A ‘cartography of concern’: place-making practices and gender in the artisanal mining sector in Africa

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1. Introduction

The expropriation of land for industrial mining is sometimes positioned as a sub-set of the land-grab literature, as one of several varieties of corporate land-grabbing (see e.g. de Koning, 2013a; Hennings, 2015), but work focused on artisanal and small-scale mining (ASM) is more tangential to this theme. There are areas of overlap between research on ASM and the recent ‘land grab’ literature, as formalization of land tenure systems is often cited as a precursor to land-grabbing and can be predicated on a way to encourage outside investors, including industrial mining companies. Although often excluded from the literature on land-grabbing, given the fact that ASM is a vastly more widespread economic activity in Africa than industrial mining we suggest it is vital to examine the politics of place-making in regards to these formalization efforts. Efforts to bring order, safety and profitability to ASM in sub-Saharan Africa involve claims to intervene in the places and lives of people working and living there and, as in the more conventional forms of land-grabbing, become entangled in the power and authority relations of various scales with varying consequences for class accumulation and livelihood strategies. These processes are particularly apparent in regards to women and ASM. This article examines how formalization initiatives of ASM operations involve particular place-making activities. Such place-making entails a certain vision of space and institutional arrangements which, when entangled with pre-existing authority and gender relations, may lead to expanding inequities and deepening power relations.

More than a decade ago, the influential extractive industries review called for governments, the World Bank and other actors to strengthen the rights to land and mineral resources of communities and indigenous populations to enable their fuller participation in their own ‘development’ (World Bank, 2003). Economic arguments have also been made for legal-institutional support for ASM, as it has a “competitive advantage over industrial mining in exploiting lower grade, lower volume, and difficult to access deposits” (Geneen and Radley, 2014: 64). Moreover, there are more than 10 million people in Africa working in ASM (Hilson, 2013), many more than in the industrial sector, which relies on fewer workers (who are generally more skilled) and mechanized production techniques. This trend is even sharper for women (Hinton, Veiga and Beinhoff 2003). As recent literature has demonstrated, women play numerous roles in artisanal mining operations, representing 45-50% of the total workforce (UNECA, 2002), and actively participate in the local mining based economy (Lahiri-Dutt, 2015, 2014 & 2012;
Bashwira et al, 2014; Hinton, 2011; Hinton et al, 2003; Amutabi & Lutta-Mukhebi, 2001). These multiple roles, and the financial opportunities that ASM represents for women, have been, until recently, largely ignored by policymakers focused on encouraging women to leave an ASM sector understood as a place of risk and economic and sexual exploitation for women (Bashwira et al, 2014). Recent academic work identifies a need for supportive policies and greater recognition of women’s abilities to negotiate complex and risky socio-economic environments (Kelly et al, 2014; Werthmann, 2009).

In this paper we problematize some of the moral and legal projects seeking to formalize areas under ASM according to particular state visions. Following the ‘place-making’ literature, we see places as, ‘not simply localized sites or containers but phenomena constituted by webs or constellations of external and internal relations which in effect “make” them’ (Murphy, 2015: 84, citing Pierce et al, 2011). The construction of place occurs at multiple scales and is often a contested process (Urkidi, 2011). Indeed, particularly due to new technologies and practices associated with globalization, place-making efforts at different scales exist in overlapping, sometimes contradictory, relationships (Martin, 2003; citing Massey, 1991, 1994, 1998). In areas representing potential profit for commercial actors, ‘the image-making strategies of entrepreneurial elites’ (McCann, 2002) are often focused on creating an idea of place that facilitates the entry of international capital. In the case of mining areas, minerals take on particular associations, as “economic” resources are culturally encoded, their significance depending on such subjective appraisals as much as on any intrinsic material value...’ (Jackson, 1991, p. 227). A contemporary example is found in recent efforts to certify selected minerals, such as coltan (columbite-tantalite) from Africa’s Great Lakes region as ‘conflict free’, a status with implications for its global supply chain. In addition to such image-making strategies, legal and regulatory aspects of place-making might be identified as key place-making processes (Siegel, 2014).

Place-making therefore involves various activities including legal, discursive, institutional and ‘everyday practices’; all representing the exercise of power (Tovar-Restrepo and Irazábal, 2014). In the case of ASM, various processes have created, in much of the policy-oriented literature, a ‘cartography of concern’ which envisages ASM operations as spaces characterized by ‘conflict, corruption and poverty’ (World Bank, 2010) and hence in need of intervention. A more recent wave of formalization efforts is directed at ASM as places of (untapped) economic potential, ripe for development through targeted initiatives aimed at creating ASM-specific spaces and associations. In this paper, we examine how contemporary legal and policy reform in Africa, while avoiding overtly labelling of ASM as criminal, tend to implicitly echo earlier characterizations of ASM, thereby delegitimizing it and the people involved, creating them as part of a lawless place which needs to be “brought into” the space of national development and legal investment, primarily through so-called ‘formalization’ initiatives. Processes of formalization tend to involve the redistribution of resources and economic opportunities, and are strongly associated with various forms of elite capture and marginalization (Banchirigah, 2006). Critically analyzing negative characterizations of ASM, we provide an alternative understanding of the complicated places made by these forms of economic activity, which often involve diverse forms of hierarchical social organization and governance over land and people. Focusing in particular on the gendering of both the dominant place-making of ASM by policy-makers and regulators and the actual emplaced practices of ASM activities in specific mining sites we highlight the multiple, at times competing and other times overlapping, visions of space at work in this widespread economic activity, showing how the critical literature on land-grabbing can speak to formalization initiatives in regards to ASM. Such a perspective is necessary if more equitable and just forms of governance of ASM are to emerge.
This paper is based primarily on desk study, though it is also informed by interviews and ethnographic research carried out in Kenya, Sierra Leone and Mozambique in 2015 and 2016.¹ That research is being undertaken by Rutherford and Buss with partners in Africa and Canada, researching women’s ASM livelihoods in those countries. The project combines close study of a gold ASM mine site in each country over multiple years together with interviews with policy makers nationally, regionally, and internationally.

2: Characterizing ASM

Mining has long been associated with disputes over land ownership, land access, land-use, resettlement, pollution, labour relations, and other problems (Hilson, 2002), not only in the Global South, but also in the early period of mineral extraction in North America, for example (Freudenberger et al, 2011). In the Global South, disputes are associated with both industrial and artisanal operations, though they manifest themselves differently depending on the type and scale of mining operations. ASM actors, many of whom work and live in zones of uncertain or contradictory legality (Geenen 2011), are often perceived as encroaching into protected areas or operating in ways that conflict with holders of land rights.

More recent research nuances the simplistic conflation of ASM and land-related conflict (Verbrugge, Cruvelier and Van Bockstael, 2015), suggesting the need for closer attention to differences in the kinds and organization of ASM sites and activities. Although there is a tendency to homogenize ASM, different configurations characterize the sector, reflecting a variety of factors from geology, different land-use histories, to the price of minerals and the availability of complimentary livelihoods. Hinton (2005: 5, citing Baffour, 2003), identifies four different types of ASM as one possible heuristic to organize these variations: 1) ‘seasonal’ ASM, where mining activities supplement agricultural or other livelihoods, making them more routinized in everyday agrarian forms of place-making; 2) more ‘permanent’ ASM by established communities, often ‘where large-scale commercial or formal mining is present’ and which may pre-empt agricultural activities in which mining becomes a key shaper of the emplacement of everyday life; 3) ‘shock-push’ ASM driven by externally-driven changes to other livelihoods (e.g., the decline of agriculture caused by a variety of factors from climate change to political insecurity) or armed conflict; and 4) ‘rush’ ASM, often involving high value commodities like gold or diamonds, characterized by a significant influx of new, inexperienced miners. The latter two types of ASM often lead to the social formation of “frontiers,” in which established “places” become challenged, if not undermined, by the rush for resources, associated with ‘rapid and lawless resource extraction: quick profits, quick exits” (Tsing, 2000: 121). These different kinds of ASM have equally varied social and political dynamics. The migration of miners into mineral-rich areas, which might be significant with shock-push and rush mining, can exacerbate tensions between ‘migrants’ and ‘local communities’. Rush mining is often characterized by significant adverse environmental and health conditions, and may involve conflicts with local communities and other land title holders such as corporate holders of exploration licenses, or land owners adjacent to or overlapping with the mining area. In contrast, conflicts that may arise in relation

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to seasonal mining may be fewer in number and resolved by established relationships and financial agreements (Verbrugge, Cuvelier and Van Bockstael, 2015).

While clearly varied in its forms, some features are common among many ASM sites. To outsiders, particularly state actors, ASM may often seem ‘chaotic’. However, mining communities tend to be characterized by distinct, though varied authority relationships, for example, between license holders, (whether they be land owners, those with state-sanctioned mining rights or both), pit owners or sponsors, (often the individuals who pre-finance the digging of a shaft or pit), individual diggers, and then the array of individuals engaged in different stages of processing (such as drying and crushing ore; sieving and washing sand; and burning gold for amalgamation). Bryceson and Jonsson (2014: 45), for example, suggest that ASM in Tanzania is characterized by a “three-tier division of labour” pyramid, at the top of which is the ‘claim owner’, the individual/company with a ‘Primary Mining License’; below whom operates the pit holder, who bears the most risk in financing and operating a mining venture; followed by the diggers, who themselves may be organized into teams. For gold-mining in Sierra Leone, there are layers of authority over male diggers and men and women who process the gold as well as women who independently pan for gold, including the supporter (the typical immediate source of finances for diggers in a particular shaft or pit), the landowner (premised on historical claims of patrilineal founders of particular settlements), the license-owner (if there is one), and state mining authorities and chiefdom authorities which play variable roles (Maconachie and Hilson, 2011; Rutherford fieldnotes February 2016). Mining activities are additionally subdivided into different roles, that may further be spatially organized within mine sites, with stone breakers working in one area, stone crushing (sometimes with mechanized ball mills) in another, and ‘ponds’ for ‘washing’ or processing the ore/sand in yet another (Werthmann, 2009). Buyers, traders, and other intermediaries also work in or near mining zones, employing in turn, transporters or security (Bashwira et al, 2014). Finally, the mine site itself can be, depending on the type of mineral and mine, a vibrant place of ancillary commercial activity, with food, alcohol and other goods, including domestic and sexual services for sale. Some gold sites, as Katja Werthmann describes in relation to her work in Burkina Faso (2009), can be sizable, with patterns of commercial activity and consumption resonant of those found in ‘urban’ settings.

These varied roles and activities in mining sites are themselves enmeshed in social relations, as demonstrated by Sara Geenen’s research in eastern DRC (2011, 2012). Access to credit, essential for ASM, can be structured by relationships of trust and established connections. Similarly, research on the interconnection of seasonal farming and mining in Sierra Leone (Maconachie, 2011; 1055-1059) suggests the two economies may reinforce each other, and have helped develop “complex and enduring trading and social networks” (Hilson and McQuilken, 2014: 113).

For all its varied types, ASM is a resource-extraction activity and thus characterized by environmental damage. Mercury and cyanide use (for amalgamation) is common for gold mining, multiple pits and shafts are routinely dug often without the benefit of technology, and ASM sites rarely incorporate environmental reclamation measures. The result is ASM areas with unfilled pits, diverted and sedimented streams and rivers, and severely eroded soils, many years after mining operations have ended. The influx of hundreds or thousands of miners into a ‘rush’ or shock push mine can exacerbate these effects.

Finally, ASM is distinctly gendered. Mining generally tends to be associated with masculinity (Lahiri-Dutt, 2012: 201), whether in assumptions about numeric dominance of men or the physically demanding
nature of the work. Yet, women participate in ASM in significant numbers. In some sectors, such as salt mining, women are the majority (Hinton, 2005), while for ASM as a whole, it is estimated that between 40% and 50% of artisanal miners in Africa are women (GIZ, 2014; Hinton, Veiga, & Beinhoff, 2003; Hayes, 2008), with participation rates varying depending on mineral type. The labour, social and physical arrangements of ASM sites outlined above may often be organized along gendered lines. For example, while some women are shaft, or even mine, owners or supporters, most work in processing activities, and are often concentrated at ‘washing’ or sieving roles particularly of tailings (Hinton, 2005; Werthmann, 2009). In eastern DRC, women play varied roles as buyers, traders, transporters and negotiators of minerals (Geenen, 2011; Alusala, 2016).

Women’s ASM activities are routinely left out of research and analysis or minimized as either insignificant and/or a source of women’s (sexual) exploitation (see below). The invisibilization of women’s mining labour is compounded by the tendency to define ‘mining’ solely in terms of the activities most commonly done by men. In gold mining for example, ‘mining’ and ‘miners’ often refer to the extraction of ore from the shaft, bracketing off other processing activities and ancillary activities commonly involving women. Bryceson and Jonsson’s typology of the mining pyramid (2014:45), discussed above, equates mining labour with digging, inexplicably excluding the myriad of other activities that constitute the work of a mine. Women’s economic and decision-making roles in these masculinist visions of space open up new questions about gendered dynamics of place-making, both in terms of activities within mine sites, and gendering of mine-sites as places requiring policy intervention.

*Characterizing ASM as ‘problem’*

ASM has been typically viewed in terms of “numerous negatives” (Hilson and Gatsinzi, 2014: 4), helping to generate a cartography of concern and a requirement for larger action to regulate such places. ASM sites have generally been characterized by policy-makers and some researchers as spaces of illegality and criminality. In Africa, mining laws and policies have generally been crafted to foster large-scale mining (Campbell, 2009; Besada and Martin, 2015; Hilson and Gatsinzi, 2014). To the extent that any provision was made for ASM miners to obtain licenses or comply with laws and regulations, these were often structured in ways that made compliance unlikely if not impossible (Hilson and Mcquiklen, 2014: 112). The result, according to Hilson and Mcquiken (2014), was the *de facto* production of significant numbers of illegal artisanal miners and spaces of illegality. In a legal landscape oriented towards large-scale mining, ASM becomes, almost by definition, illegal, thereby rationalizing a range of interventions in the places of ASM and lives of people working and living there.

ASM’s illegality is also constructed through moralizing narratives of it as an arena for gambling, prostitution, alcoholism, a reorientation of youth towards vice and money, violence and lawlessness. The generalized poverty in the sector, and the chronic environmental impacts are often offered as further evidence that the sector is harmful, rather than productive of local livelihoods and poverty alleviation. Hilson argues that, ‘The importance of ASM in rural sub-Saharan Africa… has not been fully recognized by the donor and policymaking communities’ who underestimate its economic and livelihood potentials (2013: 53). This negative framing is also linked to the fact that minerals mined artisanally tend to be traded and exported outside state systems of regulation and taxation, hence offering limited state revenue. This is particularly the case for gold, the most fungible of valuable minerals. In the DRC, about 97% of gold production is thought to be informal or ‘illegal’, as it is not officially declared to, and taxed
by, the government (Blore, 2014). Artisanal miners often receive low prices for their minerals from ‘middle-men’\(^2\), meaning that mining does little to raise their economic fortunes (Mallo, 2012).

More recently, the depiction of ASM as problematic has been buttressed by international attention to links between ASM actors and non-state armed groups and state military forces (see e.g., UNEP-MONUSCO-OSSEG 2015), notably in Colombia and Democratic Republic of Congo (DRC). The so-called ‘conflict minerals’ narrative has become best-known in reference to the DRC, not only because of the many rebel groups operating there but also because Congolese minerals such as coltan (known colloquially as ‘tantalum’) are commonly used in cellphones and other mobile technologies manufactured by multinationals and consumed in the global North. Advocacy organizations, such as the US-based Enough Project, and politicians in the US, EU and UN have linked ‘conflict minerals’ in DRC to the widespread use of sexual violence, rendering Africa’s Great Lakes region as a space in need of humanitarian intervention (Autesserre, 2012; Buss, 2016). That intervention has taken a number of forms including the introduction of new and ambitious legal regimes to monitor and regulate the global trade of gold, tin, coltan/tantalum and tungsten originating from the Great Lakes region, with the aim of replacing the ‘black market’ trade in minerals with new, certified ‘conflict free’ markets (Buss, 2016; Whitney, 2014).

These efforts have had mixed results. In September 2010, DRC President Joseph Kabila stopped all mining activity in the Kivu and Maniema provinces, a move many see as stemming from international efforts to regulate the minerals trade in eastern DRC (Cuvelier \textit{et al}, 2014; Geenen, 2012; Seay, 2012). The moratorium had devastating results on local communities (Seay, 2012; Geenen, 2012; but see Bafilemba, Mueller and Lezhnev, 2014). The focus is now on certifying mines in the region to ensure access to markets for DRC minerals, and in the process, ‘formalizing’ ASM, that is, subjecting it to increased regulation though, among other things, requirements for ASM licenses, increased state presences in the mines, and monitoring of human rights abuses.

The association of ASM with ‘numerous negatives’ (Hilson and Gatsinzi, 2014: 4), we suggest, gave rise to a renewed focus on formalization as an antidote to the perceived criminality of ASM; this is unfolding alongside related efforts to formalize ASM as a means to foster ‘development’, improve the sector, and/or to smooth industrial and ASM relationships. In the following section, we trace some of these other contexts in which ASM formalization is currently unfolding, and the different ways in which ASM is characterized, this time as ‘space for improvement’.

3. Constituting ASM as a Space for Improvement

Legal and financial regulatory frameworks for the mining sector in Africa, until recently, have tended to facilitate the entry of foreign capital in order to expand industrial mining, while criminalizing or simply ignoring the artisanal sector (Campbell, 2016; 2009; 2004). Though some conditions were imposed upon industrial operations to mitigate social and environmental impacts these were not, in most cases, rigorously monitored or enforced. Where African governments retained some state responsibilities to regulate mining, they were rarely able to effectively take on such responsibilities, in part because of information and other asymmetries between state agencies and mining companies. Particularly during

\(^2\) Despite the gendered nature of this term, an alternative has yet to emerge in the literature.
the commodity ‘boom’ of the 2000s, many governments engaged in reforms to attract FDI, making it simpler to acquire mining concessions, for example (Côte, 2012). International and regional calls for the ASM sector in Africa to be formalized, date primarily from the mid-1990s (Hilson, 2013); and laws in most countries address ASM in some way (UNECA, 2002). However, legal frameworks for ASM are not always implemented or enforced. Governments, donors and other actors that have engaged with ASM have done so mostly at the project level (see e.g. World Bank, 2010), through technical approaches, rather than more holistic efforts (African Union, 2009; Hilson and Mcquilken, 2014). In recent years there has been a multiplication of regional, state and donor interventions seeking to find ways to both regulate and develop the space of ASM (USAID, 2010). As Tania Li (2007) reminds us, such efforts of ‘improvement’ need to be critically examined in terms of how their visions for particular peoples and places imply particular forms of power over them while obscuring alternative understandings and sociopolitical dynamics.

The inclusion of ASM actors within law- and policy-formulation processes has been shaped by the framings of ASM and artisanal miners as a ‘problematic’ socio-political category. Artisanal miners have been further characterized in much policy and NGO literature as a homogenous ‘mass’. This ignores both the nature of the mining type, and the forms of organization, differentiation, class-type structures that characterize the actual forms of place-making within mining zones. A tendency by policy makers to focus on ‘rush’ or push – pull mining, with their ebbs and flows in production in particular areas, the movement of miners from one site to another (or from one livelihood option to another on a seasonal or opportunistic basis), and presumptions that ASM is driven partly by poverty and stagnation in the smallholder farming sector, have led to recurring characterization of ASM as inherently ‘primitive’ (Barry, 1996), male, chaotic and disorganized. More recent research, however, has revealed the elaborate mechanics of many ASM operations (Van de Camp, 2016; Blore, 2015; Dondeyne & Ndunguru, 2014; Lahiri-Dutt, 2014; Geneen, 2012), revealing, ‘well organized and highly sophisticated divisions of labour and revenues’ (Butler, 2015: 218). Often, miners are not only highly organized at the level of mining site, but also manage production and conduct basic processing in order to integrate into mineral commodity chains and maximise profits. In many countries, artisanal miners are members of large cooperatives or associations, or are grouped under an ‘umbrella’ organization which represents miners in local or national administrative and policy discussions. In the absence of permissive legal frameworks, ASM cooperatives or groups have often developed systematic procedures for negotiating access to land and sub-soil resources from customary leaders and local communities (e.g., Bolay, 2014). That is, artisanal miners are not necessarily paragons of equality and virtue, but they are also not necessarily impoverished, deviant and anarchic either.

Despite this level of organization, the perception of ASM actors as inherently disorganized has been a convenient reason for powerful actors to marginalize them within negotiations over access to mineral rights. Here we can see the strategic projection of ‘primitivism’ in the service of resource politics, as in other parts of the world (Davidov, 2014: 35). ASM actors rarely have access to geological maps, information communication technologies, or relationships with high-level government actors – all benefits enjoyed by large industrial mining companies. Hence, ‘negotiations between mining companies, states, and landowners are often subject to considerable asymmetries of information and power’ (Menzies and Harley, 2012: 4).

Where negotiations over land access and mineral rights have involved ASM actors and/or members of local communities, women have often been excluded. Women tend to be marginalized in particular
ways, as their ASM livelihoods are generally focused on less well remunerated processing, food vending and related activities. This, together with their lack of rights to land under most customary systems means that they are not well positioned to participate in negotiations over access, or to ensure their participation in cooperatives or savings associations. Even where legislation provides women with land rights, this is often poorly enforced (Whitehead and Tsikata, 2003).

While negative perceptions of ASM persist, governments, donors and mining companies are increasingly looking for ways to provide some legal recognition of ASM, through forms of regulation that are framed in terms of ‘improving’ the sector. They are doing so for a number of reasons. First, it has become clear that in many contexts, the criminalization of ASM cannot realistically be enforced; mining is a vital part of local livelihoods, and/or is seen as part of a broader set of customary rights which are vigorously defended by miners and others (see e.g. Villez-Torres, 2016). Second, some mineral deposits are unprofitable for industry, and governments are willing to let ASM exploit them in order to generate taxes. In some cases, new technologies or monitoring systems may increase the transparency of ASM production and improve state revenue collection. Third, governments may hope that formal recognition of ASM sites may demonstrate the profitability of the sites, and entice bigger companies to come and ‘scale-up’ mining. Fourth, providing some legality to artisanal mining may be instrumentalized to bring artisanal actors under state-run regulatory regimes. This has been proposed in the DRC, for example, in order to enhance government revenues from gold production (Blore, 2015). Some interventions, including ‘development projects’ aimed at improving labour conditions, safety, or incomes on ASM sites, may be seen as part of a broader regime of incentives and sanctions designed to make mining more legible to the state (as per Scott, 1998) and more ‘disciplined’ and predictable in its relation to place and time (i.e. through regulation of labour and production). These can therefore be seen as initial processes of bringing ASM into a governmental framework (Foucault, 2004; Li, 2007).

The current regulatory push to formalize ASM on the African continent, and elsewhere, seems to be coalescing around a few preferred approaches, two of which we highlight here. The first is the designation of ‘ASM zones’; an area of land reserved for ASM exploration. In some countries, such as DRC, ASM can only take place legally in a designated area (see discussion below). Hinton, citing Burgnosen (2003), notes that designated ASM zones were a ‘failure’ in the Philippines, but the potential success of this policy measure depends on the specific county context. Hilson, Yakovleva and Banchirigah (2007), in turn, identify several factors contributing to the failure of a 2005/2006 Ghanaian attempt to establish, and move miners to, designated ASM zones, including the government’s limited understanding of artisanal mining, miners and their needs. Thus, while ASM zones appears to be emerging as an attractive policy option among some African governments, the extent to which this intentional demarking of ASM spaces works with, or against, the place-making activities of those within ASM sites is unclear.

A second trend is the push to encourage or mandate artisanal miners to form associations or cooperatives, as “an important precursor to providing the support needed to formalize and legalize activities as well as facilitate improvements in ASM communities” (Hinton, 2005: 103). The potential for artisanal miners to combine their efforts would seem to offer some obvious benefits; allowing for greater financial resources (e.g., to potentially fund equipment purchases); helping secure more formalized access or tenure; and sharing expertise and support (Hinton, 1995: 103). But as with ASM zones, much depends on how these cooperatives and associations are fostered and encouraged, particularly in terms of their consequences for women.
For example, in Mozambique, since 2003 the main government technique for formalizing ASM miners is to have them form legal bodies called miners’ associations. These entities, the policy presumes, will obtain mining certificates. The government then has an entity to work with and hold responsible for improving environmental conditions in mining sites (particularly in terms of unregulated use of mercury and siltation of rivers). Miners’ associations could also enter into a formal agreement with larger mining companies to “scale-up” operations. Dongeyne and Ndunguru (2014) observe that while this model may work for ASM miners working with reef gold, it is difficult to implement for the tens of thousands of miners operating on alluvial or colluvial deposits who tend to be more itinerant and less organized in comparison. Further, the requirement for associations may have gendered impacts. Preliminary research in Mozambique in 2015 by Rutherford, suggests that miners’ associations were almost exclusively comprised of men. Women working at a reef gold mining site where a formal association is established — digging, panning sand, crushing stone, and so forth — are not members of the Association, but were there because their husbands were members. Moreover, they did not receive any assistance from the Association (in terms of tools, safety equipment, instructions concerning the safe use of mercury), and were excluded from meetings with mining companies or government officials.

These two policy options - ‘ASM zones’ and the formation of ASM associations - with their focus on providing routes for legal ASM, and building capacity of artisanal miners (at least potentially), dovetail with research on the social and organizational dynamics of ASM, discussed above. A number of scholars have begun to explore relations and visions of governance within mining sites as potentially productive of new forms of agency and participatory engagement in livelihood strategies. Bryceson and Jonsson (2014:9-10), for example, characterize ASM in Tanzania as having ‘democratic’ qualities: the nature of pit mining, with its shared physical risks, has an ‘egalitarian’ influence; mining sites in general have a ‘comparatively large measure of self-governance’; in rush sites ‘miners usually popularly choose their local leaders,’ and among miners (implicitly limited to just shaft owners/workers), ‘there is shared camaraderie arising from similar decision-making pathways’. Katja Werthmann’s research in Burkina Faso, in turn, suggests that some women find ASM sites as a space in which they can experience both financial and sexual agency. Lahiri-Dutt (2015), finally, provides an overview of other research emphasizing ways that women economically benefit in mining-town contexts where sexual politics is rapidly changing.

Although the above characterizations are suggestive, localized forms of place-making could themselves depend on various forms of inequality, as noted in the discussion of associations in Mozambique above. Eleanor Fisher’s research challenged the presumption that ASM in Tanzania was entirely informal. She found, in contrast, a mix of formality and informality, resulting in, ‘an ambiguous space in which artisanal miners can operate both within and outside of the law’ (2007: 755). That ambiguity, while opening up ASM as an accessible livelihood, also ‘perpetuates exploitative labour relations, insecurity, and deprivation’ (755). Formalization efforts, thus, are not unfolding in a completely informal, ‘law-less’ space. They will map onto existing arrangements, some quasi-legal, all of which are enmeshed in ‘wider socio-economic inequalities’ (755). Gender, ethnicity, class, age, and marriage all shape access to, and strategies around ASM-related activities.

In the following discussion, we briefly consider the country contexts of DRC and Kenya to examine how efforts of improvement like formalization become entangled in particular power and socioeconomic dynamics of place-making.
4: Policy Engagements with ASM: Spaces of Inclusion?

Like many countries in sub-Saharan Africa, both DRC and Kenya are currently planning or implementing significant reforms of mining laws and governance, including in relation to ASM. DRC’s efforts are significantly more advanced than those of Kenya, but both offer examples of how current reform efforts are positioning ASM as one component within far-reaching mining governance reforms. We consider here possible tensions in efforts to formalize ASM in each context in light of the varied place-making activities that characterize gold mining, including visions of space and their inequities within the ASM sites themselves.

Multiple Forms of Resource Access in the DRC

Since the early-mid 2000’s, the Congolese state has attempted to attract large-scale mining investment, with some success. As industrial mining operators have been granted mining rights by the government in areas already worked by artisanal miners, ‘more and more artisanal miners find themselves evicted from their working places...without any form of compensation’ (Cuvelier et al, 2014).

While encouraging industrial mining, the government has also attempted to ‘formalize’ ASM (Geneen, 2012). While the government has attempted to provide some support for miners, such as through the Service for Assistance and Support to Small Scale Mining (known by its French acronym, SAESSCAM), results have been poor. Another aspect of formalization is an effort to oblige artisanal miners to join cooperatives. Usually, artisanal miners are organized in a hierarchical structure, with a pit boss or owner managing the outputs of a pit, a pit manager running the system on a day-to-day basis, and others paid in various ways to mine, wash, or transport minerals. The Mining Code requires that all ASM miners be registered in a cooperative, and possess a miner’s card. When the government started to try to enforce these laws, particularly by insisting that miners join cooperatives, many pit owners simply applied for cooperative status, while maintaining the same top-down decision-making and profit-making structures. The DRC’s ASM cooperatives remain, for the most part, hierarchical institutions governed by local elites (Blore, 2015).

The 2002 Mining Code primarily concerns the industrial mining sector, and does not substantially address ASM. It is a key aspect of what has been called ‘legal place-making’ (Spiegel, 2014, citing Bocarejo, 2008) in the DRC, creating an imagined clear set of relationships, rights and responsibilities between legal subjects in a marked territory in a national-scale efforts to bring order, safety and profitability, which then become entangled in pre-existing power and authority relations. For example, there is no legal recognition of the rights of artisanal or small-scale miners to operate in areas designated as an industrial exploitation or research area. There are contradictions between the land law

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3 However, according to some sources the government of the DRC has decided against reform at this time, due to a fear that a reform might discourage investors in a context of low commodity prices Jamasmie (2016).

4 A set of draft amendments to the 2002 Code were circulated amongst key stakeholders in early 2015. Few of the current draft amendments to the Mining Code focus on ASM, and those that do are orientated towards ‘regulation’ of the sector rather than protection of ASM rights.
and the mining code, particularly in their treatment of customary rights. The land law (Government of Zaire, 1973) as well as the Agricultural Code (Government of Congo, 2011) acknowledge customary rights to land – but do not put in place procedures or mechanisms for those rights to be secured (Peemans, 2014; Huggins, 2015). The practical result of this is a situation of legal pluralism, where customary systems as well as state-administered systems are used to access land, trees, water, and other natural resources. This ambiguity has resulted in widespread accusations of land grabbing, both large-scale and small-scale, often involving local chiefs as facilitators (Vlassenroot and Huggins, 2005). The Mining Code, unlike the land law, does not make any mention of customary land rights, and it is the Mining Code which has been pre-eminent in the mining sector, not the Land Law.

This leads to contradictions in the ways in which surface and subsurface rights are addressed in practice. The Mining Code is clear that, ‘in no way may a holder of surface rights avail himself of his title to claim any right of ownership whatsoever over the deposits of mineral substances’ (GDRC, 2002, Art. 3). However in practice, ASM actors often pay local customary leaders, even if they have a contract or other ‘formal’ access to the minerals. The legal regime is an exercise in place-making which pays little attention to the current practices in rural DRC and hence creates legal relationships between companies, communities, miners and mineralized areas which are largely impossible to achieve or enforce in reality.

There are 82 Artisanal Mining Zones (known by the French acronym, ZEA) throughout the country. Any miner from anywhere in the country can exploit a ZEA, assuming he or she has a miner’s card. The government can close a ZEA within 60 days if it deems industrial mining viable. Most are located in remote areas and have limited production capacity (Geenen and Radley, 2014). ZEAs cover only a small area compared to the large concessions owned by industrial mining corporations, such as Banro’s exploitation permits covering more than 2,790 km² (Geenen and Radley, 2014). The ZEA model does not then represent a secure right to minerals for those in ASM.

Despite high-level political emphasis on industrial mining, the DRC government and industrial mining firms operating there are increasingly negotiating with ASM actors. An example of an ad-hoc approach comes from the Mkungwe site in South Kivu, where Banro has a claim in an area already under artisanal production and disputed by different customary leaders (Geneen and Claessens, 2016). The area has become the site of an often violent dispute. In 2013, the DRC’s Minister for Mines wrote a letter to the Governor of South Kivu supporting Banro’s claim, and requesting Banro to compensate landowners as well as the local groupement chief (Mthembu-Salter, 2014). Bukavu-based NGO Observatoire Gouvernance et Paix (OGP) facilitated a negotiation process involving the company as well as the provincial government, military power holders, local elites, the artisanal miners’ committee and local communities (Geneen and Claessens, 2016). Though Geneen and Claessens do not use the term place-making, their account describes how legal claims, appeals to customary land and resources rights, and the installation of offices by the state and corporations, were all used to influence the way in which Mkungwe was viewed. For instance, employees of the state mining agency SAESSCAM were placed on the site, not only to assist miners, but to ensure that the site was seen as under state control (thereby counteracting some more local claims, based on customary authority). In negotiations, Banro committed to help create alternative employment for artisanal miners; and to compensate the two landholding families. However Banro has stated that compensation per se is unlikely to happen outside
of its statutory obligation to compensate holders of surface rights for disturbance of structures and agricultural livelihoods (Mthembu-Salter, 2014).

Artisanal miners gain access to mineral-rich areas in the DRC in various ways, including informal administrative practices. Individual miners, pit managers, or cooperatives wanting mining rights to a particular area make an application to the provincial Division of Mines, and receive (for a yearly fee of around US$100) a “carrier” license to mine an area of up to 4 hectares. While the mining titles granted are not recognised by the mining cadaster (CAMI) or the central government, this provincial system is widely used (Bloore, 2014). Similar systems are used in Province Oriental, where Permis d’Exploitation Artisanale (PEA) are issued by provincial Division of Mines. As such it represents a systematic, though informal according to national laws, means of accessing mineral rights; a legal place-making mechanism for those without influence over legal decision-making, that benefits from the relative de facto autonomy of the provincial authorities vis-à-vis the central state.

Similar legitimization functions can be achieved through a written protocole d’accord between a concession holder and a legally registered mining cooperative. However, the Ministry of Mines has not set criteria for a legally valid protocole d’accord, and has been equivocal as to what effect signing a protocol agreement might have on a concession holder’s mineral title (Bloore, 2014). International actors have recommended that the Ministry of Mines, in cooperation with donors and companies, should develop a standardized protocole d’accord (Bloore, 2015). Such templates are likely to depend on artisanal miners being organized into associations or cooperatives which can sign the agreements.

In some cases, Congolese state actors have provided corporations with permission to temporarily manage mining concessions held by others. According to Amnesty International, a company called Misa Mining was permitted by local authorities to manage the dormant Tilwezembe site in Katanga Province, even though the concession belongs to Katanga Mining Ltd. Instead of directly exploiting the site, Misa Mining acted as a trader, purchasing ore from artisanal miners at Tilwezembe via the mining cooperative Coopérative Minière Maadini Kwa Kilimo (CMKK), which was officially recognised by the government in 2007 and has been assigned Artisanal Mining Zones since then (de Koning, 2013b). Miners were prevented from removing minerals from the site, and obligated to sell to Misa Mining. The ASM activities at Tilwezembe were supervised by State agency SAESSCAM and overseen by the Mine Police, though these agencies seem to place emphasis on monitoring sales of minerals rather than on safety or other concerns (Amnesty International, 2012). The presence of Misa Mining on the site, as well as the state agencies and the mining cooperative, implicitly create a situation of hybrid governance, though neither cooperatives, state nor private actors seem to be willing to take responsibility to enforce mining safety regulations (Amnesty International, 2012).

Despite these recent initiatives, the ASM sector in the DRC lacks the multi-stakeholder processes and ‘neutral spaces’ for discussion, information-sharing, and capacity-building needed to increase levels of trust between actors and support the development of the sector (BSR, 2014). Moreover, such efforts attempt to incrementally increase the legitimacy of ASM actors from the perspectives of the state and companies, rather than profoundly restructure power relations between artisanal miners, customary land-owners, communities in mining areas, mining companies and the state. While putatively attempting to create a state-recognized legal place for ASM, these current efforts become entangled in overlapping, if not competing, authority relations, which may benefit the powerful. A key question is how state actors at different governance levels could create a balance of forces amenable to more fundamental change.
Given the current political economy of ASM mineral production in the DRC, ‘wider governance reform is desperately needed before the Congolese state can realistically be expected to play a non-predatory, positive role in mining sector reform’ (Geneen and Radley, 2014: 63).

Gold mining and place-making in Migori, Kenya

The western and south-western region of Kenya shares part of the Lake Victoria goldfields found also in Tanzania. Unlike Tanzania, gold in Kenya has not been subject to much, post-independence, large scale development. There is some evidence that gold mining in the area started before colonialism (Amutabi and Lutta-Mukhebi, 2001), but large-scale gold exploitation in the ‘Migori belt’ got underway beginning in the 1920s, peaked in the 1930s (Roberts, 1986), and was largely wound down by Kenya’s independence in the 1960s. Artisanal and small-scale exploitation of the Migori gold belt has continued, and has become a principal livelihood in some areas. In the Nyatike area, near Migori town, artisanal mining takes place both on individual parcels of ancestral and farmlands (Mitullah et al, 2003), as well as two larger sites located on government owned trust land; Macalder, which was a copper mine during the colonial period and nearby Osiri (also called ‘Matanda’), which is significantly larger. At different points in time, this area has seen waves of gold rushes, and Osiri, in particular, is a busy mine site. Ogola et al (2002: 145) estimate that in ‘peak mining periods, up to 20,000 people invade’ the region.

While mining in Macalder and Osiri attracts migrants from other parts of the region and country, the sector is a mainstay of local livelihoods. Mitullah et al (2003: 287) conclude that artisanal miners in the Migori area earn ‘decent incomes in a rural context’. For many, mining is seen as a permanent livelihood activity (Mitullah et al 2003: 294), and often pursued along with agricultural activities, commonly seen as women’s responsibility (Buss field notes, July 2015).

Over the years, various companies have prospected in the area. In 2009, Mid Migori Mining Company, owned by British and Canadian corporations5, secured a special prospecting license covering a 300 square Km area, including a plan to exploit tailings located at Macalder, the former copper mine (Krasenberg, 2012; Gachiri, 2014). In 2015, the Kenya government revoked the license, with then-Mining Cabinet Secretary Najib Balala raising concerns about inadequate capitalization of Mid Migori and the possibility that the company was engaged in speculation (Kimani, 2015). At the time of writing in 2016, gold mining in Nyatike, where the Macalder and Osiri sites are found, remains ASM dominated.

Mid Migori’s license revocation came at a time when the Kenya government was reworking its 1940 Mining Act (Chapter 306), to address a changing mining landscape in the country owing, at least in part, to the discovery of oil and gas and new minerals, as well as renewed corporate interest in gold mining (Mayer Brown, 2013). The new Mining Act was passed (after long delays) in 2016, and is the first formal regulation under Kenyan law of the ASM sector; establishing an ASM permit, the designation of exclusive ASM areas, and the establishment of Artisanal Mining Committees in each county to advise the Director of Mines on granting or renewing ASM permits, (see ss. 13, 94, 95). In a press releasei

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5 Red Rock Resources, a British firm, owns 15% of Mid Migori, with Kansai Mining Corporation, a Canadian registered interest, of which Red Rock has a 37.96% stake, owning the remaining 85% share (Krasenberg 2012).
accompanying the 2016 Act, the new Cabinet Secretary, Dan Kazungu, highlighted the ‘principles of transparency’ underpinning Kenya’s approach to mining regulation, the potential enhancement of the nation’s GDP, and the inclusion of a ‘formal structure to allow communities accustomed to small-scale mining on their lands to continue participating and hence benefitting’ from mining. This was followed by an announcement a few months later of the establishment of a Mineral Rights Board, a move interpreted by industry (Muchira 2016) as ending ‘arbitrary license cancellations’, such as, presumably, Mid-Migori’s. Collectively these and other developments signal that Kenya is positioning its mining sector for international investment, and in a change from the past, Kenya’s new pro-mining climate envisions, at least discursively, a place for ASM.

But, while the new law can be read as an attempt to ‘bring together and represent to the world, a new singular place-formation’ (Bennett, 2016: 183) – the legally sanctioned, geographically denoted ASM site - it is unfolding a bit like Mid Migori’s license; unstable and, for the moment, merely suggestive of a future possibility. How this imagined orderly place in state legislation shapes actual power and economic practices is an open question; however, this legislation does justify greater intervention by different regulatory agents. For example, draft regulations developed by the Ministry, dated August 25, 2016 outline the forms that will need to be completed to apply for an ASM license. The documents required for the application include: an application fee of USD $50 (para 265), a 4-page form I-1 identifying the mineral right area including a plan, ‘drawn to scale’ and denoting ‘labeled graticules showing latitude and longitude…’ (among other things), statements of the applicant’s history, technical and financial qualifications, a feasibility study for the site, a mine plan, a gender impact statement, and the list goes on. For the moment, and ‘on paper’, the vision underpinning the state’s bureaucratic construct of ASM seems oriented to those who possess the capital, education and social mobility necessary to meet the high threshold of ‘legalized’ artisanal mining.

Whether and how the draft regulations and new mining act will be mobilized by the state is still not known, but they add to, and potentially constitute anew the “polyvalent politics of place” (Moore 346). In the context of gold mining in Migori, the state’s efforts towards formalization of its ASM sector hold the possibility of entrenching the authority of small, largely male, business elite.

Mining in Migori take place on a mix of homesteads and trust land, each subject to different layers of authority relations. As the road from Migori town to the Macalder and Osiri mines travels through the countryside, it passes alongside homes and small farms, many with good quality metal or clay roofs peaking up above the shrubbery, and with different mine workings visible from the road. Some have trucks and other mining equipment indicative of active, profitable mines, while others suggest more modest undertakings; almost all are accompanied by signs of small farming and the daily chores of raising children, cooking and doing laundry. In this area, mining is conducted on individual homesteads and may be subject to written lease agreements between the land owner and the pit owner (Bussfieldnotes, July 2015; 2016). Some of these pits also may be covered by government licenses issued under the pre-2016 law. The UK-based Fairtrade group has also been active in the Migori area as part of a 2012-2015 project, to support nine co-operatives in eastern Africa to learn ‘techniques, safer practice and more efficient gold mining’, leading ultimately to a Fairtrade certification process (Parry 2015). MICODEPRO, a mining cooperative in the Migori area, is one of these cooperatives. With about 31 members (Ashton, 2015), MICODEPRO is developing a pit it hopes will supply enough gold to meet the requirements of Fairtrade. Other active cooperatives or associations seem, like MICODEPRO, to be formed primarily by individuals with capital; local business people or community leaders, who pool resources to finance and run a pit.
The Osiri mine is visibly different from the mines passed along the road from Migori. Visited by Buss in 2014, 2015, and 2016, Osiri is a busy mine (though noticeably less-busy in 2016) with multiple pits, clearly designated processing areas, several working ball mills (though fewer than in 2015), and a spatially-distinct ‘business’ district, boasting a range of shops selling everything from food to clothes, housewares and mining equipment. These mines located on trust land ⁶ are by far the most accessible mine sites in the area. The Osiri site has an elected management committee that provides security, oversees developments within site and relations between the mining site and the local community. The committee tends to be dominated by those who own (i.e., have invested capital in developing and operating) shafts, and these, overwhelmingly, are men. The committee in place in 2015 had no women office holders and the new committee in 2016 had one.

Thus, while mining in the Migori area has, particularly in Osiri and Macalder, unfolded without (much) ‘formal’ legal status, it is still structured by different types of legal norms and relationships; some miners hold formal licenses, in other cases, land titles structure mining relationships, some cooperatives are formally registered and endeavor to operate as legally-recognized associations, local authorities collect weekly taxes, the local chief (an elected position) is active in overseeing elections of the Management Committee in Osiri (and himself sits on an ‘oversight committee’ for the Osiri mine), and some relationships, with land owners, or between cooperatives, are regulated by contract. These different legal regimes and legal consciousness may overlap, and likely conflict, with each other and with the new mining act, giving rise to potential new conflicts, and opening up spaces for new contestations of authority.

Gender operates in and through these various legal and authority structures. Women are visibly present in both the Osiri and Macalder sites, numerically dominating certain stages of the production process, including washing and sieving sand and processing the tailings. In their study of women and ASM gold mining in nearby Vihiga, Amutabi and Lutta-Mukhebi (2001) estimated that 80% of gold panners in the region were women. Women in the reef mines that dominate Migori’s ASM sector are, we were informed repeatedly, ‘not allowed’ into mine shafts which are the exclusive preserve of men. This injunction likely has a direct effect on women’s ability to both access profitable livelihoods and become influential members of associations or cooperatives.

While several people we spoke with attested to the importance of mining incomes for the local community, other studies suggest that those who do well from mining are the land owners, who are more likely to own a direct stake in a mine shaft, either because of their own investment, or as part-payment for allowing the mine on their land (Mitullah et al, 2003: 287; Amutabi and Lutta-Mukhebi, 2001: 9-12; field notes). Having access to capital to invest in a mine shaft, buy equipment or tools is also important in securing better-remunerated livelihoods (Amutabi and Lutta-Mukhebi, 2001: 12). Women in mining are, however, more likely than their male counterparts to be single (Mitullah et al, 2003: 282), are less likely to have access to, or recognition of, land or land titles, and, according to Mitullah et al’s study (2003: 285-6) have markedly lower mining incomes, likely making it harder for them to access the capital needed to invest in shafts.

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⁶ ‘Trust Land’ is one of several categories of land in Kenya. It is held in trust by County Councils and other state institutions in the name of citizens.
The associations and mining management committees that operate in the Migori area are overwhelmingly dominated by men with various business interests. While some organizations, such as MICODEPRO may have a minority of women members, the elected officer positions are held almost entirely by men. The Management Committee in Osiri in 2015 had no women officers. The newly elected and constituted committee that was in place when we visited in July 2016, has one woman officer, who, like the others, was an owner of a mining shaft.

The new mining act and attendant regulations, while gesturing in some hopeful directions (such as through the establishment of ASM committees), seem likely to make things harder for women and other marginal groups who are less able to raise capital needed to own land or a shaft. The mining permit application process, with its extraordinary application requirements, will ensure that only a small minority are able to mine legally, thus entrenching a system of constructed illegality and the high potential for exploitation this brings. Such a result would seem to run counter to the stated aims behind the formalization of ASM, which, for the Kenya government is benefitting the communities who have historically relied on ASM. Without attending to the structures and norms currently structuring mining livelihoods in the Migori area, the state’s vision of ASM may serve to formalize existing relationships premised on structural inequalities by which chronically marginalized groups, including women, are consistently excluded.

Section 4: Conclusions

Changes in legal and regulatory regimes around ASM, as well as in the intensity of industrial and/or ASM activities at particular sites, represent forms of place-making; as do transnational discourses and assemblages of actors advocating around ‘conflict minerals’ and other ‘negative’ aspects of ASM. The legal, discursive and other forms of place-making power wielded by states, donors, international mining companies and other major actors are increasingly contested by academics, advocacy organizations and others (Spiegel, 2014). Artisanal miners or members of ‘mining communities’ are constantly engaged in ‘emplaced’ activities which implicitly or overtly inscribe certain kinds of identity claims and relations on the physical and social landscape. These local place-making activities are gendered: men, for example, tend to ensure that mine shafts, in particular, are associated with ‘masculinity’. Place-making can then be seen as a multi-scale process, characterized by contestation (Murphy, 2015). We have outlined some of the main features of such place-making, particularly in African countries: discourses which tend to emphasize homogeneity in ASM sites, assuming that ‘negative’ characteristics associated with ‘rush’ mining are found in most ASM sites and ignoring the other types of ASM. A focus on rush mining also tends to preclude attention to the links between mining and other forms of livelihood (which are much clearer in cases of seasonal mining or ‘push’ mining, for example). The processes of place-making in areas under ASM therefore represent an arbitrary isolation of mining sites from related livelihood options, facilitating the idea that they are ‘exceptional’ spaces (e.g. in their ‘lawlessness’).

The gendered ways in which ASM is framed partly stem from, and also encourage, a focus on ‘digging’ activities rather than other roles which tend to involve women. There is evidence to suggest that processes through which the state is attempting to contain and regulate ASM tend to reinforce existing gender inequalities. For example, the emphasis by governments on the formation of mining associations or cooperatives tends to result in male cooperative leaders being privileged (see also Werthmann,
2003), while women working in and around mining sites may be less likely to have such a platform for negotiating with the state, companies or other powerful actors.

The Kenya and DRC case studies suggest slightly different trajectories through which some ASM actors may potentially be able to exercise greater influence over the ‘framing’ of mining sites in legal, discursive and administrative terms. In Kenya, the planned establishment of County-level Artisanal Mining Committees opens up the possibility of different ASM actors having influence beyond the ‘local’ level and advocating on common issues. Whether this will occur in practice will depend on whether such committees are designed primarily for the surveillance and taxation of ASM, or more broadly to represent the interests of miners. The effective implementation of the draft Mining Policy’s commitment to gender mainstreaming is also necessary to ensure that women are represented, including within associations and cooperatives, and that the gender-different roles and segments of mining are captured within the definition of ‘mining’. Efforts to carve out an effective space for ASM voices will likely require sustained activism.

In the DRC, by contrast, industrial actors are more active. Current openings for change appear to centre on opportunities for negotiation between mining companies and ASM cooperatives, often mediated by donors or government institutions. This may present opportunities for ASM actors, but it relegates ASM to a secondary status, requiring miners to gain mining company and government permission to mine on industrial concessions. Given the persistence of the unequal power relationship, as well as the uncertainty of such arrangements in a country as politically fluid as the DRC, ASM cooperative leaders are likely to see such agreements as just one of several strategies for maintaining some level of control and legitimacy in mining areas.

As both of these cases show, state and donor interest in formalizing ASM generate particular visions of space that enable particular interventions that seek to better the governance and orderliness of what heretofore were viewed as illegal spaces. As with the literature that focuses on landgrabbing, we have sought to show how such place-making efforts unfold within pre-existing gendered hierarchies of power and authority and need to be critically assessed in multi-scalar contexts to determine their effects on how ASM is governed and who benefits from these forms of resource extraction.

References


