and long-term perspectives in order to manage poverty and vulnerability;
- an approach to development problems that transcends individual sectors (e.g. agriculture, health, education, etc.); and
- attention to the institutional context (the economic, social

and political relationships governing production, exchange and accumulation) which determine what livelihood strategies can be pursued with the resources available to households.

Livelihoods approaches thus contrast with other approaches to development which focus upon aggregate objectives and indicators; which make a number of assumptions about how policies and programmes will affect household consumption and social well-being; and which typically approach sectoral problems in isolation.

In practice, however, a livelihoods approach faces a number of constraints. Despite its cross-sectoral aspirations, for practical reasons a sectoral department or ministry will ususally take the lead, and the resulting livelihoods analysis and programme of action will tend to reflect this sectoral perspective. A livelihoods approach is also still perceived by many project planners and policy-makers as complex, and requires more administrative and financial flexibility to develop and implement than a more conventional approach firmly rooted within one sector or discipline.

Human rights and development

The discourse of international human rights provides the potential for a powerful approach to development issues. The international human rights system, formed through the accretion of the UN Charter, the Universal Declaration of Human Rights, and subsequent commitments made by governments at international conferences over the years (e.g. the Convention on the Rights of the Child in 1989), provides a powerful political lever for civil society groups to demand state action in support of the livelihoods of the poor. In this formulation, development is the process of achieving basic human rights (economic, social and cultural as well as civil and political: UNDP, 2000; Sen, 1999).

However, a rights approach to development is often criticised on one or more of the following grounds:

- To realise citizens' full economic and social rights as laid out in international law would require levels of public spending – and institutional capacity – which are not feasible in poor states. While the human rights framework does contain guidance on prioritising public expenditure in resource-constrained contexts (notably in the work on the right to development), other, more well-known principles (e.g. that all rights are equal and indivisible) can appear at odds with such pragmatic needs.
- Similarly, the human rights framework provides limited guidance for prioritising between the rights of present and future generations. If the right to an acceptable standard of living is taken to mean that poor groups have an absolute right, *inter alia*, to adopt livelihood strategies based upon the use of non-renewable resources or exploitation of marginal environments, any gains in poverty reduction may be unsustainable.
- The emphasis upon individual over collective rights, and on rights over responsibilities, is sometimes argued to threaten not only environmental sustainability but also economic stability and social cohesion.
- From an academic social science perspective, meanwhile, some authors argue that the concept of rights is an over-formalised and incomplete framework through which to understand and address the reality of differences in power. At a practical level, it is clear that the provision of rights in law is not enough to ensure that they are respected by élites or enforced by the state.

In response to these issues, much of the work on rights and development now focuses less on the ultimate goal (full realisation of all international human rights), and more on extracting key principles and objectives which should inform development analysis and intervention. (DFID, for example, identifies social inclusion, participation and the fulfilment of obligations as fundamental principles that should inform its work). Current formulations of rights approaches to development also seek to work with both the normative definition of human rights (that is, what rights people *should* have, drawing upon the framework of international law and UN conventions for legitimacy) and an anthropological understanding of actually-existing rights as claims that are legitimised by social structures and norms.

Table 1 Rights regime analysis

Social & political contestation	Rights regime	Form of rights & domain	Level of operation, institutional framework & authority structures	Legal & administrative implementation
↑ Economic and social groups seeking to make claims on the means for a sustainable livelihood	International human rights law	Human rights with universal application	International/global level, implemented & monitored through UN	Rights regimes are implemented through the operation of the legal system, the allocation of resources, and the administration of services ↓
	Regional law	Human rights which apply to regional populations	International/regional, increasingly with statutory power of enforcement	
	Constitutional law	National constitutional rights (mainly civil & political, starting to include economic & social, e.g. South Africa)	National level, enforced through constitutional courts and other national legal mechanisms	
	Statutory law	Statutory rights deriving from criminal, commercial & other law	National or, under devolved government, local; formal legal system	
	Religious law	Religious rights and norms (mostly re: domestic sphere, in some cases extended)	Can operate at multiple levels (global through local): forms of authority depend on relations with the state	
	Customary law	Customary rights (mostly re: kinship and resource rights), specific to localities and social/ ethnic groups	Local level (generally only in colonial or post-colonial states), enforced through customary authorities (e.g. chiefs)	
	Living law	Informal rights and norms (mostly re: kinship and resource rights), applying to localities through varying cultures (including institutional cultures)	Micro level. Not formally incorporated into national legal system, but local élites may be able to co-opt elements of the state to help enforce living law	

Source: Norton (2001); Moser *et al.* (2001)

Rights approaches thus entail understanding the existing patterns of rights and their embeddedness in social, political and economic institutions, as a prerequisite to changing them in a pro-poor direction. This legal pluralism can be conceptualised as a layering of different discourses which act upon each other over time (see Table 1): in particular, poor groups in particular national contexts can and do 'draw down' elements of international human rights declarations in order to bolster their claims to resources or services critical to their livelihoods. It also illustrates that there are a variety of means for contesting rights and determining outcomes: efforts need to focus not only on the definition of rights (typically a political process), but also on the interpretation and implementation of rights (through legal, policy and administrative processes).

Integrating livelihoods and rights approaches

There is considerable overlap in the basic principles underpinning livelihoods and rights approaches to poverty reduction (Moser *et al*, 2001; Farrington, 2001) and the two perspectives complement each other in important ways:

- Rights analysis can provide insights into the distribution of power. By identifying groups lacking effective rights – and groups who may be denying rights to others – it can highlight the root causes of the generation and perpetuation of poverty and vulnerability. As such, a rights approach provides one possible way of examining the operation of institutions and political processes (the inner workings of the PIP box in the SL framework) that influence the livelihoods of the poor, and which livelihoods analysis has to date lacked (Baumann and Sinha, 2001). Effective rights are a large part of the functional definition of political capital.
- Sustainable livelihood analysis offers one way to prioritise efforts to obtain rights for poor groups. By identifying constraints on people's livelihoods, it can suggest which kinds of rights are most important for a particular group at a particular time, or the sequence in which rights should be approached for a given group.

The rest of this paper provides an interpretation of the complementarity between rights and livelihood approaches, drawing on the case study material reviewed by Conway (2001a).

Complementarities between rights- and livelihood-focused interventions: lessons from experience

Rights and sustainability

There is a concern that granting individual rights of access or use to the rural poor who depend directly upon the natural environment for their livelihoods may result in unsustainable exploitation of natural resources. If the rights in question are to levels of state-provided services or to tax-funded social protection which threaten the country's ability to attract investment, national fiscal and macroeconomic sustainability may be threatened.

However, without a basis in rights, it may be impossible to achieve a significant improvement in access by the poor to natural resources or government services. Establishing a right to livelihood-related opportunities or provisions may in fact be the *only* way to ensure that a government does address these areas as policy priorities, and does adopt a fundamental shift in public expenditure patterns which reflects this prioritisation.

Rooting access to resource-based opportunity or to a minimum of state-provided social services and livelihood security in a framework of rights may also increase the social and political sustainability of pro-poor interventions. Once a benefit stream to the poor has been established as a right, it is difficult to reverse, and considerably easier to defend against corruption or political capture. This is the case with the Maharashtra Employment Guarantee Scheme, which has since 1978 provided subsistence level employment on rural public works to all who want it. While other poverty alleviation interventions in India typically cycle through phases of initiation, success, capture and decline, followed by the introduction of new interventions, the fact that the rural poor of Maharashtra know they have a right to safety net employment has prevented its wholesale capture and made possible its sustained impact (Joshi and Moore, 2000).

This point – that establishing entitlement to resources or services as a *right,* rather than as merely as a policy objective which may or not be changed in the future, improves the sustainability of the benefits gained – is corroborated by comparative study of approaches to land and wildlife management in southern African states (see Box 1). There is

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Box 1 Benefits rooted in local rights: slow to appear, more likely to last?

The rights of local people in southern Africa to make their livelihoods from land or the wildlife on the land have evolved rapidly over the last ten years, but in different directions in different countries. This contrast between experiences in different countries highlights a number of issues. While private ownership can deliver ecological and economic sustainability, and may provide some benefits in the form of employment, giving local communities rights to manage wildlife does make management systems more sustainable in social and political terms. Similarly, it is not enough for benefits to flow only from policy interpretation. If they are not firmly anchored in rights, the benefits from community-based management can be re-routed away from communities by policy change (as occurred in Botswana). Yet, while the achievement of rights facilitates the realisation of benefits, this is often a long-term investment. In the short-term, a strong emphasis on rights, often involving complex equity-sharing models (as developed in South Africa), may deliver little in the way of material benefits. Investing in the development of a division of rights and responsibilities which gives local populations a significant stake in wildlife management has the potential to improve livelihoods, not so much through a major increase in incomes as through diversification and the reduction of vulnerability.
Case study author: Caroline Ashley

Box 2 Rights without resources and organisation may go unrealised: the Huaorani in Ecuador

While the Huaorani achieved rights to their land in 1990, the Ecuadorian government retained all rights to subsurface minerals. These are sold as concessions to multinational oil companies. These companies negotiate with the Huaorani for access in ways which follow and perpetuate the workings of the "gift economy". Divided into small, often feuding family groups and overwhelmed by the pace of cultural change, Huaorani leaders have sold safe passage and land rights to outsiders in exchange for small and often unproductive gifts. This has hindered efforts to negotiate for the collective and long-term investments which are needed to improve livelihoods in an economically, socially and culturally sustainable manner. The Organisation of the Huaorani Nation of the Ecuadorian Amazon (ONHAE) was founded to provide a collective mechanism for negotiating with oil companies, but has faced formidable problems in terms of a lack of skills and supra-family social capital, poor communications, and lack of funds. Lack of Huaorani institutional capacity thus helps to explain why the new land rights regime has done little to improve indigenous livelihoods. Instead, it has been the development of ecotourism which is seen by the Huaorani to offer the greatest potential, providing an alternative livelihood to oil company gifts. By reinforcing the values that the Huaorani attribute to their land, tourism has strengthened local commitment to implement land rights.
Case study author: Scott Braman

a cost: basing entitlements in legal rights for the poor may make the flow of benefits to the poor slower to appear, and more modest, than those flows which may be obtained if other actors, with the capital and knowledge to exploit resources more effectively, are accorded principal rights of resource use. But the experience from southern Africa suggests that rights-based access to NR-based livelihoods are more reliable over the long term, and as such play an important part in reducing the vulnerability of the poor.

More generically, by ensuring a certain minimum standard of economic and social wellbeing, and thus directly and indirectly reducing the magnitude of inequalities visible in society, livelihood-related rights help to contain social tensions which may otherwise result in civil disorder, crime and violence (Moser *et al*, 2001).

Rights alone are not enough
The mere designation of rights is not necessarily enough to ensure their realisation: many countries already have national constitutions that specify important rights that have never been realised. For highly marginalised groups which lack established forms of collective self-representation or links with organisations which can lobby on their behalf, formal rights may have little effect upon livelihoods (see Box 2). In this case complementary strategies are required to allow these groups to realise their rights. For poor and marginal groups, offering alternative livelihoods may be an important entry point which reduces dependence and enables people to contest their existing but unrealised rights more effectively. This important lesson also emerges from the experience of community forestry in Cameroon, where the development of skills in processing and marketing forest products increased the incentive for forest communities to demand the realisation of their legal rights (see Box 7).

For poor people to make effective claims requires a number of complementary strategies and conditions. These include i) access to information (not only on their rights under national and international law, but also on technical issues relating to NR); ii) group solidarity; iii) development of skills and capabilities (especially in organisation and communication); iv) help from allies capable of advocating for rights at other levels, in distant institutional fora (e.g. international conferences), and with particular (e.g. legal)

skills; and v) recourse to a fair arbitrator of claims (e.g. an appeals courts) which is capable of assessing competing claims according to rights and without being captured by élite groups (Moser *et al*, 2001). Some of these observations are explored in more detail below.

Civil society organisation is critical
Civil society plays an essential role in identifying key livelihood rights, pressing for them to be established in law, and subsequently ensuring that they are effectively enforced. Without group solidarity and collective representation – community groups, social movements, unions or national NGOs – the poor are unlikely to be granted rights, or if granted them, will not be able to hold state and non-state actors accountable for their realisation. This is part of the problem facing the Huaorani (Box 2): lacking effective forms of collective organisation above the level of the family group, they have until recently been unable to make good use of the rights they have, or lobby for those they do not have.

Networks and alliances, at national and international levels, can be very powerful tools in scaling up local concerns into an organised claim for rights. In Burkino Faso, an alliance of producer organisations has proved critical in representing the perspectives and interests of smallholders in the definition of rights within national land policy debates (see Box 3).

Experiences in the Indian state of Andhra Pradesh provide a (negative) example of the importance of access to technical knowledge in defending poor people's rights of access to natural resources (Box 4). Goats are a highly attractive asset for poor women in India: they are hardy, offer a high return for a small investment, and provide milk at all times of the

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Box 3 Making land law more pro-poor in Burkina Faso: CCOF and smallholder rights

In Burkino Faso, efforts to reform land holding and tenure have been made through national Agrarian and Land Tenure Reform (RAF) legislation. This process was strongly top-down in nature, with no representation from agricultural producers. This helps to explain why most producers who were asked said they were not aware of the existence of the new legal framework, and once aware felt that it posed threats to their livelihoods, as it favours large farms and agribusinesses which are best able to obtain access to investment and government incentives. By ignoring the existence of local customary institutions for land management, the new legislation also threatened to create social tensions within village communities. Although it was only formed in 1988 and as such not involved in the formulaiton of the RAF, the umbrella Co-ordination Framework for Rural Producer Organisations (CCOF) has succeeded in articulating smallholder concerns, reorienting the process so that the formulation and implementation of policy and law accords equal rights to smallholders. While CCOF has had considerable success, lack of funds limits the amount of grassroot consultations it can carry out. This is a matter of concern, as ultimately its legitimacy depends upon its ability to demonstrate a consistent understanding of and representation of members' interests and concerns.
Case study authors: Jean Zoundi and Karim Hussein

Box 4 Science, voice and rights in the debate over goat-rearing in Andhra Pradesh

Although the Indian Constitution states that every citizen has a right to a livelihood, the interpretation of this is very much the prerogative of government. In Andra Pradesh, high-level political statements in which goats were singled out as destructive animals have fostered a concerted anti-goat campaign amongst line departments and funding bodies, with efforts to discourage the provision of loans for the purchase and rearing of goats. At least three districts have completely stopped the supply of goats through government funded channels, with more likely to follow. The rationale underlying the government position - that goats are destructive browsers which eat tender leaves and shoots and do not allow saplings to survive - has acquired legitimacy due to the power wielded by officials who propagate it, but is not always supported by scientific evidence. A government task force to evaluate the impact of goat rearing in ecologically fragile zones concluded that there was no definite evidence to prove that goats pose a threat to the environment, while research conducted by ANTHRA (an organisation of women veterinary scientists) has established that plants preferred by goats are still abundantly available. Other studies have shown that goats act as regenerators of vegetation through seed dispersal and vegetative propagation through browsing. However, goat-keepers tend to be poor and lower caste, and thus socially and economically excluded. In competition with other constituencies for a shrinking resource base – and generally unaware of their legal rights – they have little voice or capacity to make claims on either grazing land or government support services. Unlike other actors (e.g. local élites engaged in leading various community-level programmes such as watershed development) they have little support from NGOs. The rights of goat-keepers are therefore overruled in the name of forest and CPR protection, even though there is a good case to be made that environmental degradation is more clearly related to faulty forest policies, poor management by the Forest Development Corporations, illegal encroachment on CPRs and the negative impact of populist land redistribution policies.
Case study author: Priya Deshingkar

day (so that milking can be fitted around domestic work). Yet land, credit and extension policy in Andhra Pradesh (and to a lesser degree many other states in India) effectively discriminates against goat-owners, on the grounds that goats are particularly damaging to the environment. This environmental case is far from proven, but because poor rural women have little in the way of voice or collective organisation, and little support from NGOs, they have not been able to demand the right to equality of support.

The case of goats in the livelihoods of the poor in Andhra Pradesh, like that of hill tribes in Thailand (Box 5), illustrates how arguments premised on the objective of enhancing environmental sustainability can be distorted to promote the rights and privileges of élites. Without external assistance the most marginalised will generally lack the capacity to negotiate effectively for their rights. Information and the development of local organisational resources may help them to voice claims, as may access to technical specialists.

Passing and implementing laws: the role of the state

Under human rights law the state is the principal duty-bearer. Elaboration of the obligations of states with respect to human rights has emphasised that this does *not* mean that states have to provide free services. Rather, they are required to *respect*, *protect* and *fulfil* these rights: fulfilling rights may require the state to *facilitate*, *provide* and/or *promote* these rights. In other words, state obligations with regard to economic and social rights can be met by the state acting as regulator and facilitator of other actors (market and civil society) who provide services, if this can be justified as the most effective and sustainable approach possible with the resources available.

In most of the case studies reviewed, the pressure for the creation and realisation of rights came from civil society groups acting upon a recalcitrant state. However, the state is not monolithic, and there are organic links between groups within the state and groups within civil society: in many countries there are at least some elements of the state which support, and sometimes even initiate, movements for the creation of livelihood-related rights for the poor. Similarly,

civil society is not uniformly pro-poor: most societies contain powerful social networks amongst élites which may work against the interests of the poor, while the poor themselves may be divided along regional, ethnic or gender lines, and be occupied in pressing for particular privileges rather than universal rights.

The internal heterogeneity of the state, and the complexity of relations between the state, powerful economic interests and civil society organisations representing groups amongst the poor, can be illustrated through the example of the Community Forestry Bill in Thailand (Box 5). In this context, various state institutions (both the legislature but also policy-interpreting and implementing bodies such as the Royal Forestry Department, local government and courts) have become fora for competition between local ('community') and commercial interests. An alliance of NGOs has pushed for a more pro-poor content to the Bill, and for the enforcement of provisions for community rights for access rather than just management. While successes have been won, struggles over the definition and interpretation of community-use rights have illustrated the potential of private capital to influence the *de facto* realisation of nominally egalitarian rights, especially in relation to geographically and socially marginal ethnic minority groups. The opposition to commercial pressure has meanwhile been complicated by divisions in the NGO community. While the case of Thailand's Community Forest Bill demonstrates how changes in formal constitutional rules can influence local political action, in Northern and Southern Thailand, it also demonstrates that the realisation of livelihood-related rights for the poor involves concerted action at a number of levels and institutional fora.

Donors can make a difference

Donors have often been wary of engaging with human rights issues. Even those (mainly bilateral) donors which have been prepared to establish an explicit commitment to human rights within their development strategy have typically restricted their advocacy to civil and political rights: there has been a sentiment that approaching the core concerns of development (e.g. poverty reduction) through the framework of economic and social rights is unrealistic and possibly counterproductive. This has started to change (see Box 6).

Much of the donor interest in rights as the ends and means of development is still at an early stage. However, there are an increasing number of examples in which donors have sought to approach policy reform through a rights framework or with a strong rights component (Box 7). Building policy upon a framework of rights is generally a slow process: it

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Box 5 Negotiating access: collective rights and community-based forestry in Thailand

Since 1990, long-standing debates in Thai society about the rights of different social and economic interests in using forest resources, and the role of the state in mediating these rights, have been brought into focus in the process of drafting a Community Forestry Bill. This process illustrates the ways in which private capital can shape the *de facto* enforcement of egalitarian rights. Although the Thai government was able to challenge the power of commercial logging interests, its resolve to enforce sustainable forestry in conservation areas has been relatively weak, particularly when the groups that are threatened (e.g. hill tribes) have weak or non-existent rights to citizenship or land title, undermining their ability to claim other rights (e.g. to forest management and access). These groups have obtained some leverage from Thai NGOs, which helped to improve the definition of community use rights in the drafting of the Bill. However, Thai NGOs are themselves split on issues such as community forestry, with some approaching problems from a primary concern with environmental conservation, and others emphasising the livelihood rights of the rural poor. While the Bill and the 1997 Constitution have provided important political instruments with which poor and marginalised people could legitimate not only their right to use and live in conservation areas but also their right to negotiate political demands, there is a continuing need to defend and expand legislative provisions in the processes of interpreting and implementing rights within policy.
Case study authors: Craig Johnson and Tim Forsyth

Box 6 The emergence of rights approaches in donor policy and planning

The 1990 UNDP *Human Development Report* focused upon the overlap and complementarity between human development and human rights approaches, and provided the impetus for cooperation between UNDP and UNHCR in developing and piloting an approach to country programming based on human rights analysis. UNICEF, meanwhile, has made the Convention on the Rights of the Child the key reference point for all its programme and policy work, both nationally and internationally. DFID and Sida have both explored the ways in which a bilateral donor might structure aid policy according to a rights approach. Even the World Bank, although explicitly stating that it cannot adopt a human rights approach, has in practice acknowledged that particular rights (e.g. the political rights inherent in the advocacy of 'voice', participation, anti-corruption and judicial reform programmes; women's rights central to promoting gender equality) are crucially important for sustainable and equitable development.

requires not only a good understanding of people's capabilities and needs (for which livelihoods analysis is ideally suited) but also efforts to build a constituency for claiming rights, so that organised demand from below is complemented with advocacy from above. Donors must thus accept that in approaching livelihoods-focused policy using rights, they must be prepared to invest considerable time and effort in first facilitating a coalition in support of the rights in question, both amongst those intended beneficiaries, but also amongst political allies. The return in terms of the long-term sustainability of pro-poor policy justifies this approach.

Box 7 The role of donors and communities in the development of Forest Law in Cameroon

Recent progress in community forestry in Cameroon offers positive lessons regarding how legal rights for poor and marginal forest communities can be made real. Rights in the forestry sector were achieved within a broader framework of entitlements and rights, and in an incremental manner. The passage of the Forest Law in 1994 was thus the start rather than the end of the process, and had to be elaborated and given operational content in a series of policy developments. It was also butressed from below by the development of local community capacity to negotiate the administrative process required for registration of a community forest; and by support to communities in developing skills in processing forest products, which increased the value obtained from the forest, and hence the commitment to manage it sustainably. This case is particularly instructive for donors in that, in the absence of domestic champions for forest communities, the long-term commitment of a group of bilateral agencies was crucial to progress in the development of community forestry rights.
Case study author: David Brown

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