

**INSTITUTIONAL CHOICES AND LOCAL CUSTOM IN MINYANKALA,
SOUTHEASTERN MALI**

By

Peter Hochet

PhD in social anthropology, EHESS-Marseille (France)

Associated with IRD UR-Réfo, GRET, Impact

LABORATOIRE CITOYENNETE

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Abstract

Ngo's institutional choices are not only choices. They are action implemented in social and political contexts also. In Koury the Intercooperation's Gdrn project choose to transform a pastoral association into a pasto-agriculturists Union to plan a regional pastoral survey. Articulated with the decentralized administrative divisions and communes the set Union/Survey has to resolve disputes, negotiate fittings and integrate Fulani in the Minyanka society. But Koury is mainly featured by two dynamics: a power quest upon Minyanka former villages by powerful Dafin lineages through land colonization and the reinvention of local history; and a reduction of pastoral resources users' groups from the supra-village resource sharing to the intra-village one. The lack of understanding of these features conduce the project to envisage and to put institutions into practice which do not enable the decentralized democratic and participative pastoral resources management targeted. It conduces to practices of institutional diversion by dominants to strengthen their power, to enforce their strategies, to get opportunistic behaviors legally backed.

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1 INTRODUCTION: DEVELOPMENT, NRM AND VILLAGE ARENAS

During my inquiries in Koury¹ (South-east Mali) I aimed to understand how actors coordinate themselves over pastoral resources, and in respect of this, what are effects of Intercooperation's Gdrn (Sustainable natural resources management) project? To answer this question I deem that I could not understand substance, meaning and effects of Gdrn's institutional choices without replace them into local actors' practices and into institutions of pastoral resources access regulation². My theoretical viewpoint was to regard development as a social situation within which actors manage resources according to their individual or collective interests and a repertoire of principles³. My description of effects of Gdrn's institutional choices lies at the intersection of anthropology of development and anthropology of the natural resources governance.

The anthropology of development argues that the contact between Occidental development projects and African societies is a social situation in which Ngo's projects are diverted by actors and local powers (Le Meur & Bako-Arifari, 2001 citing Bierschenk & Elwert 1993; Olivier de Sardan 1995; Long & Long 1982). It has idealtipically described three no-exclusive types of development projects' institutional effects:

- Situations of *resistance*, with conflicts and debates about new and old moral and political values.
- Situations of *overlapping* when a powerful extern actor enforces new institutions, principles and behaviors (Market, State Law...) without totally replacing old ones.
- Situations of *hybridization* when new material, political and social resources imported in society recompose or crystallize political arenas.

Several case studies have shown that the two latter favor the strengthening of dominants during colonization (Buell 1928; Colson 1971; Mamdami 1996a,b) and since Independencies (Kassibo 2004; Manor 2004; van Rouveroy van Nieuwaal & van Dijk 1999). But these results should not hide that overlapping and hybridization can contribute to recompose political arenas and allow some lower groups to take over (Engberg-Pedersen 1997, Bouy, Dasnière & Loua1998; Olivier de Sardan 1998; Le Meur & Bako-Arifari 2001: 130-134).

In the same time, the anthropology of natural resources governance has shown that natural resources access is not summarized by specific institutions and formal rights. In African villages the natural resources governance is embedded in social relations, groups and categories. Various practices results from this.

¹ Koury is the town of the Koury commune in the Yorosso Cercle, Sikasso Region (Southeastern Mali). In this village we find the sub-Prefecture, the Town Council and the City Hall, the local hospital, and the biggest Malian customs post with Burkina-Faso borders. « Kouri » refers to a group of twelve villages in the commune with a common history since the colonization at least. I narrowly find out in five of which in June/August 2002 and in June/July 2003. These inquiries were about the history of settlement; the description of their practices of resources access and of their system of activities by actors; case studies of conflicts over pastoral resources and areas; institutions settled by the project (genesis, structure, social and political impacts) since 1995 at Kouri.

² I got empirical elements through three indicators: The history and the ethnography of the domestic combination of agriculture and livestock and of the Fulani's migrations; the situations of negotiation over pastoral resources access; the internal dynamics of the peasant association back by GDRN to implement the Pastoral survey of Yorosso.

³ This dialectic between teleological strategies and ethical principles was well analyzed by Paul Ricœur (1990) about the John Rawls' theory of justice (1973). About repertoires of norms see Comaroff & Roberts (1987) and Boltanski & Thevenot (1991).

- Actors coordinate themselves over natural resources according to politics of belonging: social dichotomies as male/female, strangers/autochthonous, firstcomers/latecomers, elders/youths; social relations as friendship, neighborhood; and social belonging as ethnic and national identities, belonging to various religions or cults (Kuba & Lentz forthcoming).
- To guarantee control, maintenance and opening of their access to natural resources, actors resort to various kind of social capital (technical competencies, access to market, ritual knowledge, authority, etc.) beyond formal law and custom (Berry 1993; Ribot & Peluso 2003).
- People involved in negotiation and disputes over natural resources resort to rules and institutions according to how they understand situation and to the benefit they expect from each institution and rules, along a logic of “forum-shopping” (Benda-Beckmann 1985).
- A politico-legal institution constitutes an authority in land affairs only as long as actors and groups resort to it in dispute (Le Meur 2005) along the logic according to which “the process of recognition of property rights by a politico-legal institution simultaneously constitutes a process of recognition of the legitimacy of this institution” (Lund 2002: 14).

The combination of these results permits to argue that the institutions imported by Natural resources management (Nrm) projects contribute widely to create an institutional context of *resetting*. In this kind of context actors often are free to negotiate and divert former local rules and agreements. Thus, the Malian decentralization process creates a situation of institutional resetting in which Nrm projects get a significant part. For instance, in Koury the Intercooperation’s Gdrn project has transformed a local peasant association to back the Pastoral survey of the Yorosso Cercle according to the Pastoral Charter of Mali.

In Mali the core of the decentralization is the transfer of the State’s land and natural resources tenure competences to local governments and peasant associations (Kassibo 1997). Currently some State’s institutions and agents are reticent to implement this transfer. The law n°96-050 about land and resources management of local government is ambiguous. Olivier and Catherine Barrière (2002) highlight:

“La loi ne définit pas le domaine des collectivités territoriales (hors mis le domaine public artificiel et privé), mais les espaces du domaine public naturel susceptible d’être placés sous une gestion décentralisée” (Barrière & Barrière 2002: 272)⁴.

According to articles 7 and 11, the State does not transfer its landed ownership to local governments. It delegates management rights on pastoral, agricultural, hunting, and fishing areas. In line with article 12, this delegation is not mechanical. To obtain derived management rights local governments have to make a demand to the Council of ministers, via the Prefect and the Minister of Estate. The Council can refuse or abort the demand for national reasons. Based on these legal formalities we may advance that: 1) Through the transfer of derived management rights rather than landed ownership, the State property is maintained; 2) the implementation of local governments’ management rights over their own demesnes is under influence of networks linking local-level-powers and State agents (Blundo & Mongbo 1998). Otherwise, the delegation of management rights supposes that local governments’ territory has been clearly bordered. But, Minyanka chiefs and land priests often are opposed to such delimitation. In Minyankala villages’ territories do not evolve along a geometric logic. Village

⁴ “The law does not define the local governments’ demesnes (except public and private estates), but subjects of the natural public demesnes open to be under a decentralized management”.

lands expand and retract along a “radius logic” – irregular circles from the village’s center – according to land needs, climate, and socio-political variants. For land priests and chiefs the absence of clear borders guarantees peaceful relationships between villages. The village land tenure history is weaved by disputes forgiven but never forgotten. Any delimitation by the State might crop them up violently.

Despite these ambiguities, many Ngo's and donors specialized in Nrm anticipate the law and try to apply principles of decentralization. For instance since 2000, pastoral surveys must be implemented according to the Pastoral charter’s dispositions. But as yet, no decree exists. Therefore, the charter does not have legal value. Despite this legal ambiguity, the Intercooperation’s Gdrn project intervenes along a logic of anticipation. Its agents and its donors give two reasons: 1) they want to put lawmakers in front to the *fait accompli* and force them to enact; 2) if the decree is enacted, it must take local practices and fittings into consideration. To reach their goals they promote and strengthen local peasant associations as participatory frameworks. Since 1995, Gdrn transformed a local peasant association to implement the Pastoral survey of the Yorosso Cercle⁵. The Pastoral survey is constituted by a participatory framework warranted by the peasant association, and by an institutional coordination of local-level authorities. State local representatives (Prefect and sub-Prefect), town councilors, chiefs, local committees and peasant associations have to work together to create, plan and enforce new rules of pastoral resources access regulation.

This situation is not obvious. Without a strong legal and political backing to frame their Nrm interventions, projects often are lost in high politically-charged local contexts. They have to manage many concerned groups with own interests and strategies. Within this kind of situation, Ngo’s agents are used to act with a technical look that contributes to drown them into local-level politics (Hochet & Lavigne-Delville, 2005). For example, due to a real *institutional gap* in Koury the regulation of the pastoral resources access unfold informally. Actors coordinate themselves without formal institutions. They resort to moral principles of a high-level generality to create agreements and conventions. Minimizing this aspect the Gdrn agents considered the situation as open to be a situation of conflict and they tried to *reset* it to pacify it. They implemented their institutional choices along a logic of substitution to replace local agreements and procedures over pastoral resources access. And so they tried to transfer competencies in Pastoral resources management to various actors who had various and conflicting interests to challenge formers agreements. In this respect my main finding is: Actors did not leave their informal practices and negotiated relationships, and dominants diverted the project’s institutional choices to improve their pastoral resources control and access to the detriment of lower groups.

The main goal of this paper is to show how the encounter of the Gdrn’s institutional choices and the features of Koury conduce to strengthen several groups, actors and interests. The first and second sections present the social features of Koury and the intervention of Gdrn. The third section presents how institutional weaknesses of Gdrn’s choices do not enable a participative Nrm and how dominants diverted them to their advantage. Eventually, the Elinor Ostrom (1992) concept of “institutional crafting” will allow us to envisage some recommendations.

⁵ I choose to keep local terms (in French) to define decentralized administration divisions: “Region”, “Cercle”, “commune”, and village. State representatives are the Prefect in the Cercle and the Sub-prefect at a level between Cercle and commune which groups one or two “Ex-arrondissement” inherited from the colonial period and gather several communes.

2 FEATURES OF KOURY

Two main aspects feature Koury: a dynamic of power quest and the widespread of the agriculture and livestock combination since Fulani migrations in 1973.

2.1 A Dynamic of Power Quest

Chieftaincy of Koury is controlled by the Daos. They belong to a Dafin captive clan from Burkina Faso. After a local war they went to Tanio, Minyankala (12,43 mi, eastern Koury). At Tanio they brought their mask that scare Minyankas: the Lo.

“With this sorcery they can do many things that people do not like. When you celebrate the mask you prevent others from working and they are not pleased... the Lo feast stood during a week and turned away one of the village’s exits to fields... Then...Tanio’s villagers drive off the Daos...” [A. Traoré, 08-25-03]

Then the Daos settled down at Daviala (East of Koury) under Sani’s authority (North of Koury).

“They confided in Sani who were the greatest village, and they were settled at Daviala. But, after a short time a Marabou cursed them because they had not given to him and his pregnant wife water from the well... The Marabou came back to Daviala to pick up the rosary he had forgotten: And the village had vanished and had settled here [current place]” [A. Traoré, 08-25-03].

The Dao have been settling at Koury by Pijèla. Custom authorities allowed them to settle the village under their guardianship:

“The chieftaincy was for the Daos. Three brothers were over there: the Lo priest, the land priest, and the village chief. But Pijèla natives stand landlords of Koury” [A. Traoré, 08-25-03].

I reconstructed genealogies of Koury’s and Pijèla’s chiefs. Around 1867 the Pijela chief Sanu and land priest Goïta gave derived management rights on a direction in the bush to the Daos represented by Karamogo Dao. In the same way that the Daos were not allowed to observe their rituals without Pijela’s permission, Pijela’s land priest was only able to arbitrate conflicts over landed resources:

“Pijèla has given land to Koury. We are the landlord of Koury. Koury’s have to ask us permission before doing their Lo...” [S. Sanu and S. Goïta, 07-10-02].

Through the control of fertility and clearing rituals the Pijela land priest was associated with the land tenure history and with the villager’s history through birth and funeral rituals. This association gave elements to Pijela’s custom authorities to arbitrate conflicts about land borders and clearing. And during rituals and arbitrations they were able to remind Koury of Minyankas’ principles of land and resources use and management.

As migrations went along, the village grew up and greeted great families. Under the authority of Pijela Koury land priest and chief gave derived management rights on directions in bush to these families. In fact, Minyanka landlords do not have rights on pieces of bush but on directions in the bush toward which they and members of their lineage and their strangers are allowed to clear and cultivate fields. Hence, the Daos, the Diabatés, the Barros, and the

Sanogos are still the four great Koury's landowner lineages. Their family councils decide if strangers or related one's can farm on their patrimonies.

During the colonial period, Pijela fought colonists fiercely. So much so that, according to the Pijela chief they choose to give up the fight and run away to another region instead of accepting European power. But finally they came back to their village. And so when they got back, the political condition was very different. The Daos had become administrative chiefs of the Canton. Through their collaboration with French colonists they turned Koury as an independent administrative village, and Pijela became a district of Koury: the guardianship was inverted by the Daos. Besides, during the war against colonists, the Dao chieftaincy of Zagouso (north of Koury) and those of Koury concluded a blood-pact. Since the gloomy story of a Koury chief's insane brother who ripped open pregnant women Koury and Zagouso's lineages are linked by blood: Zagouso have to help Koury, and reciprocally.

With this short history we may analyze the current political situation as following:

- Pijela chiefs are absorbed by the Daos' strength and claim their former control and management prerogatives on land.
- The prestige and the power of Sani are subsiding. His young chief is independent and not interested in pursuing custom. He does not fight for the power of his village but for peace and tranquility.
- Tanio worthies of Koury still present themselves as those who drive off the Daos and help them to settle at Koury. In 1999, during the implementation of communes they joined Koury with which they have "a common history". Composition of Koury town council was clearly handled by these men, who choose the mayor and the nineteen councilors: "everything was done for each one to get his job done, and elections forced all".
- Zagouso is an expanding village whose power is structured by powerful cotton farmers unions. These great farmers of cotton colonize territories of others villages: they have lot of money to pay officials and the court, and they are politically backed by Koury and his sorcery. The two villages stick together and belong to the main party of Mali, the Adema.
- The Daos are within the logic of power quest through three axes. 1) A fusion of powers: the administrative chief is the Lo priest, so sorcery and political powers are fused. But he is crippled and blind. The operational chief is his nephew who is the land priest. Sorcery, political power and landed authority are fused. 2) A concentration of administrative offices and powers: town council, Sub-prefecture, customs post, hospital. 3) The two precedent points and the Daos' force constitute political opportunities which enable them to reinvent the local history and to claim that Koury had been the most former village of the region which has settled all the others under its guardianship.

2.2 Agropastoralism and Pastoral Resources Access

In Minyankala, before the Colonization cotton had been cultivated by natives and had grown wild. Since late nineteenth century colons were very interested in developing cotton cultivation in West Africa to reduce the latent crisis in European textiles (Fok 1993; Bassett 2001). In the twentieth century, companies followed companies to manage and increase this cultivation⁶. Companies seek to spread the use of the plow to get a more productive agriculture. They help peasants to obtain, made, and maintain the plow (Fok 1993: 90-155). This point was a real

⁶ Cotton colonists union, Union of cotton industry of the French empire, French company of textile development, Malian company of development and textiles

success. But, they did not give the peasants any assistance to obtain oxen. I suggested the widespread of the agriculture and livestock combination and the success of cotton cultivation in Minyankala were not only based on companies' strategies and policies (Hochet forthcoming). This success results from the genesis of Minyankas/Fulani relations.

Due to drought periods on 1970' and 1980' Fulani came from Northern Mali to Minyankala to get rich grass and water. Relationships between Fulani and other ethnic groups are regularly institutionalized through *jatigi* (guardianship), captivity (De Bruijn, 2000) or *senankunya* (joking kinship). But in our case, Fulani and Minyanka did not share a common history. Their meeting and cooperation were embedded in the modern telescoping of economic activities backed by cotton companies. Their interactions were not embedded in institutions that might naturalize values and coordination over resources. Such non-institutionalized situation lay in economic exchanges. Indeed, literature has shown milk/cereals exchange and tending are former and regular exchange systems between agriculturists and pastoralists while manure contract and oxen loan appear within modern intensive cultivation contexts (Diallo & Schlee 2000: 242). According to Fulani, Minyankas doubted the benefits of milk for themselves and of the manure for their fields. And Minyankas who got some livestock did not get it enough to externalize tending and to employ herders. But many peasants were highly interested in oxen loan to make labors. This latter point constituted a solution of coordination embedded in moral principles of the Minyanka moral economy and policy.

I analyzed what Economy of Conventions names *common superior principles* (Boltanski & Thévenot 1991: 20-23; 43; 177) framed Fulani/Minyanka interactions. According to the hypothesis of social anthropology in African contexts (Comaroff & Roberts 1981; Kopytoff 1987; Diallo 1999; Jacob 2003; Widlok 2003), rural societies are based on repertoire of political and moral principles. Some West African rural societies got close norms and principles due to their close historical trajectories: great empires, migrations movements, colonization, and development. These principles are agreements between different social groups and their interests and notably between natives and strangers (Chauveau, Jacob & Le Meur 2004). They are shapes of generality which permit several actors of recognize themselves in a common humanity and envisage agreements and coordination. Within an etic formulation, at Koury the social principle "strangers are able to strengthen community by technical or demographic contribution" permits to define the category of *useful stranger*. This principle intersects with the moral economy principle of "each individual settled in the village, native or stranger, is justified to get means of support for himself and his family" (see Scott 1976, and Chauveau 2005). The Fulani possession of oxen and the increasing of Minyanka needs in oxen allow the latter to consider the former as useful stranger and to give them means of support. Indeed, each group stood in need of a resource that the other had: Fulani loaned oxen to Minyankas, and Minyankas loaned water and pasture access rights to Fulani. It is interesting to note this system did not emerge mechanically within a pure economical logic of supply and demand. It results from the following combination:

- The economic situation characterized by the purchase of oxen that was the weak side of cotton companies' policy based on the promotion of the plow; and by the fact that numerous Minyankas got the plow but were in economical conditions that impeded them to get a complete yoke.
- The social situation characterized by Minyankas who accommodated Fulani according to moral and political common superior principles of "useful stranger" and "the right of means of support"; by the elimination of various ways of exchange and coordination between the two groups (milk, then manure, then tending, and finally loan of oxen); and by

the Fulani's possession of oxen and the moral possibility for them to unfold the loan of oxen along a logic of exchange.

This coordination between the both groups over pastoral resources by exchange of oxen and access to local resources unfolded within the supra-village vision of local custom authorities. Fulani and Minyankas belonging to a village often got derived rights to cultivate or to access to resources on the territory of other villages. In fact, as I highlighted it in introduction, custom authorities do not claim clear borderlines. To favor peaceful relationships they support the exchange of derived use rights on land between neighbor villages.

Thus, about pastoral resources access Koury was widely characterized by an *institutional gap*. Minyanka did not consider pastures, ponds, livestock routes and post-harvest resources as resources. Pasture did not exist: it was the un-clearing bush. Sorghum and mil residues were burned. Livestock routes were pathways for men used by yoke to reach fields. All these objects were not resources for Minyanka: there were not objects of rules, institutions and powers. But when Fulani settled down in Minyankala they aimed to constitute them as pastoral resources. In the same time, the both groups did not share institutional and historic relations. Based on the lack of institutions about pastoral resources and between both groups, the coordination between both over pastoral resources unfolded informally and the exchanges of oxen contributed to structure their interactions.

Nowadays the context is very different. Due to the oxen exchanges and the sustain policy of the Cmdt, the agriculture and livestock combination is highly widespread. Every peasant has oxen. Each peasant needs pasture, fodder and water for his cattle. Agriculturists became pasto-agriculturists and pastoralists agro-pastoralists⁷. Within this context, pastoral resources got to be strategic. Within these conditions the supra-village access to pastoral resources of Fulani is highly challenged. Minyanka pasto-agriculturists try to secure their private access. The spread of the agriculture and livestock combination has conducted to a reduction of the community of resources users. The social category at stake downgrade from the useful stranger to the *good neighbor* and the *village territory's Fulani*. Thus, without analyzed it narrowly this situation implicates two main dynamics.

- To get access to resources over which pasto-agriculturists exercise a private control of access as harvest residues, field-wells or fallow fields, Fulani have to demonstrate their neighbor's qualities. We may compare this social situation with a social test of good neighborhood. This test articulates a spatial dimension and a moral dimension. First, peasants open their resources to Fulani who are used to graze their cattle or cultivate over spaces close by their fields:

“Cultivators who have fields close by pastures accept willingly to share their post-harvest resources with us [Fulani], while peasants far from pastures refuse categorically” [Diallo S. 07-17-04].

According to the peasants a good neighbor has to ask for the field owner before trying to graze his cattle. And then he has to respect the peasant precedence over the pastoralist. Not respecting these moral formalities through grazing in harvested fields without permission

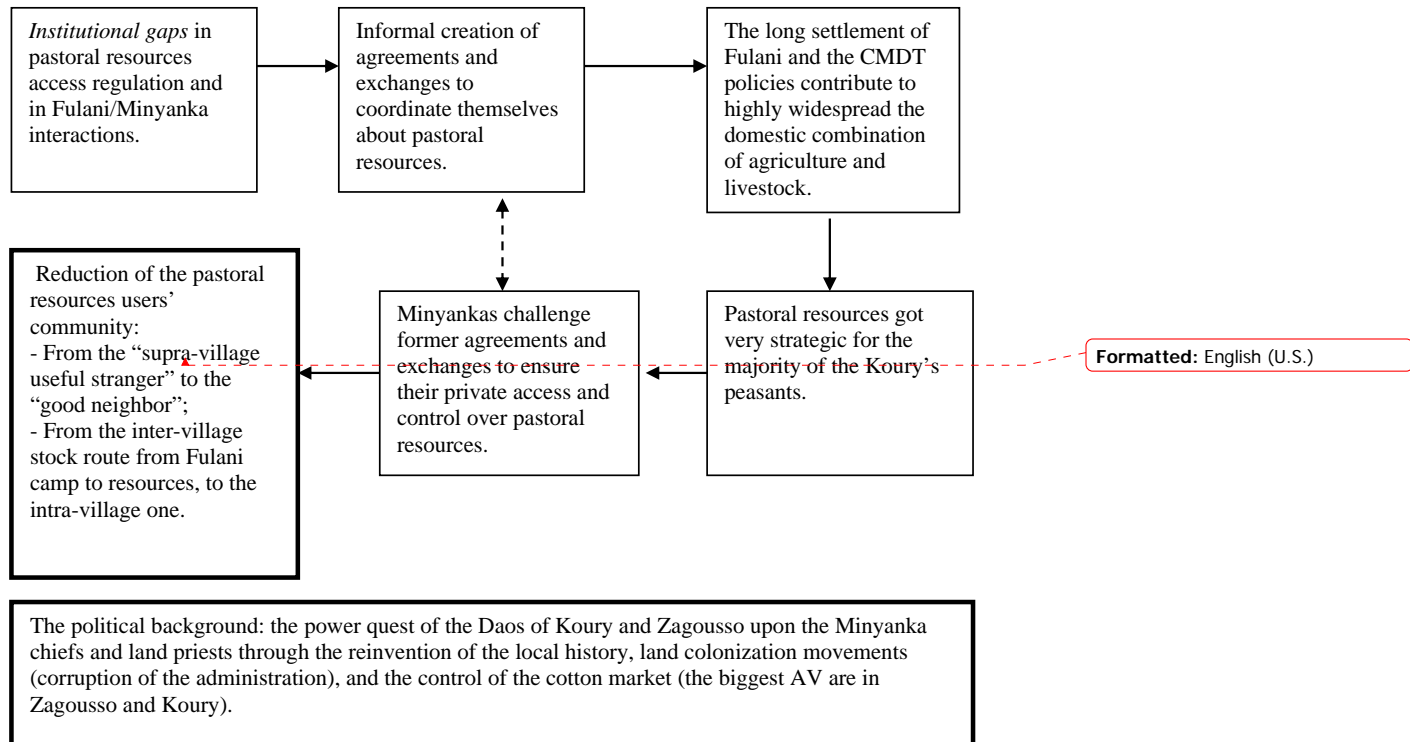
⁷ Nowadays each peasant of Koury combines agriculture and livestock according various practices. I mainly distinguished pasto-agriculturists who are agriculturists first (they are Minyanka, Dogon or Senufo) and agro-pastoralists who are pastoralists first (Seno-Fulani and Bendugu-Fulani). Some very poor Dogon (latecomers) are agriculturist only, without any yoke. Gimballa-Fulani livestock merchants are pastoralists only.

or trying to use force, or not respecting precedence or going around fields with the cattle during harvest, conduce to fail the test to belong to the pastoral resources users' community of neighbors.

- To get access to village's resources through livestock routes as pastures or ponds, Fulani have to be settled in the concerned village. Some land priest and village chiefs challenge former supra-village agreements. These agreements shielded livestock routes from clearing. They guaranteed Fulani a secure access to the resources on the territory of a neighbor village of their camp. Thus, challenging these agreements some custom authorities challenge inter-village links between Fulani camps and pastoral resources. They clear former inter-village livestock routes and replace them by new intra-village ones between *their* Fulani camps and *their* pastures and ponds. These custom authorities operate a reduction of the pastoral resources users' community toward Fulani. From the resources supra-village sharing by inter-village livestock routes they downgrade the community to a villager restrictive access by intra-village stock corridors.

Eventually, the context in which Intercooperation's projects unfold is defined by two main dynamics. Politically we observe a dynamic of power quest from the Daos of Koury and Zagouso over Minyanka villages, due to their sorcery and economical forces. Economically, Koury is characterized by the recent and quick widespread of the domestic combination of agriculture and livestock by Fulani as well as Minyankas. About pastoral resources access the situation is dynamic. The widespread of agropastoralism – and the increase of pressure on resources – does not permit to maintain a supra-village access to pastoral resources. It induces a reduction of the users' groups to the neighborhood resources sharing and to the inscription of stock corridors into village territory.

Fig.1. The Informal Regulation of Pastoral Resources Access of Koury.



When Gdrn came in Koury, pasto-agriculturists and agro-pastoralists are in an institutional dynamics to re-coordinate themselves over pastoral resources. In the following part we will see which institutional choices result from the Gdrn's way of analyzing this context.

3 GDRN'S INSTITUTIONAL CHOICES

In 1995 Intercooperation implemented the Gdrn project (Sustainable natural resources management) in Southeastern Mali. The project was organized in various parts. The Edp (Peasant's development and environment) team has to back peasant associations. It encountered the representatives of the Fulani association of Koury, Weltaré. While Weltaré's problem was to obtain cattle foods, for Edp this problem was a consequence of a wider and deeper problem. They proposed a socio-organizational backing to deal it with.

Edp found four dimensions open to favors tensions between Fulani and Minyanka.

- "The simultaneous cattle and fields increases" due to the widespread of the agriculture and livestock combination;
- "The reinforcement of Fulani power" due to Weltaré (bribing toward administration, infiltration into the Cultivator Union to control cattle foods quotas) ;
- For Minyankas « the Fulani is a double man in which nobody trusts » ;
- Fulani try to ensure their access to strategic resources through fittings (cattle ways, pastures, hydraulic fittings).

According to Edp the combination of these four dimensions conducted to a limited security of Fulani's pastoral resources access rights who implicated need in cattle foods. Therefore, for them the real problem was a natural resources governance problem of which needs in cattle food were epiphenomenal. Within this outlook, for Edp the reinforcement of agro-pastoralists' institutional capacities and the reform of the local resources governance might help Fulani to ensure their access to pastoral resources. Yet, all the project logic was implemented following two main phases: the internal reform of Weltaré and the Pastoral Survey of the Koury's commune.

3.1 Building an Integrative and Participative Identity

To resolve and prevent disputes over local resources and space Edp agents thought they had to make peasants meet under a common socio-professional identity beyond ethnic differences and references to autochthony: the "pasto-agriculture". According to them, natives saw Weltaré as a political association that aimed to reinforce the Fulani power. This was problematic and crystallized tensions between both groups. To defuse tensions, they proposed to transform Weltaré into a framework of consultation for all peasants who combine agriculture and livestock to manage, plan, and improve local pastoral resources. The reform plan by Edp is a reform of identities. This reform was based on the idea according to which the great majority of peasants combining agriculture and livestock will naturally join a Union presented as a pasto-agricultural one. Through their adherence, peasants will put their ethnic differences aside. They will negotiate agreements over pastoral resources peacefully. Edp aimed to construct an institution of pastoral resources management community based, through an integrative and participative citizenship form, beyond social divides. They put this in action following four interventions:

- Reduction of subscription from 25000 to 2500 CFA, a good price for cultivators;
- The bureau of Weltaré was recomposed to form a new one with the same president;
- Village authorities and the Farmers Union's bureau became members of the Pasto-agriculturists Union's bureau;
- The Fulani name "Weltaré" was replaced by "Pasto-agriculturists Union of the Yorosso Cercle".

Through these internal reforms, economical functions of Weltaré were reoriented to political goals. The work on Weltaré's identity was led within a social and political integration outlook of Fulani in the Minyanka society. Internals reforms have ensured the Minyanka penetration into the Pasto-agriculturists Union under authority of Koury's chief and land priest, Fulani representatives and the bureau of the Farmers Union. The Pasto-agriculturists Union was articulated to the different decentralized administrative divisions: villages, communes, and Cercle. The Union has to organize participatory and consultation from villages to the Cercle, and to define pastoral fittings and arbitration procedures to favor local conflict settlement. Eventually, Edp's intervention consisted of transforming a peasant association of economical backing into a linked political organization to promote a participative governance of pastoral resources. Within this logic Edp's agents programmed the Pastoral survey of the Yorosso's district.

3.2 Pastoral Management and Resources Governance

For Intercooperation, popular participation is based on a political argument and on a "political engineering". On the various administrative divisions the Pastoral survey is programmed by the Pasto-agriculturists Union and its members. So the Pastoral survey rules are a users'

production. In the same time, the coordination of the all various authorities from village to Cercle within the pastoral survey will ensure the enforcement of these rules.

Yet, in each one of the nine communes of the Yorosso Cercle, forum had been implemented during which actors had to evaluate pastoral resources; propose access and control mechanisms; drawn stock routes, water and pastures areas; envisage procedures of local conflict management. Results of these forums were consolidated by the village forum representatives at the sub-Prefecture level. On the Cercle one, these results were tuned with legal clauses by the Prefect and the council constituted by local authorities and sub-Prefecture forum representatives.

After this “consultation of the people” Edp set up three tools:

- Pastoral watch comities in village and commune constituted by representatives of Minyanka, Fulani, women, hunters, by some elders, and by land priests and chiefs.
- Planning of fittings for each commune (hydraulics, livestock routes, and pastoral areas).
- A “Consultative Council” that gathers some town councilors, Mayors, Prefect and sub-Prefects, the various peasant associations, of which the Pasto-agriculturists Union and the Farmers Union are the most important. In fact this council is the real decision-making and executive organ of the pastoral survey.

Eventually, the Intercooperation’s intervention has consisted in articulate an integrative identity with the various decentralized and administrative divisions to favor the negotiation of management rules, pastoral fittings and mechanisms of regulation about local pastoral resources. The set Pasto-agriculturists Union/Pastoral Survey is a structure of pastoral resources governance. It is based on a form of citizenship ensured by the “Pasto-agricultural identity” and on the coordination of the various local authorities. It is presented as an organization of popular participation: participative institutions have to replace so called custom institutions. The point is: in Koury peasants are not in institutionalized relations but in informal ones. So Gdrn choices do not replace or improve local institutions. They unfold elements to institutionalize and formalize peasants’ interactions over pastoral resources. Gdrn based their choices on an ethnic problem solved by the promotion a socioprofessional identity without wonder about identities really resorted to by actors to coordinate themselves over resources. Gdrn try to institutionalize a so-called situation of ethnic conflict over resources without wonder about local modes of coordination, their substance and their functioning. Broadly, Gdrn choose institutions and implement it without count local dynamics in. According to me, this contributes widely to unfold institutional weaknesses and diversions.

4 INSTITUTIONAL WEAKNESSES AND DIVERSIONS

Within this section I will highlight institutional weaknesses of the Pastoral survey. I will present two institutional diversions also. This not means that the GDRN project is a total failure. Diversions of Gdrn’s institutional choices by actors do not mean these choices are not efficient. In a respect these choices contributed to improve actors’ capacities in space and conflict managements. In another respect they really contributed to reinforce some powers to the detriment of a participative regulation of pastoral resources access based on the power sharing, equity and downward accountability. We might explain this with the weaknesses of Gdrn’s choices and with the inscription of these choices in local power relationships that they contribute to reset without replace them.

4.1 Institutional Weaknesses of Gdrn's Choices and Participatory

The main weakness of Gdrn's choices lies in the lack of understanding of local social dynamics. Settlement modalities of Fulani and modalities of the resources sharing who results from it were not counted in. And so Gdrn choose to institutionalize relationships between authorities rather than to understand the substance of actors' agreements and to secure them. The general dynamic of minimization of pastoral resources users' groups – economically justified – also were not counted in. And so the project tried to institutionalize a socio-professional identity to homogenize relationships between peasants. Two main points results from these weaknesses: the peasants' distrust toward the Union and the lack of downwards of participative experience between the various resources management levels.

Gdrn's agents based their action on the Welteré transformation into the Pasto-agriculturists Union. The Union was articulated with administrative divisions⁸. And it has to ensure the following political functions:

- The local settlement of disputes and struggles over pastoral resources.
- Organize the popular participatory in each administrative divisions, from the village to the Cercle to define and plan pastoral fittings.
- A better social and political integration of Fulani into Minyanka society.

At the completion of my inquiries I concluded to dissociative levels of efficiency of the Union in her functions attributed by the project.

Tab. 1. Efficiency of the Pasto-agriculturists Union

Activities areas	Efficiency	Lack of efficiency
Conflict management	-Local dispute resolution about damages to crop and harvest residue.	-Managing conflicts in which the local Administration is involved -Managing conflicts unfolding out the representatives' residency. -Managing conflicts inscribe in land tenure and political issues.
Negotiated pastoral fittings (infrastructures, institutions, services)	-Claiming pastoral fittings to the Town council. -Opening and securing the Cercle's livestock route between Kouri and Sani.	-Getting Livestock-foods -Helping to payment of fines. -Opening and securing village livestock routes.
Social and political integration	-Their representatives in communes are well politically recognized.	-Integrating Gimbala-Fulani and pasto-agriculturists ⁹ (112 Bendugu-/Seno-Fulani, 1 Gimbala-Fulani, 35 pasto-agriculturists are in the Union).

⁸ Village, Commune, Cercle.

⁹ The Pasto-agriculturists Union is mainly composed and managed by agro-pastoralists! This contradiction means how Gdrn's agents did not well understand local features and dynamics.

These gaps results from the distrust of peasants toward the reform of Weltaré.

- There is a real gap between representatives and their base. This is mainly due to the process of élitisation based on the upward Union's responsibilities and the trainings offers to representatives (French learns, local expertise, association management, and etc.).
- The diversion of the Union from their first economic goals to political goals does not turn peasants trusty. And so they do not resort to it to resolve their disputes or back their claims.
- The disputes settlement between agriculturists and pastoralists has been ensured by the farmers Union first. Attributing this to the Pasto-agriculturists Union turns the former Union denigrated by the local administration. This does not help agriculturists and pasto-agriculturists to trust and involve themselves in the new Union.
- Even through it does not deliver services to her members the Union is payable.
- Disputes settlements are not based on the Union's legitimacy. They are due to some Union's representatives and members who succeed in legitimating their arbitrations resorting to their own social capital.

According to me the distrust of the peasant toward the Union does not contribute to constitute it as a strong participative framework. And so the real Pastoral survey's functioning would mainly result from a punctual and localized coordination of the authorities involved in pastoral resources management.

Indeed, during my inquiries the main object of the Pastoral survey was the enforcement of the main Yorosso Cercle livestock route's section between Koury and Sani. The livestock route's features were the following:

- It was a rehabilitative stock route of eighties. Her layout was defined by the Farmers Union who ensured the stock corridor management at this time.
- Before the implementation of the Pastoral survey, some of her sections often were ploughed up by agriculturists. They cut marked-trees and cultivated upon the way.
- During eighties, despite the willing of Weltaré's and Farmers Unions' representatives, the right to shield a part of bush from cultivation during the farm period is not enforced. No common political reference fixes the competition for land between peasants.
- The corridor was identified by Gdrn during forums about pastoral resources issues in Koury. Her rehabilitation was presented as a necessity and Gdrn heighten the authorities' awareness to the livestock routes' stakes. This process of consultation publicly turned all formal authorities concerned. From the villager chiefs to the Prefect, they get common references to fix the "game" over this livestock route.

The main livestock route's stake was her enforcement. My interviews with peasants show that the route's path is respected now: peasants are scattered, and in case of disputes the pastoralists who use the way are within their right. About this livestock route Gdrn has coordinated authorities from Cercle to village around the rehabilitation of it. A posteriori, such coordination was based on:

- Heightening awareness of the key actors to the implementation of livestock routes through the consultations of their problems and their solutions to these ones.
- The rehabilitation of a livestock route that already exists within the political and land tenure landscape.

- A coordination of all formal authorities about the enforcement of rules concerning the livestock route.

The participative logic is reduced to formal authorities. Users were downgraded into a consultative function. They were not associated to draw up the way: his layout, rules, modalities of eviction, appropriateness with agro-pastoralists' and pasto-agriculturists practices. Nevertheless it works. It works according to a coordination of formal authorities who impose to peasant subjects the territory planning. This coordination does not leave any ways to those who might refuse the route and her path. The enforcement of the livestock route shield from the agricultural expansion is guaranteed. Despite this success there is a double problem.

- According to my interviews, peasants do not feel associated with the draw up and enforcement of the way. And so they understand the pastoral resources decentralization as a local centralization within which formal authorities and some powerful actors have been strengthened. They feel as subjects rather than as citizen actors.
- For lack of a participatory framework anchored in the participation of users – which are the same in the Cercle or in the village – the downward transfer of experience between management levels is not ensured. About high publicized equipments which concern them all (a livestock route identified during forum which throughout the Cercle) authorities are willingly coordinated. But about lower publicized equipments, closer by the “village’s stomach” authorities compete. This favors opportunistic behaviors and disputes (Lund 2002) within which institutional weakness of the Pastoral survey are diverted by actors to their advantage.

According to me, in villages the haziness leave by the Pastoral Survey organization about coordination of authority/popular participatory and rehabilitation/creation of equipments favors practices of « forum-shopping » (Benda-Beckmann, 1985) and opportunistic behaviors. We will see this through the two following examples.

4.2 Diverting Institutions to Enforce Colonization and Individual Access

The main practices of Gdrn’s institutional choices diversion were inscribed in the two social dynamics of Koury: the power quest of the Daos upon Minyanka former villages and the reduction of the users groups. The case of the Colonization of Zagoussou upon Sani’s territory concerns the two points. The case of the opportunistic behavior allowed by a charter is related to the latter. The stake for Gdrn and the Pastoral survey was not to impede these social dynamics. It was to count them in to reduce unintentional effects of their telescoping with the new institutions. Such dynamics would have conduced Gdrn to adjust Pastoral survey’s rules, procedures and organization with local practices, agreements and dynamics between actors over pastoral resources. Nowadays two effects results from the diversion of the pastoral survey by the Daos of Zagoussou and the pasto-agriculturists’ representatives.

The village stock routes planning is not directly regulated and assisted by the Pastoral survey and Gdrn. It is assumed by local authorities. According to my interviews project’s agents thought the Cercle’s livestock route lay at the core of coordination issues more than village ways. Nevertheless, experiences gotten through the forums and the Cercle’s livestock route implementation would naturally broadcast downward. But village livestock routes are stakes for authorities and users as well as Cercle level’s ones. And experiences do not broadcast naturally. Ideas and practices broadcast needs social structure and/or institutions. However, the lack of real institution of popular participation does not make institutions accountable at all administrative divisions. While they are publicly coordinated at the Cercle level, authorities compete in villages.

Thus, the Pastoral survey planning and implementation encountered first attempts of colonization by Zagouso (3,11 mi au North-Northeastern Koury) over Sani (1,24 mi Northern Koury). This movement began with a dispute over a plot between both villages. I sequenced it as following.

- Conflicting claims over a strategic plot: Zagouso claimed the plot is on its own land and refused to give it to a Sani's. Sani do not agree and claim is right of first occupancy.
- With the help of Koury Zagouso challenged custom disputes resolution institutions: settlement history, Minyanka sacred woods and rituals.
- Zagouso authorities and actors involved in the dispute bribed Technical services and the sub-Prefect to deliver or burn papers and certificates.
- Zagouso declared to the Pastoral survey the plot is on his territory and planed several stock corridors from his Fulani camps and his ponds; from the village and fields for yokes.
- The Court decided to divide the plot: one part for a Sani agriculturist the other for a Zagouso's one. But the Zagouso's cleared the entire plot and cultivate it: Sani's prefer peace rather than war and give up the dispute.

Along this process Zagouso aimed to impose that the plot was on his own land and not on the Sani's one. Village lands' borders were at stake. The concerned plot was very strategic. It was the last field cultivated under the authority of Sani toward the Zagouso land. Behind it, toward the North a great bush spreads. It was shield from clearing since the seventies. Land priests and chiefs of Sani and Zagouso had been come to an agreement to settle the camp of A. Diakite and his family close by the border. They had been let him an access from his camp to Zagouso's ponds also. Claiming his authority over this plot permitted to Zagouso to declare the entire area under his authority too and to extend his territory to settle his agriculturists. To turn confirmed and enforce this they used the Pastoral survey. They declared this bush as their own and defined it as a farmland. At the same time they planed various livestock routes for yokes and to link Fulani camps with pastures and ponds. Authority of the pastoral survey confirmed and legalized this without understand claims of Sani.

The second point is that Zagouso did not count the Diakite camp in. This camp and his thousand oxen do not have access anymore to the Zagouso ponds which are the two only ones around. Zagouso authorities justify this saying they cannot plan a livestock route for only one family of agro-pastoralists to the detriment of several pasto-agriculturists' households. But the situation is deeper. The Diakite camp is on the Sani's Plateau, so it not belongs to the Zagouso's new territory. And, embedded in the dynamic of reduction of the pastoral resources users' community as many villages, Zagouso's authorities minimized the livestock routes to their pounds and pastures. They only planed and enforced stock routes from Fulani camp settle on their territory. They do not ensure the supra-villager Pastoral resources access anymore. Clearing the Diakite camp's livestock corridors to their resources Zagouso's chief and land priest implemented a logic of *terroirisation* of the Fulani.

Zagouso authorities used the pastoral survey to enforce their colonization of the Sani territory and their strategies of *terroirisation* of the Fulani. The main point is that Gdrn agents did not see this situation that encountered the Pastoral survey birth. This diversion by Zagouso contributed to turns Sani/Zagouso relations and Fulani/pasto-agriculturists ones worst rather than favor negotiated agreements about resources and space. Indeed, it contributes to create and unfold an agriculturist/pastoralist struggle that oppose the Diakite camp against their pasto-

agricultursits neighbors. When I left Koury in June 2004 the struggle turned violent: all formal authorities are bribed by actors of the struggle and they use it widely to get money; Diakit 's goats were killed by agriculturists; and the Diakit  camp elder's life was threatened by Zagoussou's.

After a dispute between an agro-pastoralist and a pasto-agriculturist over harvest residues¹⁰ the Pasto-agriculturists Union has resorted to concerned authorities and actors authorities to plan a charter. Seventeen chiefs, several users' representatives and town councilors were gathered. At the meeting completion they confirmed a charter according to which between June 1st and December 31st plots are cultivated and cattle are not allowed to graze or cross them. Damage on crops will be punishing. But each agriculturist must finish the harvest before December 31st because as from this date plots got to be pastures and are legally open to be grazed. If farmers need their harvest residues they must to heap them up, otherwise they are common property resources for pasto-agriculturists' and agro-pastoralists' cattle.

However, agro-pastoralists and transhumant herds need residues precisely from September to December before start the transhumance and headed Southern pastures. According to the charter fields are legally open to cattle precisely when all herders have been leave Koury to the South. In the same time, northern transhumant herds leave their territory early October to cross Koury around late October, and to find fields closed.

Compared to pastoral necessities, the charter's provisions allow pasto-agriculturists to secure their access to residues and to exclude agro-pastoralists. The pasto-agriculturists' strength was numerously and socially expressed: 1) seventeen chiefs doubled with villager representatives against the agro-pastoralists representatives alone; 2) in their great majority the pasto-agriculturists are Minyanka so they are socially dominant due to they are the autochthonous, while all agro-pastoralists are Fulani, so strangers. Such social differences have indeed structured public negotiations of the charter's provisions:

“... stakeholder approaches that bring everyone to the same table are not sufficient because some actors are not willing or able to engage in the process... Society is highly differentiated and access to accountability measures is also unequally distributed. Marginal groups are less able to take advantage of accountability mechanisms than more privileged groups” (Ribot 2004: 39, citing Larsons (2004).

The confirmed period let think that these negotiations unfolded within a framework favorable to the pasto-agriculturists and their reduction of users' communities. They diverted the pastoral survey framework to produce local agreements toward their own advantage to the detriment of Fulani.

However, when I asked agro-pastoralists how they find residues before the transhumance they answered me with laugh. The charter did not replace informal agreements between agro-pastoralists and pasto-agriculturists totally. Indeed if the former pastoral resources sharing can't be going on, the Minyanka lineage property of pastoral resources to the detriment of Fulani can't be peacefully ensure. Without analyze the situation narrowly, the latter negotiate access to residues with the former through the construction of a new users' community: the

¹⁰ Harvest residues are peanut, mil, ni b , and sorghum stalks. Minyanka use ni b  and peanut residues to breed sheep and goat. They often sell it. Mil and sorghum residues are grazed by oxen. Constituted as common property resources they are never sold. This case study is about sorghum and mil residues.

neighborhood. So they share residues according to their neighborhood relationships. If the charter does not really implement a pasto-agriculturists property of residues, it allows opportunistic behaviors. It is used by some agriculturists and pasto-agriculturists to challenge agreements with Fulani. A farmer who came to an agreement with a Fulani informally about residues access during the forbidden period, can refer the latter to the charter (backed by local authorities) and ask him indemnities for damages to crop.

This charter is an institution of pastoral resources access regulation which does not determine the expected behaviors over residues. But it is some effective, since the dates of the farm period regulates damages to crop. For the lack of attention to local dynamics and relationships, such charter creates and allows new opportunistic behaviors and strengthens the power of pasto-agriculturist upon Fulani and transhumant herds. A first analyze of negotiations and dynamics about harvest residues and during the meeting has been very useful to lead the project action. The project would have been impeding diversion and guarantee new agreements between users rather than empower dominants.

5 CONCLUSION: CHOOSING AND CRAFTING INSTITUTIONS ACCORDING TO CONTEXTS' FEATURES

In Koury the Gdrn's institutional choices were diverted by actors due to two reasons: their institutional weaknesses and the local dynamics of power quest and reduction of resources users' community.

- The former point permits to some key-actors to reinforce their power in local arena. With their active participation in the Pastoral survey, representative of the pasto-agriculturists Union ensured their own political power. The process of élitisation proves it. As the example of the Sani/Koury stock corridor, through the hierarchical organization of the Pastoral survey formal authorities strengthen their power upon peasants. As Zagouso's one some authorities use the Pastoral survey to fuel competitions between them also.
- In the context of the pastoral resources users' community reduction of Koury, pasto-agriculturists used the Pastoral survey to secure their private access to pastoral resources and exclude Fulani. For instance, this opportunity allows pasto-agriculturists to develop opportunistic behaviors despite informal agreements with Fulani to share residues. The case of Zagouso is between the two situations. The Pastoral survey permits to Zagouso to enforce and legalize his colonization of a part of the Sani's territory within the dynamic of power quest. It permits also to clear the former Diakité camps' accesses along a logic of "terroirisation" of Fulani.

To sum up, in their weak side the Gdrn's institutional choices were unsuitable for the Koury's informal regulation context. They have enforced a land colonization rather than securing access to pastoral resources and calm down or resolve disputes over land and resources. They have favored opportunistic behaviors rather than securing the new users community within which pasto-agriculturists and Fulani try to coordinate themselves over harvest residues. They have reinforced the power of authorities without turn them downward accountable. According to peasants, authorities make policies without any clarity and do not count users' needs in. The main weak point of Gdrn's was to did not deeply analyze and understand local practices and dynamics. Indeed, institutional choices do not have proper features without the context in which they are implemented. The structural context and the actor's practices and agency give substance and meaning to Ngo's institutional choices. As E. Ostrom (1992) shown it well, institutional choices have to be crafted by Ngo agents according to local features. The stake for projects and the administration is to well understand local dynamics and to tune their institutional choices to weakness and capacities of local institutions and actors' practices

(Lavigne Delville & Hochet 2005). Notably they have to well focus on social agreements and moral principles evolved by actors to coordinate themselves over natural resources.

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