

# ILLEGALITY OR SOCIAL INJUSTICE?

## UNDERSTANDING THE NUANCES OF THE GALAMSEY MINING SITUATION IN GHANA



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specialising in Geography



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## **ABSTRACT**

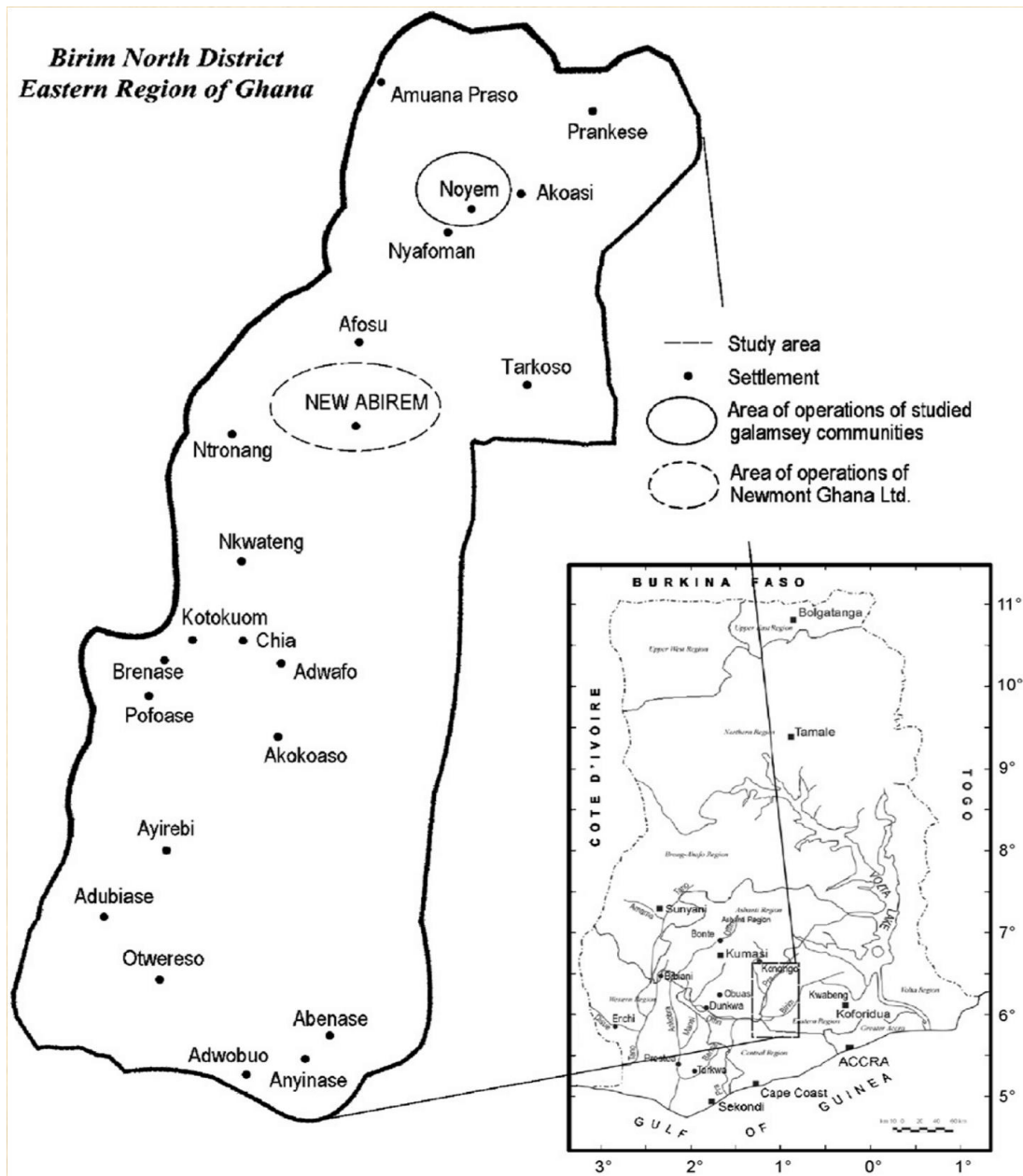
Since the implementation of the Economic Recovery programme (ERP) in 1983, Ghana's minerals sector has witnessed a resurgence with corresponding significant contribution to the country's economy. Today, the minerals industry is only second to Agriculture in terms of contribution to GDP. However, the industry has also been overwhelmed by the wave of unlicensed small scale miners popularly referred to as Galamsey miners who are operating illegally. The Galamsey miners and their activities are considered a nuisance to the environment and the sustainability of the industry. Consequently, these small scale miners are often tagged as criminals who must be expunged from society. This study however brings new evidence to the fore by demonstrating that Galamsey mining is rather a product of social injustice and unequal power relations- which have combined to marginalise, deprive and push the vulnerable poor in mining communities into the Galamsey business.

The aim of this study was to (1) Understand the narrative surrounding the Galamsey mining menace from the perspective of different stakeholders (2) To gain insight into how interactions among the stakeholders produces unequal power relations and how this reinforces the Galamsey business (3) To deconstruct the Galamsey phenomenon using a social justice theory. To achieve these aims, the study was framed and analysed based mainly on Nancy Fraser's conceptualisation/theorization of Social Justice and complemented by ideas from political ecology focusing on power relations. The study data was obtained from Noyem, a mining community in Ghana. Qualitative data collection techniques such as interviews, focus group discussion and observations were used to collect data from 49 research participants which included Galamsey miners, local opinion leaders and Government officials.

The study found that the government, media and large scale mining companies share a strong and dominant anti- Galamsey sentiment. The miners and most members of the community on the other hand are to a large extent in favour of Galamsey mining. It was found that, the wide divergence in opinion has made it difficult to find a lasting acceptable solution to the problem. More importantly, the study found that the issue of Galamsey in Ghana comes down to social, economic and political inequalities in society. These inequalities which have been perpetuated through years of economic reforms in the mining sector have led to exclusion, impoverishment, landlessness and unemployment in the mining community of Noyem. Most importantly, these situations of inequality and injustice have driven locals of the community to resort to Galamsey mining as their means of livelihood and survival. Finally, the study also revealed that, unequal power relations both at the micro and macro levels have not only denied the locals of Noyem economic opportunities but also a voice in decision making processes, further leading to their marginalisation. Thus, reinforcing existing social inequalities and injustices that ultimately lead to Galamsey mining.

**Keywords: Social Justice, Political Ecology, Galamsey mining.**

Figure 1: Map of New Birim District and Noyem



Source: Banchirigah (2008)

## **DECLARATION**

With the exception of references used, which have been duly cited, I do hereby declare that this thesis is the result of my own work under the supervision of CATHRINE BRUN at the Department of Geography, Norwegian University of Science and Technology (NTNU), Trondheim, during the 2014/2015 academic year. This work has neither been submitted in whole nor in part for any degree in this University or elsewhere.

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**DAISY ROSE OFORI**

MAY 2015, TRONDHEIM

## **DEDICATION**

I dedicate this master thesis to my dear parents, Rev. Dr. Samuel Ayete-Nyampong and Dr. Mrs. Lilian Ayete-Nyampong. Mum and Dad you have truly inspired me and encouraged me to never give up but move on higher in life. Thank you for all the prayers support.

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Special thanks to my supervisor, Professor Cathrine Brun who has been very supportive, right from the selection of the thesis topic to the final day. I am extremely appreciative of the time, patience, constructive criticisms and comments you provided during the writing process.

I am also grateful to the community members of Noyem, and all others who helped me during field work in Noyem. Many thanks to the government officials who made time out of their busy schedules for interviews.

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## ACRONYMS

CHRAJ	Commission on Human Rights and Administrative Justice
ERP	Economic Recovery Program
FDI	Foreign Direct Investment
SAP	Structural Adjustment Program
WACAM	Wassa Association of Communities Affected by Mining



# CHAPTER ONE

## INTRODUCTION

### 1.1 Background

In recent years, issues concerning the mining industry in Ghana have made sensational news in both local and international media<sup>1</sup>. Ghana's mining industry plays an important role in supporting the economy of Ghana- it contributes about 40% of gross foreign exchange earnings, generates about 5.7 % of GDP as well as other benefits (Aryee 2001). The country is also the second largest exporter of gold in Africa after South Africa (Tschakert & Singha, 2007). It is understandable then that any news item that dwells on the sector's role in boosting the national economy grabs the attention of the Ghanaian public. However beyond this, the mining sector has recently been in the news probably because of a more pressing and controversial issue- the prevalence of unlicensed small scale mining, locally referred to as 'Galamsey' in Ghana (Amankwah & Anim-Sackey 2003). The activities of these miners have been reported to have a negative effect on both the environment within which they operate and the businesses of the larger mining firms. Thus, making the issue very topical and of immense importance.

Different perspectives have been shared on this rather disturbing phenomenon of Galamsey mining by various stakeholders (G. Hilson & Potter 2005). These perspectives vary depending on the interest of the stakeholder in the industry. For instance, government and 'outsiders'<sup>2</sup> often see 'Galamsey' mining purely as an act of illegality and a nuisance to society. On the other hand, those involved in the supposedly illegal business see their activities as a means to survive in the midst of economic hardships and as a way to participate in their community's pool of natural resources which have been denied them. These variations in perspectives and the absence of a clearer understanding of the problem have made it difficult to understand and manage the illegal mining issue, and sometimes, it has resulted in violent confrontations between different stakeholders. It is in light of this problem that this research study investigates whether Galamsey mining is a mere act of illegality or if it is the by-product of social injustices meted out to the vulnerable in mining communities.

### 1.1 The Case of Ghana

According to Aryee et al. (2003) illegal mining can be described as mining operations carried out without a valid licence, in which operators are not entitled to their own concession and

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<sup>1</sup> See example Jamasmie (2013)

<sup>2</sup> Outsiders in this context refers to individuals who do not engage in the Galamsey business.

often mine within the concession of authorised large scale companies or in areas prohibited for mining purposes. Apart from being regarded as illegitimate, illegal mining is often described as a form of small scale mining because of the way it is organised<sup>3</sup>. It is important however to point out that, in Ghana there are equally some small scale miners that operate within the framework of the law (Hilson & Potter 2005). Thus, going forward it is important to draw a clear distinction between illegal small scale mining, which is popularly called Galamsey on one hand, and small scale mining which is legalised on the other hand. Galamsey mining or illegal mining for the purpose of this research refers to small scale mining activities which are carried out without the required legal license and are therefore operated outside the boundaries of the law.

Illegal mining often involves the use of rudimentary implements, does not require sophisticated technology and involves not more than ten persons in its operations (Aryee et al. 2003). In Ghana, the number of individuals engaged in illegal artisanal mining has increased from about 30,000 in 1995 to one million in 2006 (Banchirigah 2008). Hilson & Potter (2003) have projected that about 85% of the gold mining industry's participants could be operating without licenses.

Recent press releases and newspaper articles on illegal mining in developing countries presents a mix of half-told truth stories, which are usually gingered with exaggerations on environmental concerns, criminal acts and profit making businesses outside the boundaries of the law (Lahiri-Dutt 2007). In Ghana, illegal miners are portrayed in the media as villains who are a 'challenge,' a 'threat' and whose presence requires a lasting solution (Tschakert & Singha 2007). The dominant narrative with regards to illegal mining therefore projects 'Galamsey' miners as criminals who have no regard for the negative environmental and social consequences of their activities (Babut et al. 2003; Tschakert & Singha 2007). Going forward, this research challenges this dominant narrative by reassessing the illegal mining issue from different angles. The research digs deeper to uncover the untold realities that are often not captured by the dominant narrative. It sheds more light on the root of the Galamsey problem by focussing on the role of not only the Galamsey miners but other stakeholders in encouraging illegal mining in Ghana by using a social justice approach. It also brings to fore the political dynamics that play out amongst these stakeholders.

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<sup>3</sup> Small scale mining and its organization will be discussed further in the context chapter

Using a social justice approach as the lens for understanding Galamsey mining is well suited and relevant for this research work. Why is social justice so important? In recent years, the global financial and economic crisis which has significantly increased unemployment, poverty and strained social integration (especially in developing countries like Ghana) has brought to the fore concerns for equality, fairness and justice now more than ever. In view of this, in analysing social problems like the Galamsey situation, it is important to give even greater attention to social justice and injustice and how it can influence social outcomes. Besides this, the social justice approach provides me with a unique opportunity to examine and confront the status quo by analysing how long standing structures and institutions (which are the foundation on which the Ghanaian society is built) such as the Ghanaian economy, political institutions, etc. may play a role in contributing to the presence Galamsey mining. This is because the Nancy Fraser's social justice framework which I employ in this work places a great emphasis on the how the role of institutions directly or indirectly lead to social problems like Galamsey mining through the social injustices they encourage. The social justice approach is therefore well suited for this work because it looks at the heart of the problem by focussing not only on obvious outcomes but on the underlying causes which explain why Galamsey mining is so prevalent in Ghanaian mining communities today. By doing this, this research contributes to a solution-oriented knowledge base which can guide government agencies and key stakeholders in tailoring their policies in such a way that they can truly tackle the Galamsey mining problem.

### **1.3 Research Objectives**

The primary research objective of this study is to investigate whether Galamsey mining is a mere act of illegality or if it is the by-product of social injustices meted out to the vulnerable in mining communities. From this, secondary research objectives are obtained:

- To understand the attitudes, perceptions and positions of stakeholders on illegal mining.
- To situate the Galamsey mining phenomenon within a political context in order to gain insight of how power relations come to play as stakeholders interact and to find out the impacts of these power relation on the Galamsey miners.
- To find out how issues of social injustice come to play within the Galamsey mining situation and the role these play in encouraging Galamsey mining in Ghana.

### **1.4 Research Questions**

The research was conducted based on the following questions:

- a) How do various stakeholders represent illegal small scale mining in Ghana?

- b) Do government legal and policy frameworks produce social, economic and political injustices in mining communities? If so, how are they manifested and what are their effects on Galamsey miners and Galamsey activities?
- c) What are the power dynamics that exist amongst stakeholders in the Galamsey mining industry and what are the implications of these power relations in terms of social justice on the Galamsey miners?

### **1.5 Motivation for research**

During my first year in my master's program at Norwegian University of Science and Technology, I participated in various lectures and courses and these played a big role in influencing and shaping my views on human-environment relations. I was introduced to the thought provoking approaches of political ecology and social justice and these gave me not only a deeper understanding but birthed a desire to conduct research and investigate how resources are managed at the local and national level and how rights, access and control over resources are negotiated amongst people from different social groups.

Besides the role of these approaches in leading me to conduct this research, the biggest motivation to carry out a study on this particular issue stems from my social background. Growing up in Ghana, I was exposed not only to the city life of the Capital but also to the rural life of most communities in the Eastern Region. I came to appreciate the struggles rural inhabitants go through as they fight poverty and try to make a living and therefore felt a strong moral obligation to investigate the case of Galamsey mining in the Eastern region in order to bring to fore the untold stories and circumstances that surround these miners.

### **1.6 Organization of the research**

This research is organised into eight chapters. Chapter one provides an introduction to the entire study. It provides a background to the study, outlines the research objectives and research questions guiding the study. Chapter two contextualizes the mining industry of Ghana. It presents the socio-economic benefits as well as challenges of the mining industry and gives an overview of both small scale mining and Galamsey mining in Ghana. Chapter three provides the theoretical underpinning of this research. This chapter presents the main theoretical approach which is Nancy Fraser's conceptualisation of social justice. A Political ecology perspective on power is also used to complement the main theory. The methods and techniques used to undertake the research are discussed in chapter four.



The last four chapters constitute the analysis, discussions and conclusion of the research findings. Chapter five provides a descriptive discussion of the stakeholders or actors of the Galamsey business as well as their perspectives on illegal mining in Ghana. It focusses mostly on the Government, large scale mining companies, Galamsey miners, community members and traditional leaders as the main cast of actors. Chapter six discusses the issue of social justice and relates it to the Galamsey mining situation. Chapter seven puts the Galamsey mining situation within the context of power dynamics by showing how different stakeholders interact and how power relations come to play as a result of these interactions. It also looks at the effects of these power relations on the Galamsey miners. Finally, chapter eight is the concluding chapter which summarises the findings of the research and includes recommendations and limitations.

### **1.7 Definition of Key concepts and Terms**

- **Small scale mining-** small scale mining refers to all mining activities that are carried out on smaller scale. Those involved in small scale mining are called small scale miners or artisanal miner. It must be noted that there are small scale miners that operate legally and are registered or licensed and there are small scale miners who operate illegally.
- **Galamsey mining-** mining activities that are illegal because they are carried out without the required license and are not registered. The term Galamsey mining is used synonymously with the term illegal mining. Those who carry out Galamsey mining are called Galamsey miners or illegal miners in this text. All Galamsey miners are small scale miners because their activities are carried out only on a small scale. It must however be noted that not all small scale miners are Galamsey miners because there are some who are registered and licensed.
- **Galamsey manager-** the Galamsey manager is an illegal miner who has employed other illegal miners to work on his/ her mining site. Galamsey manager are usually more well-to-do than the average Galamsey miner.
- **Flash out activities-** flash out activities are operations where the government sends out a task force (usually the military and police to) to mining communities to catch and arrest Galamsey miners.



## **CHAPTER TWO**

### **MINING INDUSTRY IN GHANA**

#### **2.1 INTRODUCTION**

The Republic of Ghana covers an area of 238, 250 square kilometres on the coast of West Africa and supports a population of about 20.6 million (Coakley 1996). The republic of Ghana lies between latitude 4 degrees and 11 degrees north of the equator. The country covers an area of about 238,535 square kilometres and supports a population of about 20.6 million (Coakley 1996; Aryee 2001). Even though Ghana is predominantly an agricultural economy, the importance of the mining industry in boosting the national economy cannot be overemphasized. Ghana has a long tradition of gold mining with an estimated 80 million ounces of gold produced between 1493 and 1997 (Kesse 1985; Amponsah-Tawiah & Dartey-Baah 2011). The country has also contributed about 36 percent of total world gold output (Amponsah-Tawiah & Dartey-Baah 2011). The gold mining sector is therefore very central to the country's economy. This chapter will further discuss the gold mining sector of Ghana and provide background information on Galamsey mining in Ghana.

#### **2.1.1 Mining during post-independence period up to 1986**

The period between 1965 and 1980 marked a period of large scale nationalization of the minerals sector and the reorganization of existing arrangements as well as the creation of state enterprises and numerous commodity producer associations (Wälde 1983). The state controlled Ghana's mining industry from 1957 to 1986. Following independence in 1957, the government established the state Gold Mining Corporation (SGMC) and the Ghana National Manganese Marketing Corporation (GNPC) (Wälde 1983). The SGMC was set up with the aim of acquiring five gold mines (Bibani, Tarkwa, Prestea, Konongo and Dunkwa mines) from British companies. By 1972, the government had majority shares (55%) in Ashanti Gold Fields Corporation (AGC), Ghana Bauxite Company (GBC) and Ghana Consolidated Diamonds Company (Akabzaa & Darimani 2001a). The main reason for the expropriation of these mining companies was to protect employment and gain access to foreign currency generated by mines (Tsikata 1997). The government policy at that time was therefore targeted at maximizing government revenue, controlling resources and generating employment (Akabzaa & Darimani 2001a).

Due to the nationalization agenda of government, the mining sector eventually became constrained by lack of investment and exploration. The state owned companies were undercapitalized and became increasingly obsolete. The lack of foreign direct investment in

the mining sector, maintenance and modernization left these state- run companies very incompetent (Akabzaa & Darimani 2001a). During the years 1960 to 1980, efforts were made by government to modify the mining sector. These changes were characterized by high taxes and other duties along with significant state control of the industry. Unfortunately, these modifications did not help much and the mining industry stagnated. As a result, there were no significant new investments in Ghana's mining sector (Tsikata 1997; Akabzaa & Darimani 2001a; Hilson, 2002a).

### **2.1.2 The post 1986 mineral industry**

The dynamics and trends in the global mining industry has had a direct influence on the mining industry in Ghana and over the past 25 years, Ghana has undergone a lot of change with regards to its mining sector. For example, improved exploration, mining and processing technology have revolutionized the entire mining industry in Ghana, particularly in the domain of gold (Hilson 2004). During the late 1980's, the mineral industry in Ghana experienced a lot of changes. State ownership and nationalization of mines was de-emphasized. Policy formulation was geared at attracting foreign investments into the mining sector. Within the framework of the country's economic recovery program and more specifically under the structural adjustment program, the mining sector underwent a lot of reforms to arrest and reverse the fall in industry output, ensure growth and attract foreign direct investment (Hilson & Potter 2005). The efforts at reforming the mining industry did not prove futile as the various changes implemented achieved direct results with respect to increased investment and the country soon became the hub for commerce and mining in West Africa. Since then, gold production has increased significantly and has since then assumed a leading role in foreign exchange earnings ( Akabzaa & Darimani 2001a).

## **2.2 Structure of the mining industry in Ghana**

### **Large scale mining**

The structure of the mining industry in Ghana appears to be pyramidal in nature. At the apex of the pyramid are a few large scale companies mostly from countries like Canada, Australia, South Africa, and the United States. The number of investors from countries like Norway, China and the United Kingdom are less (Amponsah-Tawiah & Dartey-Baah 2011). Presently, there are about 40 officially registered large scale mining companies in Ghana (Tschakert 2009a). All but one of these companies are foreign owned and internationally operated (Garvin et al. 2009).

According to Akabzaa and Darimani (2001a), foreign investors control an average of about 70 percent of shares in the mines outlined above. The government has 10 percent free share in each mine with the option to acquire an additional 20 percent at the prevailing market price.

### **Small scale mining**

In 1989, as part of the minerals sector restructuring, the government formalized the small scale sector through the enactment of the PNDC Law 218, the Small Scale Gold Mining Law. Under this law, the Small Scale Mining project has succeeded in registering over 600 co-operative and individual small scale miners. The Precious Mineral and Marketing Corporation was also set up by the government with the purpose of purchasing the output that comes from small scale mining activities. The small scale mining sector as a whole is the largest producer of diamonds and the fifth largest producer of gold (Hilson 2001).

Small scale mining can be divided into the formal and informal sector. The former refers to those miners who have legalized their operations and are working within the boundary of the law. However, the latter refers to individuals who are operating illegally, without the required license. Such individuals are popularly known as Galamsey in Ghana. In Ghana, in accordance to the Mineral and Mining Act 706 guidelines (Minerals and Mining Act of Ghana 2006), small scale mining must meet the following conditions for it to be recognized as such:

1. Concession size not larger than 25 acres of land
2. No explosives used for mining
3. Only Ghanaian nationals are allowed to undertake mining.

### **2.3 Legislative and regulatory framework for mining sector in Ghana**

The Mineral and Mining Law 1986, PNDC Law 153 was the basic mining legislation in Ghana between the years 1986 and 2006. Even though the mineral law was regarded as a trailblazer in terms of mining legislation in sub-Saharan Africa, the various changes in the international mining context necessitated its revision. After a prolonged review in 2003, the current Minerals and Mining Act, 703 of 2006 was put in place as the governing legislation for the minerals and mining sector in Ghana. Ghana's Mineral and Mining Act, (Minerals and Mining Act of Ghana, 2006) classifies mining operations into two categories- large scale and small scale mining. The regulatory institutions put in place for monitoring and ensuring compliance with the mining and minerals laws of the land include the following:

#### **1. Minerals Commission**

The Minerals commission has the responsibility of regulating and managing the development of mineral resources of Ghana and coordinating as well as implementing policies with regards to mining in Ghana.

## 2. Inspectorate Division

Established under the section 101 of Act 703 (Minerals and Mining Act of Ghana 2006), the inspectorate Division was set up with the responsibility of enforcing the mining regulations and its amendments which ensures health and safety in mining operations.

## 3. Forestry Commission

The Forestry Commission has the mandate of regulating the usage of forest and wild resources, as well as conserving and managing those resources. It also has the responsibility of coordinating policies related to them.

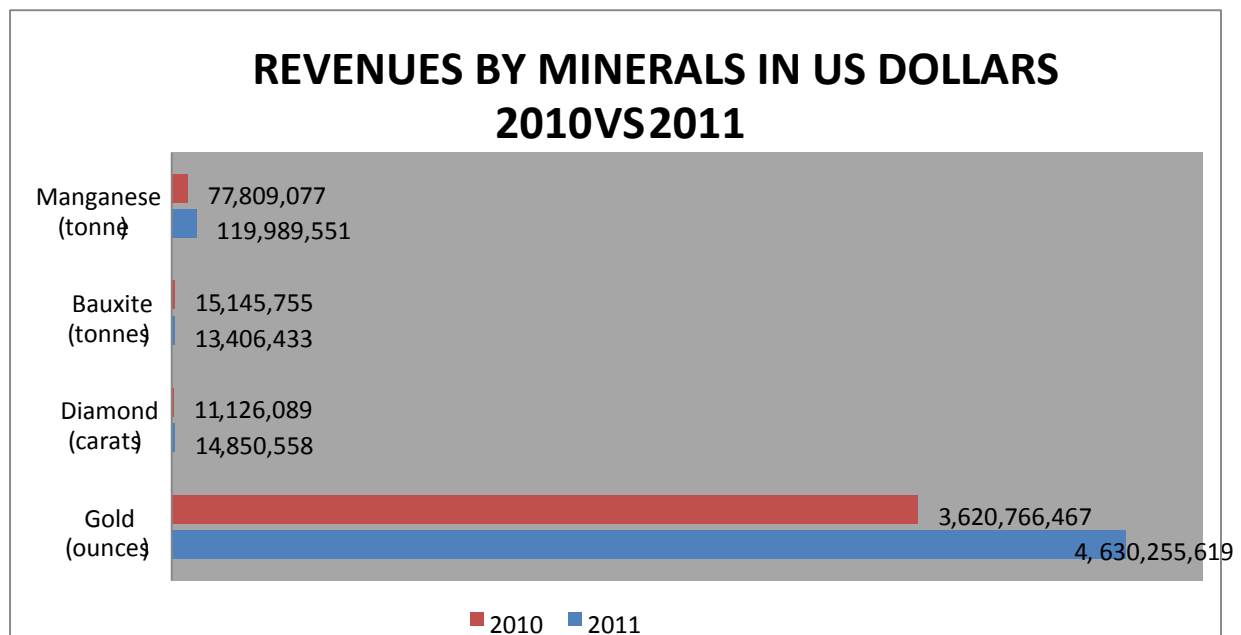
## 4. Water Resources Commission

The Water Resources Commission is responsible for the management and regulation of water resources and the coordination of any policy related to them.

## 2.5 Benefits and Challenges of Mining Sector

Ghana is the second largest gold producer in Africa and the 9th largest producer in the world. In 2011, the mining sector contributed 38.3% of Ghana’s total corporate tax earnings, 27.6% of government revenue and 6% GDP in 2011( Aryee 2012).

**Figure 2: Revenues from mineral sector (2010 and 2011)**



Source: Ghana Chamber of Mines ( 2011). Accessed on 11<sup>th</sup> May 2015.

In 2011, the highest amount of gold was produced in the history of Ghana- 3.6 million ounces of gold. It is important to note that small scale miners contributed some 28% of the total gold production in 2011 (Aryee, 2012). The sector also employs over 20000 people in the large scale mining industry and more than 1,000,000 people are engaged in small scale mining (Aryee 2012).

Apart from the role the mining sector has played economically, the country has also benefited from the social multipliers which arise from the role of mining companies in the development of human resources and infrastructure such as schools, colleges, clinics, roads and housing.

Even though Ghana has benefited economically and socially from the mining industry, one cannot turn a blind eye to the seemingly negative consequences of mining activities in the country. Academic literature points out the negative physical and material damage caused by mining not only to the environment but the inhabitants of communities where these resources are located (Warhurst 1992; Warhurst & Noronha 1999; Veiga et al. 2001; Hinton et al. 2003).

Mining activities can cause large scale disturbances, generate volumes of waste materials and expose previously buried geological material to the forces of oxidation and precipitation. Such processes may in turn have negative health and environmental implications (Chiaro & Joklik 1998). When chemicals and explosives are used in the mining process they can present health and safety hazards by exposing the environment to chemicals, dust and fumes (Mirian Kene Omalu & Aguirre 1998; Mirian et al. 1999; Omalu & Wälde 2002;).

## **2.6 Illegal Small Scale Mining in Ghana- Galamsey Mining**

About thirty years ago, the government of Ghana, having recognized the economic role small scale mining was playing in terms of production output, introduced a series of regulations and policies that were aimed at legalizing and formalizing small scale mining operations in the country. This was the very first attempt by government to regulate what had been traditionally regarded as an informal sector activity (Hilson & Potter 2005). Even though small scale mining has grown and become very widespread in the country, the now branded “illegal” segment of the small scale mining has expanded disproportionately vis -a- vis the licensed segment.

As already mentioned, small scale miners who operate illegally as commonly referred to as Galamsey in Ghana. The word Galamsey is believed to originate from the phrase ‘gather and sell’ in the days when it required very little efforts to gather gold nuggets from the dust and

rocks to sell (Pettersson 2002). As many as 85 percent of the industry's participants are reported to be operating illegally in the country (Hilson & Potter 2005). Literature shows that the number of individuals engaging in illegal small scale mining has expanded from about thirty-thousand in 1995 to more than one million in 2006 (Banchirigah 2008).

Tschakert (2009b) reveals that, those involved in the illegal mining business are a very heterogeneous group, coming from a variety of backgrounds and situations. In terms of age and sex for instance, one may think that only male adults would engage in the business due to its hard- labour nature. However, research accounts by (Yakovleva 2007; Banchirigah 2008) show that not only men, but women and even children of different ages find themselves mining for the precious gold substance at various mining sites in the country. There have been efforts by studies conducted by Aryee (2001) to show the difference between the Galamsey and registered small-scale gold miners operating in Ghana.

There is little difference between small scale mining groups operating legally or illegally, in terms of organization or technology used, except that the legal operators have security of tenure on a demarcated mineralized land plot for a given period of time (Hilson & Potter 2005). Like their registered counterparts, who usually have teams of employees undertaking specific tasks on designated areas of their concessions, most Galamsey miners have organized themselves into 'gangs', working shallow pits along roadsides and within forested areas (Hilson & Potter 2005). Both registered and Galamsey miners rely upon local knowledge to pinpoint economic deposits, and deploy such rudimentary techniques as the 'inner tube method' to purify gold (Hilson & Potter, 2005). Both parties also sell their gold to some 800 migratory licensed gold buyers, as the government does not discriminate over legal status when acquiring gold from mining villages (Hilson & Potter 2005).

According to Hilson (2002c), Illegal miners, often "encroach" on the land concessions that have been contracted by the Minerals Commission to large scale mining companies. Prior to the launching of the Economic Recovery Program in Ghana, the illegal nature of Galamsey had been an issue largely ignored, mainly because the majority of large-scale mining operations had been suspended or closed down entirely due to cash flow shortages (Hilson, 2002c). However in present times where the country is once again opened to foreign large scale mining companies, suspended operations have reopened, previously unexplored regions of the country are being prospected, and new sites are being excavated, and in the process, land is being "taken away" from Galamsey operators (Hilson 2002b). According to Hilson (2002b), this



situation has brought about a number of land disputes, involving not only representatives from both parties and governmental policy-making units, but also police and regional security forces.

### **Conclusion**

This chapter has provided information on the mining industry and the issue of illegal mining. In subsequent chapters, especially in the discussion chapters, information provided here will be relied on to better explain issues that will be discussed.



## **CHAPTER THREE**

### **THEORITICAL AND ANALYTICAL FRAMEWORK**

#### **3.0 Introduction**

This chapter lays down the theoretical underpinnings for this research. In analysing data and finding how it relates to issues of social justice, this study adopts an approach that places emphasis on not only outcomes but underlying actors, power relations and processes of justice. In view of this, this research employs Nancy Fraser's theory of justice and discusses how it applies to the Galamsey mining situation in Ghana. This theory of justice is the main theoretical framework for this research. Secondly, theoretical underpinnings of power using a political ecology approach are employed to compliment the main theory of justice in order to throw more light on the actors, interests and power relations that exist within the Galamsey mining situation in Ghana.

#### **3.1 Social Justice**

Even though there are varying views and theories that argue out what social justice really means and what it is constituted of, people generally understand social justice to be concerned with fairness beyond individual justice (Baldry 2010). Baldry (2010) argues that social justice is ensuring systematic and structural social arrangements to improve equality as a core political and social value. According to NPRC (2011) there are common themes that surface when the concept of social justice is examined from both a historical and contemporary standpoint. These are summarized as:

- Joint responsibility to address structural poverty, unfairness and inequality by government or system. This involves fair redistribution of resources, equal access to rights and opportunities, just system of law and due process as well as the protection of vulnerable and disadvantaged people.
- Individual responsibility to contribute to a just society.
- Recognition of human value and wellbeing (human value that transcends status and economic productivity).

In operationalizing social justice for the purpose of this research work, Nancy Fraser's conceptualization (Fraser 1995, 1997; Fraser & Lovell 2007) which places emphasis on the role of recognition, redistribution and representation working through institutions and

structures will be used as a point of departure. Social justice in this work will therefore refer to the state of equality which occurs in society when:

- There is free and fair distribution and access to social and economic resources (Redistribution).
- Identities of individuals in society are recognized and respected irrespective of their economic, social and political backgrounds (Recognition).
- Members of society are given a fair chance to be heard and be involved in political decisions and political outcomes such as policies as well as institutions equally represent the interests of all members of society (Representation). The subsequent paragraphs will discuss the concepts of Redistribution, Recognition and Representation and how they relate to this study.

### **3.1.1 Recognition**

In understanding the Galamsey mining situation in Ghana and how it connects to the concept of social justice, one key element that comes to the forefront is that of recognition. The concept of recognition in this study rests on the idea that the human value and identity of Galamsey miners should not only be respected but recognized through institutions so that they can participate fully as members of society. Engaging as full members of society means that they are able to participate in all the rights, freedoms, privileges and opportunities that are due them firstly by virtue of their basic standing as human beings and secondly by virtue of their citizenship as Ghanaians.

Irrespective of the groups that Galamsey miners belong to, the circumstances that surround them or the positions that they hold, the bottom line is that each Galamsey miner is an individual and has an identity, which most often than not is assumed to be socially constructed and may or may not reflect the true nature or circumstance of the individual in question. It is to this effect that Fraser argues that one should avoid placing group tags on individuals and attributing specific, all inclusive attributes to them. This is because, in the end, all groups are made of individual persons who may not necessarily share common identities, characteristics and experiences. Nancy Fraser's suggestion therefore is that in dealing with issues of recognition, we should try to understand the status of the individual within the group instead of the group as a whole (Fraser 1995).

In line with the assumption that identities are often socially constructed, Nancy Fraser uses the term 'social status' in place of identity and argues that the social status of individuals (which

can be regarded as the identity of individuals) are imposed from the outside- the society, and not achieved by the individual per se. This brings us back to the concept of recognition. When the social status or identities of individuals reflect the true situation and nature of the individual and encourage equal participation in society, then one can say that recognition has taken place. However, if the social status of individuals serves as a stumbling block, preventing them from being treated as any other full member of society, then one can say that misrecognition has taken place. Nancy Fraser therefore argues that recognition is actually a question of social status (Fraser 2000). From this perspective, the focus is placed more on the status of individual group members and their ability to engage as full partners in social interaction (Fraser 1995; 2000).

Fraser (2000) argues that when it comes to considering recognition as a matter of status, it is important to take note of institutionalized patterns of society because of the effects they can have on the relative standing of members of society. These institutionalized patterns represent social patterns of representation, interpretation and communication (Fraser 2000). When members in social life are able to participate as equals as a result of these institutionalized patterns, then recognition and status equality has taken place.

On the other hand, if institutionalized arrangements result in social actors being “inferior, excluded, or simply invisible- in other words, as less than full partners in social interaction” then one can say that misrecognition and status subordination has taken place (Fraser 2000 p. 113). Misrecognition can therefore be thought of as being much more than “being thought ill of, being looked down on, devalued in others’ attitudes and beliefs or to be misrepresented” (Fraser 2000 pp. 113-114). Rather, in a broader sense, misrecognition is to be refused the status of a full partner in social interaction as a result of the social practices of institutions that impede parity in social interaction (Fraser 2000). Parity impeding practices here refers to anything that prevents an individual from relating as equals (in terms of rights, opportunities, capabilities etc.) in social interaction.

Parity- impeding practices can take up different forms. For instance, they may be institutional, policy bound, or may even be imbedded in every day social practices. In connecting the issue of Galamsey mining to the concept of recognition, an important question that will prove useful for reflection is, are Galamsey miners in Ghana being pushed further to do what they do because they are misrecognized in society? In other words, are the social statuses which are

being attributed to the Galamsey miners in Ghana preventing them from engaging as full members of society and thereby leading them to continue the cycle of Galamsey mining?

Based on the writings of Fraser discussed above, misrecognition can be operationalized at two levels- the basic human level and the institutional level. These two levels and their constituents are briefly outlined below:

The institutional level represents social patterns of representation which may come in different forms such as legal, political, social in nature, and are mostly embedded in every day social practices (Fraser 1995; 1997). Of particular interest to this study are:

- Social tools of misrepresentation mainly in the form of Stereotypes and negative brands.
- Social tools of exclusion such as lack of communication and dialogue with Galamsey miners which may cause them to look invisible and feel ignored.

Misrecognition at the basic human level occurs when the fundamental rights of Galamsey miners (by virtue of them being human) are disregarded and overlooked. The rights that are of particular interest to this research work are:

- Right to life, liberty and security of person.
- Freedom from being subjected to degrading treatment and punishment.

### **3.1.2 Redistribution**

According to Fraser (1998b) for participation parity (social justice) to take place in society, it is essential that resources, (both man-made and natural) are distributed in such a way that it will ensure the participants' independence and 'voice.' The concept of redistribution focusses on aspects of social (in)justice that are socio economic in nature and are thus rooted in the economic structure and institutions of society such as the Ghanaian economy, capitalist system, etc.. For the purpose of this research, redistribution will simply be described as the economic aspect of justice. Fraser (1995) uses the term maldistribution to describe the scenario where there is the absence of distribution. According to her, causes of maldistribution include 'exploitation (having the fruits of one's labour appropriated for the benefit of others), economic marginalization (being confined to undesirable or poorly paid work or being denied access to income- generating labour altogether) and deprivation ( being denied an adequate material standards of living' (Fraser 1998b). Just like in the case of recognition, Nancy Fraser points to the importance of institutions and their influence on redistribution and maldistribution (Fraser 1995;1998b; 2000).

Nancy Fraser's approach to understanding redistribution and its implication for social justice are very key in examining the Galamsey situation in Ghana. It will be interesting to examine the linkages between the procedures and formalities that determine the allocation of natural resources such as land concessions and the access to these resources at the community level. Are the processes and formalities shaped in such a way that they provide equal access to all members of the community irrespective of the financial status of the individual? Can Galamsey miners be considered as individuals who are marginalized economically or deprived of alternative livelihood approaches which in turn drives them to do what they do for a living? In general, what are the economic injustices that prevent individuals from interacting as equals in the society?

In view of these questions, what is particularly relevant for this study as far as the concept of redistribution is concerned are:

- Fair distribution of economic and natural resources such as land, etc.
- Equal access to economic and natural resources.
- Provision of sustainable livelihood activities.
- Provision of a good standard of living

### **3.1.3 Representation**

Apart from redistribution, Fraser and Lovell (2007) makes mention of a third dimension to social justice which is representation. This is the political aspect of social justice. It is political in the sense that it centres on the nature and processes surrounding a state's jurisdiction and the laws and rules by which it structures its constellation. Representation which makes reference to the political elements of social justice concerns itself with understanding the dynamics of political inclusion and exclusion and the community of those that are entitled to make justice claims on one another (Fraser & Lovell 2007).

Representation also looks at the decision- rule aspect and the procedures that shape public processes of contestation. Of particular importance is how political institutions allow members of society to air their claims, be included in the decision making processes and adjudicate their disputes.

In examining Fraser's political dimension of social justice and relating it to the case in Ghana, one may ask: are the relations of representation just in Ghana? Do the actors of the political community wrongly exclude some who are entitled to representation such as those who have

been branded as ‘illegal miners’? Does the state’s decision making process and outcomes which reflects through mining laws and policies accord equal voice in public deliberation and fair representation in public decision making to all members, even at the community level?

With regards to issues of representation, of particular importance to this work are:

- Mining laws, policies and regulations that influence the Galamsey business such as those regarding the license process, procurement of land concessions, etc.
- The ability of Galamsey miners and community members to air their views and actively participate in the decision making process when it comes to issues that concern them, both at the local and national level.

### **3.2 Limitations of Nancy Fraser’s theory of Justice**

Nancy Fraser’s theoretical framework on social justice is very relevant for this work. After all, the main matter of concern in this research is Social Justice and how it concerns Galamsey mining. However, her account and approach on the political dimension of social justice (representation) is not sufficiently broadened to address the issues of power which is very essential when understanding the Galamsey mining in Ghana.

In the first place, as already discussed above, when it comes to matters of representation, Fraser is primarily concerned with issues of inclusion and exclusion and issues that pertain to the decision-rule aspect of society. So for example, when considering Fraser’s dimension on political justice, these questions can be asked: does the political community wrongly exclude some such as Galamsey miners who are actually entitled to representation? Do the community’s decisions accord equal voice and fair representation in public decision-making to all members? (Fraser 2009)

These issues are very important and Nancy Fraser is right when she frames them as key aspects of the political. However, as Kerner (2010) argues the limitation of her political dimension lies in the fact that she restricts her concerns to matters of access to the sphere of representation only (exclusion, inclusion, participation in decision processes) and does not sufficiently address the power mechanisms and power effects upon the content of what is dealt with in this sphere. Power mechanisms and effects that, can also lead to misrepresentation, even though of a different kind (Kerner 2010). In other words, even though Fraser is concerned with the political, she pays little attention to the issue of power which should in actual fact, be a primary concern whenever the political aspect of justice is mentioned.



Secondly, Nancy Fraser's stance on social justice is that it should mainly be concerned with social structures and institutional frameworks. That is why she argues that justice calls for the dismantling of "institutional obstacles that prevent some people from participating on a par with others" in social interactions (Fraser 2008 p. 60). Whilst structures such as the economic system, government institution, etc. are important, issues of representation should not be limited to them alone. This is because political injustices and unequal power relations which have the potential to create injustices do not only play out in structures and institutions but are very much present and manifest in the nooks and crannies of all spaces in social interactions. Not viewing representation and power as static- solely embedded in institutions, but rather identifying and exploring the multiple dimensions of political (in)justice and power and how they cut across different forms, spaces and levels is key to understanding the nuances of Galamsey mining in Ghana.

In view of the above limitations, I will therefore compliment Fraser's theory by drawing from a political ecology perspectives on power relations. Employing a political ecology perspective on power relations is very necessary if this research is to fully accomplish its research objective of situating the Galamsey mining phenomenon within a political context thereby throwing light on the power relations that play out amongst stakeholders and effects of these relations on Galamsey miners. A political ecology perspective on power is particularly suited for this purpose because it has a common premise that environmental issues are the product of political processes. The Galamsey mining situation can be described as an environmental issue because it is basically a struggle over environmental resources (gold, land, etc.).

Besides this, political ecology is well suited for this work because it views political processes in terms of the altered power of actors in relation to other actors and how these power dynamics can lead to unequal costs and benefits, inequalities and essentially injustices (Robbins 2011). A political ecology perspective that stresses the role of power relations therefore compliments the political dimension of social justice as proposed by Fraser because it addresses what Fraser does not fully tackle- power. Finally, a political ecology perspective on power compliments Fraser's dimension of political justice because it emphasizes that power and political processes manifest at different levels of society and not only in structures and in institutions. Employing a political ecology perspective on power will therefore provide a broader theoretical framework needed to understand the Galamsey mining situation in Ghana. The following paragraphs will therefore first of all discuss political ecology in general and then secondly discuss the arguments of political ecology that will be used for this work.

### **3.3 Political ecology**

The origins of political ecology dates back to the 1960's and 1970's. It gained prominence by critiquing certain aspects of human ecology and ecological anthropology as it was practiced at the time. Specifically, it highlighted the neglect of the political dimension of human/environment interactions within the fields of ecology at the time (Atkinson, 1991; Greenberg & Park, 1994). The term political ecology was first coined in French (*Ecologie politique*) by De Jouvenel (1957). However, in 1972, anthropologist Erick Wolf made reference to the term, giving it a more defining meaning. Wolf first used the term in his work 'ownership and political ecology' where he discussed how local rules of ownership and ecological change were related (Hainsworth & Wolf 1972).

The 1970's and 1980's witnessed political ecology gaining grounds in popularity and this was the result of radical developments in geography and cultural ecology that were taking place during the time (Adams & Jones, 1981; Christensen et al., 1989). Since then, political ecology has evolved and developed in theory and practice, with different scholars drawing on, as well as contributing to the field by introducing concepts, methods and analytic turns from a wide range of theoretical fields (Robbins 2012). According to Bryant (1998) political ecological accounts and research efforts share a common premise that- environmental outcomes are the product of political processes. This includes three basic assumptions in approaching any research problem. Political ecologists “ accept the idea that costs and benefits associated with environmental outcomes are for the most part distributed among actors unequally...[and this] reinforces or reduces existing social and economic inequalities....[which holds] political implications in terms of the altered power of actors in relation to other actors” (Bryant 1997 p. 28).

Going forward, a theoretical framework in political ecology that puts the Galamsey situation within a political context and focusses on unequal power relations will be employed. This research will therefore make use of the environmental conflict and exclusion thesis proposed by Robbins (2011) to complement the social justice framework in analysing this research work. The underlying principle of this thesis is that access to environmental resources is uneven and moderated through social relations and power. There are three main arguments under this thesis. However, for the purpose of this research, focus will be placed on only the first argument of the thesis. The first argument of this thesis is that social systems are structured around divisions of labour and power that differentially distribute access and responsibility for natural resources and systems.

### ***Power differentially distributes access and responsibility for natural resources***

There are two main principles of this argument. First of all, social systems are structured around divisions of power that differentially distributes access and responsibility for natural goods and systems. Secondly, Lack of access, opportunity and unfair distribution of environmental resources commonly result in inequalities (Robbins 2011).

#### **a) Divisions of power**

There are different approaches to understanding power. For the purpose of this research, two definitions will be employed. The first is a Max Weber definition and the second is more of a political ecology definition. Power according to Weber (1978, p. 53) is the ‘probability that one actor within a social relationship will be in a position to carry out his will despite resistance, regardless of the basis on which this probability rests.’ Secondly according to Bryant (1998, p. 86) power is the ‘ability of one actor to control the environment of another.’ Unequal power relations when used in this study means relations or interactions of inequality which exist at all levels of society and which govern and direct out actions (Foucault 1977)

In order to understand the processes that determine the distribution and access to resources such as land and minerals, it is important to identify the different scales and manifestations of power and power relations and how these mediate control over resources. Bryant (1998) asserts that a politicised environment may be constituted at different scales. He further observes that recent works in political ecology stress the multi- scale nature of environment and social issues. In other words, the politicized environment is constituted and changed at different scales in relation to both actor and physical problems (Bryant 1997). This is why Zimmerer (1994, p. 84) rightfully observes that ‘attention to multiple scales is now *de rigueur*, it is more explicit, more expected and more expounded than heretofore.’ In understanding the Galamsey mining situation therefore, the processes of power will be examined at two scales:

#### **Macro-level power relations**

At the macro-level, focus will be put on how power plays out between national actors and local actors. Political ecologists believe that access, control and use of ecological resources are generated from different and sometimes competing interests of actors. Environmental or ecological resources such as land and minerals become politicised as a result of the process of advancing an actors’ interests, defending or compromising them (Tsuma 2009). In understanding the Galamsey situation in Ghana, it will be interesting to see how actors at

national level such as government and large scale companies and local actors such as the chief, community members and local miners wield power in the process of pursuing and defending their interests with regards to the use and distribution of resources. It will also be interesting to see how power is balanced as actors interact. For instance, does power tilt in favour of national actors or local actors?

### **Micro-level power relations**

Since political ecology has early links to anthropology (cultural ecology), the field is especially strong in local-level research that investigates the meaning and significance of micro-political struggles over environmental issues that have national and global linkages (Ghai & Vivian, 1992; Friedmann & Rangan, 1993; Watts & Peet, 1996). It is in line with this that this study will also focus on the micro-level scale of power, to find out how power is exercised among local actors at the local level, which in this case is the community of Noyem. At the micro-level, focus will therefore be put on how local actors such as the chief, community members and local miners exercise power amongst themselves as they also pursue their interests with regards to the use and distribution of resources.

Apart from the different scales of power that have been discussed above, in order to understand the ‘divisions of power’ and how it leads to differential access of resources, it is important to identify the various forms through which power is manifested. For the purpose of this research the different forms of power are operationalized as being political, social and economic in nature.

***Political Power-*** this is power that is exercised by virtue of the stakeholder’s position of authority. Of particular importance here is the power of administering public resources and the power to formulate and implement policies and decisions.

***Economic power-*** this is the power that is exercised by virtue of the stakeholder’s ability to have access to financial resources. Economic power in this study is measured mainly in terms of wealth.

***Social power-*** this is the power the stakeholder possesses because of access to influential social contacts and relationships.

## **b) Inequalities resulting from unfair access and distribution of resources**

The second principle of the argument is that, lack of access, opportunity and unfair distribution of environmental resources commonly results in inequalities (Robbins 2011). Ribot and Peluso (2003, p. 153) explain that access is the ‘ability to benefit from things- including material objects, persons, institutions and symbols. Regarding access to environmental resources, they argue that there are different powers involved that are subject to shift over time, based on one’s position and power within a social relationship (Ribot & Peluso,2003). According to Robbins (2011), the emphasis on the division of access and responsibility constitutes one of the central normative concerns of political ecology. While division of power is not in itself any way problematic, environmental change that unduly burdens some while benefiting others raises concerns about the inequalities that are brought about as a result of power relations. Apart from understanding how power manifests in Ghana at different scales and in different forms, it is important to look at the economic, social, and political inequalities that may arise from these power relations and how these inequalities reflect social injustices. For instance, it will be interesting to see if local actors which include Galamsey miners are disadvantaged with regards to their livelihood strategies, participation in negotiation processes, etc. as a result of political power of government which is exercised through policy making and control of resources. Similarly, it will also be interesting to identify the inequalities and social injustices that may arise at the local level as actors such as the chief, Galamsey miners, etc. make use of political, economic and social power in relation to each other.

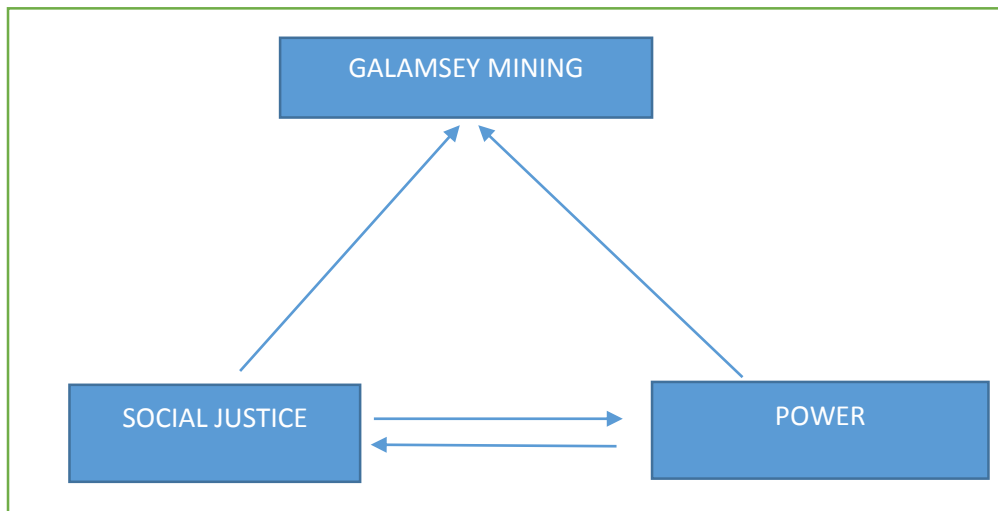
Employing the first argument of the environmental conflict and exclusion thesis in this research is very relevant for several reasons. First, the Galamsey mining situation is basically an environmental problem since it is a struggle over land and mineral resources between national and local actors. Secondly, the thesis is well suited for this work because of its emphasis not only on power but also on inequalities. Identifying the inequalities that result from power plays an essential role if power is to be put in a social justice context. This is because social justice is all about eradicating political, economic and social inequalities so that there will be equity and fairness in society.

### **3.4 Linking up Social justice and Political ecology’s power**

Social Justice and power relations from a political ecology view point as employed in this research provides a holistic framework for understanding the issue of Galamsey in Ghana. The two concepts even though different complement each other and combine effectively in

unravelling the nuances of the Galamsey menace. Questions of social justice ought to be understood in the context of power relations and vice versa.

Figure 3: Linking social justice and political ecology



Social Justice is essentially a question of power. Social Justice focuses on the fair distribution of resources, equal access to rights and opportunities and the ability of members of society to be equally involved in political processes such as decision making and negotiation processes surrounding the use of resources. Whilst social justice therefore focusses on equality and participation, these (equality and participation) are directly mediated by issues of access and control which are matters of power. For instance, one cannot fully understand the extent to which land and mineral resources are equally distributed without raising questions on (a) who controls what (b) who decides what (c) who is expected to do what tasks. The power actors possess and the way this power is exercised in relation to other actors therefore determines the differential outcomes of social issues- the extent to which they produce inequalities or not, the extent to which they produce just results or injustices. Power is therefore central to social justice because it affects the extent to which social justice is realised in society. In understanding the Galamsey situation, it is therefore to study social justice within the context of power.

In the same manner, power should be considered as a matter of social justice. Robbins (2011) points out that, political ecology research on power tends to unveil winners and losers, hidden costs and differential power that produces social and environmental outcomes. As such, political ecology stories are stories of justice and injustice. Traditionally, political ecologists have focused on uncovering unequal power relations and unequal distribution of income and environmental resources as the basis of instability and denial of equality (Escobar 2006). The

importance of these political and economic dimensions cannot be overemphasized, and indeed, they are key to understanding environmental issues. However, few studies in political ecology tend to shed more light on the socio-cultural dimensions of distribution and equality as well as the role they play in social issues (Escobar 2006). The socio-cultural dimensions of justice such as issues of recognition and misrecognition which political ecology tends to overlook are addressed by the theory of social justice as conceptualised by Nancy Fraser. This is why it is important to study political ecology within the context of social justice in understanding the Galamsey situation in Ghana.





## **CHAPTER FOUR**

### **METHODOLOGY**

#### **4.0 Introduction**

This chapter describes the methodological approach that was employed in this research. Here, more light is shed on the details of the research participants and the means through which the data was collected during fieldwork, analysed and presented. This chapter also focused on key reflective concepts such as power relations, validity, reliability, ethical considerations as well as limitations during research.

#### **4.1 Choice of Research Methodology**

Narayan, Chambers, Shah, and Petesch (2000) describes research methodology as the various steps and procedures that the researcher adopts to study the research problem as well as the logic behind the steps adopted. In the field of geography, it has been common to distinguish between two main methodological processes- qualitative and quantitative processes. In conducting research, researchers may decide to use either of these methods or combine them in a mixed-methods approach.

Quantitative methodology is usually depicted as a way to conduct social research which applies a more positivist approach to studying social phenomena (Bryman 1984). Also, the data generated from quantitative research can be analysed by employing numerical techniques. Qualitative methodology on the other hand focusses less on numerical figures and facts but rather seeks to see the social world from the view point of the social actor. Hence, the actor's perspective becomes the empirical point of departure (Winchester 2000)

Undoubtedly, both methods have their inherent strengths and weaknesses which they bring to bear on any piece of research (Ofori 2013). However, the choice of a research method lies mainly in what exactly the researcher is interested in investigating or studying (Creswell, 1994). Since the aim of this study was to understand social actors and processes, this research made use of qualitative methods to explore the various perspectives of social actors with regards to small scale illegal mining in Ghana. The use of qualitative methods provided a platform to gather data rich in information about the different positions of stakeholders such as community members, Galamsey miners, government officials, etc. on various matters of interest, as well as their perceptions, attitudes and experiences with regards to illegal mining in Noyem.

#### **4.2 Rationale for the choice of method**

Since research is about finding knowledge that is not only reliable but valid, it is important that the researcher adopts the most appropriate method that will be beneficial to the research process- a method that is capable of addressing tentative research questions (Kitchin & Tate, 2000). Against this background, studying the issue of small scale illegal mining from the perspective of different stakeholders would require an in-depth interaction and discussion with those involved in one way or the other to produce quality and robust data.

Over the years, the use of qualitative methods have become popular and undoubtedly occupied an ambivalent position in social science research (Moriarty, 2011). Crang (2002) acknowledges this by pointing out that “qualitative research has not only arrived but gone far” (p 647). Academic literature also shows that since the 1980’s the discipline of geography has witnessed a sturdy rise in the use of qualitative methods for carrying out research (Eyles & Smith, 1988; Brannen, 1992; Lindsay, 1997; Flowerdew & Martin, 2005).

According to Merriam (2009), qualitative researchers are interested in uncovering and understanding the meanings people have constructed, that is how people make sense of their world and the experiences they have in the world. There are different stakeholders from different walks of life that are in one way or the other involved or affected by illegal mining in Ghana. Such individuals range from government officials to teenagers who have absconded from school to work in the Galamsey business. Depending on their experiences and connection to the business, each individual or stakeholder may form his or her own feelings, narratives, way of thinking and perspectives on the illegal mining business. The use of qualitative methods in conducting this research played an important role in helping to uncover and elucidate peoples’ feeling, experiences and opinions on the subject matter. This was made possible through close interaction with the stakeholders by using data collections techniques such as observation, interviews and focus group discussions.

Winchester (2000) argues that qualitative methods help to provide in-depth knowledge about individual cases. In examining the illegal mining issue, there is a need to move from generality to the particular. This is because there has always been a chorus of voices singing the criminality of illegal miners and the dominant narrative concerning the illegal mining is that it is a criminal offense and there is no justification for it whatsoever. However going beyond this, an in-depth examination into the motives behind the Galamsey business may prove otherwise since people do things for different reasons and not just for the sake of breaking the law. The

use of qualitative methods served this purpose of looking at things from an individual perspective very well. By conducting interviews with individuals and listening to their experiences as well as through observation, the aim of digging deeper to understand what is really happening on the ground instead of going along with what everyone assumes was achieved.

#### **4.3 Types of Data: Secondary and Primary Data**

The information gathered for this research study was mainly based on primary and secondary data collected from different sources. The main source of information for analysis and discussions in this research was obtained from primary data. The primary data collected was the result of two months of fieldwork conducted in Ghana, specifically in the Noyem community from the 17th of June to the 17th of August. I gathered primary data from multiple sources including the Assembly man (a representative of the District Assembly within the community), the local community residents, Galamsey miners within the community, the leader of the Small Scale Miners Association within the district and key government officials. I made use of interviews, focus group discussions as well as observation to collect the primary data. The reason for combining these three data collection techniques was to strengthen the validity of the research.

It is important to mention here that secondary data was on relied on for this research. Primary data played the biggest role but secondary was greatly utilized. This was done for two main reasons. First of all, this research required that I make a brief analysis of legislative frameworks and policies when studying the political and economic structures of the mining industry. In such cases and for the sake of validity, it was better to make use of policy and constitutional documents instead of relying solely on the responses of research participants. Thus, the secondary data sources provided vital background information needed for this research.

In addition to the above, during field work, I had very limited access to the illegal miners and could not interact with as many as I would have wanted to. This was because illegal mining is a very sensitive issue and not many illegal miners were ready to participate in the research. Had it not been for the help of gatekeepers (this will be discussed later), I may not have had the opportunity to interact with the few miners I was given access to. The primary data obtained from these miners was therefore as not as comprehensive as desired. There was therefore the need to use secondary data to compliment and make up for the gaps and deficiencies of primary data.

#### 4.4 Samples and Sampling Techniques

This research targeted different categories of research participants from diverse backgrounds. Basically, the research participants can be divided into five main groups. These include the Galamsey miners, the community members of Noyem, Government officials, a non-governmental organisation and the leader of the small scale miners' association. This is shown in table 1 below. The thirteen Galamsey miners, community members and government officials served as primary informants whilst those belonging to the Non-Governmental Organisation and Association of Small Scale Miners served as key informants. One advantage of using multiple categories of research participants was that it not only provided multiple information obtained from different sides of the story, but it also gave an opportunity for comparison. Hence the multiplicity provided an opportunity to obtain a more holistic picture of the illegal mining issue and it was also an effective use of limited time.

**Table 1: Summaries of research participants and sampling techniques**

<b>Research participant categories</b>	<b>Sample size</b>	<b>Sampling technique</b>	<b>Data collection technique</b>
Illegal miners	13	Snowball	Focus group discussion, unstructured interview and informal interviews
Community Members	30	Random Sampling	Semi-structured Interview
Government Officials	2	Purposive	Semi-structured Interview
Non-governmental Organisation	2	Purposive	Semi-structured Interview
Leaders of small scale legal Mining Association	2	Purposive	Semi-structured Interview

According to the Royal Geographical Society (2014), sampling can be described as a shortcut method for investigating a whole population. In this sense, data is gathered on a small point of the whole parent population or sample frame and then it is used to inform what the whole picture looks like. Sampling in the case of this research was very essential because there was very limited time, energy and resources to get access to every single item within the whole sampling frame. As the table above shows, there were different sampling techniques employed to select research participants from each category. The choice of subjects, the sample size and the number of procedures used in selecting them were very critical to ensuring the validity of

this research work. Glesne and Peshkin (1992) emphasise this by saying that in conducting field work, it is not feasible to interview everyone or observe every little detail. Hence the number and choice of samples in the research is key to make sure that there is trustworthiness of results.

### **Random sampling**

During the field work in Noyem, research participants in category 2 (community members) were selected by the random sampling technique. Random sampling is a form of probability sampling where each member of the population in question has an equal chance of being selected (Cochran 2007). The essence of using the random sampling technique was to make the sample as representative of the population.

The use of the random sampling method for sampling the members of the Noyem community was made possible because they were far easier to access than the other categories of research participants. The random sampling method was used to select households within the community. The process involved picking a household randomly from the main entrance of the community and then selecting every other three households following the first household selected. This was done until the number of community members intended for the research had been obtained. Within each household I spoke to either a female or a male, alternating as I went along.

### **Purposive sampling**

The second sampling technique that was employed in this research was purposive sampling. Purposive sampling puts research participants into preselected criteria relevant to a particular sample size. Sample size may or may not be fixed prior to data collection, depending on the resources available as well as the study's objectives (Bound 2012). According to Liamputtong & Ezzy (2005), purposive sampling becomes very applicable when there is the need to select informants who can provide very detailed and rich data relevant to the research. In collecting qualitative data when using the purposive sampling, less emphasis is placed on the sample size. Instead, a greater emphasis is placed on the quality of who or what is involved in the research (Bradshaw & Stratford 2010). Thus, the main principle used in selecting the informants for these categories was more of an issue of who could provide rich and relevant data. For the groups of research participants which were sampled by purposive sampling, the number of informants in each category was not the main factor of consideration. This is because the main

focus was not to obtain data that reflected the views of all the members within the respective categories but rather to obtain detailed information that pertained to particular issues of interest. Government officials, representatives of a Non-Governmental Organisation (Wassa Association of Communities Affect by Mining) as well as representatives of the Small Scale Miners association in Noyem were all sampled using purposive sampling.

### **Snowball sampling**

The third type of sampling technique used in this work was snowball sampling. This technique is sometimes referred to as chain referral sampling (Bound 2012). In this type of sampling, research informants or participants with whom contact has already been established use their social networks to direct the researcher to other individuals who could become potential participants (Bound 2012). The snowball sampling technique when employed in this research was key in helping to get access to the Galamsey miners.

### ***Gaining access to Galamsey miners- Gatekeepers***

The whole issue of snowball sampling builds on the idea that the researcher is guided and introduced to potential research participants through the help of initial contacts. This is where the concept of the gatekeeper comes to play. Bound (2012) defines gatekeepers as those who have the power to grant or deny access to the researcher to a set population, usually considered vulnerable. The Galamsey issue is a very sensitive and controversial topic in Ghana and Galamsey miners are usually in a vulnerable position because of the ‘illegality’ of their status. These individuals usually conduct their activities discretely and do not easily come out in the open to identify themselves as such because of the fear of being caught or being negatively branded by society. On a normal basis, it is therefore challenging to gain access to Galamsey miners who are willing to participate in research studies without the help of gatekeepers. Thus in conducting this research, it was necessary to engage the help of gatekeepers who enabled me to have contact with the Galamsey miners.

### ***Process for obtaining Gatekeepers***

Rogers (2014) explain that the process of identifying the most suitable individuals to become gatekeepers within formal organisations is relatively simple. For example, it could be the manager or someone in a position of authority. In contrast, it is more difficult in less formal groups of people such as Galamsey miners to ascertain the most appropriate person to approach. This was the situation I faced in Noyem, as it was difficult initially to recognise the

right person who could help me get contact with the Galamsey miners. However, after staying in the community for about two weeks I was able to make contact with a teacher in the community who introduced me to his friend who happened to be a well-established Galamsey miner (I subsequently refer to this particular miner as the Galamsey manager because he had employed other miners) Subsequently, the Galamsey manager made arrangements to take me to his mining site and gave me permission to conduct interviews or focus group discussions with those who were working on his mining site. This was how I gained access to other Galamsey miners in Noyem. The teacher was also very instrumental in helping me to gain access to other research participants such as community members and the local government official. This is because the teacher is respected in the community and has many social ties. The teacher also volunteered to accompany me on some of my fieldwork rounds, but it must be mentioned here that he was not a research assistant. Accompanying me on some of the fieldwork rounds made research participants trust me more easily. In view of this, the teacher and the Galamsey manager were my gatekeepers for the research.

#### **4.5 Characteristics of informants**

In carrying out this research work, the primary data as already mentioned was based on semi-structured interviews, focus group discussion and observation. Out of the forty-nine informants which were used, forty-five were primary informants whilst the other four were key informants. Since informants came from diverse backgrounds, there were differences in their characteristics relative to aspects such as socio-economic status, age, knowledge levels and among other variables. These differences in the characteristics impacted on the kind of information they provided. Understanding their backgrounds was therefore key to understanding research findings.

##### **4.5.1 Primary informants**

The primary informants comprised of the Galamsey miners and community members from Noyem and government officials. The community members comprised of fifteen males and fifteen females. Most of the members were between the ages of 27 and 56. Only about four were beyond the age of 60. Most informants were married and had children whilst very few were single. In terms of education, most of the locals within the community had very little education. Their low level of education was reflected in their inability to communicate in the English language. They were however very fluent in the local dialect which is Twi. The few amongst them who had some form of education were mostly the young single locals. Most of the older males and females between the ages of 23 and 56 claimed to be seasonal farmers,

small scale miners, hairdressers and petty traders whilst the younger ones who were mostly teenagers claimed to be students or have nothing much to do in terms of occupation. When asked if any of them engaged in Galamsey mining, the response was negative for all of them.

The Galamsey miners (category 1) were also primary informants. Out of the thirteen Galamsey miners that served as research participants, six of them were males whilst seven were females. Amongst the males, one of them was the Galamsey manager. The males had ages ranging from seventeen to 50 years and most of them were locals of Noyem. Out of all the miners, only four miners had gone to school to a certain level. The others had no educational background. Apart from the males, the seven females who worked in the Galamsey business (category 1) were also from diverse backgrounds. Most of them were mothers. In fact, only two ladies were not married and without children.

Government officials also served as primary informants. As already mentioned, I interviewed the Assembly man and a representative of the Minerals Commission in Ghana. It was obvious that they had a good educational background and had a better socio-economic standing as compared to the community members and the Galamsey miners.

#### **4.5.2 Key informants**

The key informants consisted of four individuals who happened to be all male. Two of them belonged to the Small scale miners' association which is the association for legalized small scale miners. One of the informants from this association was the leader of the group whilst the other male informant was a regular member. Both of them carried a valid mining license and engaged in gold mining at a small scale level. Both of them were fluent in the English language and claimed to be stable in their economic status. They were both middle aged men.

The other two key informants were representatives from a non-governmental organization called Wassa Association of Communities Affected by Mining (WACAM). The NGO was selected because of its advocacy work for mining communities impacted by mining. Both representatives were young males between the ages of 27 and 33. Both had a good educational background, up to the university level.

#### **4.6 Data collection**

The guiding principle throughout the fieldwork process was to identify and select informants that could best fit or serve the purpose of the research most. The rationale for selecting each of these informants as well as the details of the data collection techniques and processes are



discussed in the subsequent paragraphs. It must be mentioned here that the interview guides as well as the focus group discussion guide are included in the appendix.

#### **4.6.1 Interviews**

According to Yin (2011), an interview is a data collection technique that involves an interaction between an interviewer and a participant or interviewee. Crang and Cook (2007) point out the difference between interviews as a collection of unbiased data on one hand, and interviews being a co-production of knowledge on the other hand. No matter how it is constructed, the base line is that the interview is centred on a conversation leading to the gathering of data for a study.

Interviews can take different forms. They can be structured, unstructured or semi-structured. The type of interview employed is directly linked to the depth of data one seeks to obtain (Crang 2002). In conducting field work, semi-structured interviews were conducted and carried out face to face. The benefits of using semi-structured interviews was that they did not only provided key questions and predetermine the areas to be discussed but at the same time it also gave me the opportunity to ask follow-up questions to gain more clarity when responses were given (Crang 2002).

##### ***Semi-structured interview with Galamsey manager***

I had the opportunity to conduct a semi-structured interview with the Galamsey Manager. This individual owned a mining operation business for more than four years and have mining employees. His opinion on the Galamsey issue was therefore needed because he was very knowledgeable due to his experience and could provide rich information on how Galamsey mining in Noyem had evolved over the years. About one and a half hours was spent interviewing the Galamsey manager. The interview was conducted face to face in the comfort of his home. An interview guide containing open-ended questions was used and questions were posed in the local dialect 'Twi' because the interviewee was more fluent in the local language. Before the start of the interview, I explained what the whole research was about, assured the Galamsey manager of confidentiality and indicated to him that he had the free will to participate or not participate, as well as pull out of the exercise at any point in time if he felt uncomfortable. I also indicated to the participant that he could at any point ask questions if he needed clarification on any issue. Finally, I sought permission to use the aid of a recorder for the interview.

### ***Semi-structured interviews with community members***

Semi-structured interviews were conducted in the Noyem community to elucidate information on various themes. About 45 minutes to one hour was spent on each informant depending on the direction the conversation took. Interviews were conducted face to face with the participants in their homes. Interviews were aided by a predesigned interview guide containing open-ended questions. Most of the questions for the interviews were written in English as it is the language I am most proficient in. However, I anticipated that members of the community who are in a rural setting may not be very proficient in the English language and may prefer to converse in the local “Twi” dialect. Since I did not want the informants to feel compelled to try to communicate in a language they may not be fluent in, and to prevent miscommunication, I decided to have another version of my interview guide in the local language which happens to be my native language. Also, to ensure that I could catch every bit of information the participants were giving me, I recorded the conversation with their permission.

Each interview began with a brief introduction of myself as a student who wanted to learn everything and anything they were ready to teach me about their experiences, opinions and feelings. I did this to take away any form of intimidation on their part and remove any perception that I was more knowledgeable than them. After introducing myself, I briefly discussed the topic I was researching on and always reemphasised the fact that I was there in the capacity as a student and was not there to expose any one to the authorities or anything for that matter. I also assured my informants that I would treat all the information given me with confidentiality and would keep their identities anonymous. I also let them know they were completely free to participate or not participate in the research and could at any time withdraw if they wanted to.

### ***Semi-structured interviews with government officials and small scale miners’ association***

Two government officials were interviewed for the purpose of this research. These were the Assembly man who is a representative of the District Assembly at the local level and a high ranking Officer from the Mineral Commission of Ghana. After going through the same process of introducing myself as a student and briefly giving a description of my research topic, I posed open ended questions that I had prepared in my interview guide. Unlike the community members, I had a much more limited time to conduct my interviews, especially with the representative from the mineral commission. Realising the limits to the time frame, I decided

to ask questions based on priority- in the sense that I asked questions that were directly related to them first before continuing to other questions which pertained less to them.

Apart from interviewing government officials, I also spoke to the District leader of the Small Scale Miners Association who happened to be living in Noyem. Interviewing the District leader was very key because it helped me gain insight to another side of the story from the perspective of legalised small scale miners.

#### **4.6.2 Focus Group Discussions**

A focus group discussion is a good way to gather individuals from similar backgrounds or experiences to discuss specific topics of interest. In most cases the group of research participants are guided by a moderator who plays the role of introducing topics for discussion and helping the group to participate in a lively and natural discussion amongst themselves (Krueger, 2009). This method of gathering data is very helpful for exploring the experiences and knowledge that people have and can be used to examine not only what people think but how and why they think the way they do (Kitzinger 1995).

A focus group discussion was held in order to obtain information from Galamsey miners. After introducing myself to the miners, about 11 gold miners out of curiosity left their working positions to listen to what I had to say. However, as soon as I introduced the topic and the issue of illegal mining, four of the 11 individuals who happened to be men moved away giving the reason that they “didn’t know anything and were busy.” In the end, only 7 people were willing to engage in the focus group discussion and unfortunately they were all females. The females who took part in the discussion were not employees of the Galamsey manager (who had introduced me to them), they were just people who offered their services in exchange for being paid wages on an hourly basis. Ceasing the opportunity, I knew that it would be a very good idea to hold the focus group discussion immediately despite the very noisy environment and obvious distractions from working machines and men talking in loud tones to each other in the background. This is because I anticipated that if I were to hold the focus group discussion later in town (a quieter environment), the informants may not have the courage to participate in the discussion since they may not want their identities to be openly known and may not want community members to start associating the Galamsey business with them. The discussions were therefore held under a tree, nearby one of the working stations.

From the onset of the discussion, I stressed to them that I was not going to report them to the authorities or bring out their identities. Being the moderator for the discussion, my role was

mainly to bring up topics, sit back and watch the direction the conversation took amongst the participants and in few situations, redirect the conversations when there was a shift from relevant topics of discussion.

I noticed that there were some instances where the obviously older females who were part of the group would tell the younger ones that their views on some issues were wrong. Realizing that this was an indirect form of power play at work and seeing its potential to suppress the voices and opinions of the younger females, I gently had to chip in that in this discussion, no one was wrong and everyone was right so participants should feel free to share their opinions. This helped to some extent but it did not stop conversations from sometimes dragging into bouts of arguments before a consensus was finally reached on an issue. On the whole, a total period of one hour and fifty minutes was spent during the focus group discussions. To a large extent, information obtained from the focus group discussion were in sync with information I had already gathered from personal interviews with community members and through observation.

#### **4.6.3 Informal conversations**

Apart from focus group discussions and semi-structured interviews, I was able to draw a great wealth of information from informal conversations I had with other Galamsey miners (apart from the women I had focus group discussion with). As already mentioned, at the mining site, the male Galamsey miners were hesitant to engage in focus group discussions. However, with the help of the teacher (whom I have already described as a gatekeeper), I was able to subsequently make contact with six male Galamsey miners who had previously been on the mining site. The gatekeeper who personally knew these individuals took me to their homes in the community during the evening. Upon arrival at the various homes, the teacher explained that the purpose of our visit was to find out how they were doing and spend time with them. In all situations, conversations took off on a very informal note and topics that usually interest males in general such as football and politics were discussed to a large extent. With the conversation taking a light and less tensed note, I was able to chip in questions that pertained to my research work. It was surprising that this time around all the male Galamsey miners spoke their minds freely without any hesitation. At the end of the conversation, when I asked if I could use the information provided for my research work, all the male miners except one willingly agreed on the condition that I kept their identities anonymous.

#### **4.6.4 Direct observation**

One aspect of qualitative observation is to take field notes on the behaviours of research participants during field work (Creswell 2009). It is very useful then to employ observation as a very active strategy for data collection since it grants the researcher the opportunity to perceive at first hand with his own senses without any filtering of information (Yin 2011).

Using observation in my research provided another angle for tackling my research questions. It also helped to support the data that I had collected through other means. Through my observations, I was able to verify some of the things that informants had told me either during focus group discussion or personal interviews. Observing the non-verbal actions of informants especially during conversations helped me to read in between the lines in a lot situations. For example, there was one instance when I asked one of the female informants if she had anything to do with the Galamsey business and if she felt the business was illegitimate. Up until then, she had been giving me steady eye contact but after posing that question, she directed her gaze away from me and briefly answered no. Of course, I could have taken her at her word but after observing that she could not look me straight in the eye, it raised questions about the truthfulness of her answers in my mind. By observing this situation, I was able to confirm what I had already gathered from other interviews- that most Galamsey miners are not willing to reveal the fact that they are indeed involved in the business and most are uncomfortable when issues of illegality are raised.

#### **4.7 Data analysis and Presentation**

One of the time saving measures in carrying out qualitative data analysis is to begin in the field during the process of collecting data. This is important for two main reasons. First of all, the data is 'fresh' and one would not have forgotten the details of the information at the beginning stages. Secondly, it helps to shape the results by providing the flexibility in choosing subjects or useful collection sources as well as developing your concepts along the way (Miles & Huberman, 1994; Zhang & Wildemuth, 2009). Hence, most of the data that was generated along the way from interviews and focus group discussions were transcribed and subjected to some form of analysis such as categorizing, coding, and identifying patterns from the beginning.

There are two ways of analysing interview data as suggested by (Dunn 2000). There are manifest content analysis and Latent content analysis. Within the Manifest method, a tally of the number of times some words appear in an interview transcript are recorded. However with the Latent approach, the interview transcript is searched for primary and secondary themes

(Dunn 2000). This was the approach that was mainly used for analysing the interview and observation data generated in the study.

The process involved a number of steps. The first step involved generating a text data by transcribing my recordings and translating all the written texts from the Twi language to the English language and then transcribing the interview recordings. Having printed out the copy of the transcript I handwrote at the margins of the printed paper relevant notes and loggings that I had written in my field diary. It was based on this text that I did my data analysis.

The second stage of the process involved developing codes that could be apportioned to different sections of the data. Codes can be described as symbols applied to a portion of text to categorize it (Robson 2002). The essence of the coding was to reduce the large text into smaller bits of information and to establish a system of patterns and relationships.

The third process in the analysis stage was to construct a matrix table. This is a method for summarising and analysing qualitative data in a two-by-two matrix table. It allows for sorting data across case and by theme. The table allowed me to cross reference my different informants' categories and to compare the various themes that emerged.

#### **4.8 Ethical Considerations**

Ethics can be defined as the “conduct of researchers and their responsibilities and obligation to those involved in the research” (Davidson & Layder 1994). In conducting my research I was conscious that I had to maintain a high level of standard and morality. This was done in a number of ways. First of all, knowing that the illegal mining issue is a very controversial and sensitive topic, I had to ensure confidentiality and make sure that all identities were kept anonymous. It is important that anyone reading my research work is not able to identify or make out any individual. To ensure this, the identity of my informants were not sought during interviews and focus group discussions. In cases where it was necessary to refer to research participants, their positions within their institutions are referred to or their names are altered.

Also before interviews were conducted with informants, a brief description of myself and the research topic was explained. Permission was also taken from each individual informant before the interview took place. Informants were made aware of the fact that they were free to back out at any time or withhold information if they were not comfortable. Furthermore, permission was also sought to use a voice recorder to capture the interviews for later transcription.

Narayan et al. (2000) discuss the ethical challenges that the field researcher faces whilst conducting research with people who are financially challenged. This is especially important for consideration because most of the research participants in Noyem are people living with poverty. Narayan et al. (2000) stress that these ethical challenges mostly arise when the key objective is not to directly empower and benefit the participants, but to help outsiders learn about the experiences and realities of the participants in question. One of the ethical challenges is taking people's time. At the mining site in Noyem, participants who were Galamsey miners were very busy working so that they could be paid their daily wages. Knowing that the focus group discussion would take their time and ultimately reduce their wages, arrangements were made to pay participants the fixed wage rate for every hour spent during discussions. This was done so as not to disadvantage the participants in any way as most of them were poverty-stricken individuals, and for them, every hour counted to make ends meet.

According to Narayan et al. (2000), another ethical challenge is the raised expectation that the research process may give to participants. At every stage in the process, it was emphasized that participants could only engage in the research process on a voluntary basis and participation would not provide any extra benefits other than learning and sharing. I also stressed this to my gatekeepers and emphasized that there would be no monetary benefits given in exchange for their involvement. In line with Bryman (2001), this was done so as not to cheapen the research process and to prevent the possibility of my research activities from being restricted in any way.

#### **4.9 Ensuring Trustworthiness and Credibility**

According to Kitchin and Tate (2000) qualitative research has often been criticized for lacking 'scientific rigor' and it is strongly subjected to researcher bias. However, there are various steps that can be taken to ensure trustworthiness and credibility of the research. According to Madland (2008), in order to ensure trustworthy data, it is important to be systematic in the research design, data collection, interpretation and communication process. It is also important for the researcher to provide an account of method and data. This is why this chapter on methodology is very important.

The issue of credibility is also very important. According to Stetler & Maram (1976), credibility deals with the question: 'how congruent are the findings with reality?'. Schwandt et al., (2007) suggest that ensuring credibility is one of the most important factors in establishing trustworthiness. In order to ensure credibility, a number of steps were taking during the

research process. First of all, developing good relations with research participants before data collection took place encouraged participants to contribute their knowledge in a more open and transparent manner. Another step to ensure credibility was to employ triangulation in the research process. Triangulation involves utilizing different data collection methods. In this research, the methods used were observation, interviews and focus group discussions. Gliner (1994) explain that triangulation helps to ensure credibility because the use of different methods in concert compensates for their individual limitation in collecting data and exploits their respective benefits.

Finally, another step taken to ensure credibility was to keep a 'reflective' diary during the entire research process. The 'reflective' diary was helpful to evaluate the research process as it developed. This is what Guba & Lincoln (1994) describe as 'progressive subjectivity' or the 'monitoring of the researchers own developing construction' and this is critical to ensure credibility.

#### **4.9 Positionality in the research process**

##### **Insider – outsider status**

Limb and Dwyer (2001) suggests that subjectivity and positioning within the research process has to be acknowledged. The researcher can be an 'outsider' intervening in the "insider's world". They further argue that these roles are constantly negotiated, and it is important for researchers to write themselves as well as others into the research. During field work, there were instances when I shifted between the 'insider' and 'outsider' status.

It has been argued that the greater the ethnic similarities between researcher and research participant the more likelihood there is of accessing information and developing trust and rapport (Papadopoulos & Lees 2002). Being an Akan by tribe from the Eastern region in Ghana, which happens to be the region within which Noyem is situated, I am quite familiar with most of the cultural settings within the community as well as the local language. To a great extent, I am an 'insider' who is aware of the way of life of the people. I tried to take advantage of this by striking informal conversations with my informants in cultural topics that interest them before gradually zooming down to the agenda for the conversation. I did this to reduce any anxieties and tensions that the informants may have had prior to the interview. Besides this, speaking the local dialect with participants also gave me an 'insider status' as informants were more easily able to identify with me because I could communicate in a language they understood easily.



Despite the advantage of being an ‘insider,’ there were instances when I consciously played the role of an ‘outsider’ so that I would not alter the opinions and perceptions of the informants. I did this by making a point not to assume anything, even if I thought I had an idea of what my participants were talking about. Instead, I would always ask participants to explain and clarify the information given to me so that I would not develop my own interpretation on any issue discussed. In line with Asselin (2003), I was able (to a large extent as an insider researcher) to gather data with my “eyes open” but assuming that I knew nothing about the phenomenon being studied. This was very important because according to Asselin (2003), although the researcher might be part of the culture under study, he or she might not understand the Sub-culture, which points to the need for bracketing assumptions.

### **Reflexivity**

Reflexivity refers to a self-scrutiny on the part of the researcher; a self-conscious awareness of the relation between the researcher and an ‘other’ (Pillow 2003). According to Bourke (2014), the nature of qualitative research places the researcher as the data collection instrument. It is therefore very common to expect that the researcher’s beliefs, political stance and cultural background are important variables that can affect the research process.

During field work, there were times when my educational background interfered with the research process. My background in geography, environment and resource studies influenced my tendency to be biased against environmental degradation. Thus, at the initial stages of the research, even though I wanted to be neutral, I found it difficult to appreciate some of the reasons the miners gave for engaging in illegal mining activities given its obvious effects on the environment. It was therefore important to consciously make the effort to separate my emotions and knowledge from the research process by being open minded and ready to understand the issues from the perspective of the miners.

Apart from the above, issues of class also played a role. Before I interacted with the research participants, I would usually introduce myself to them as a university student. I realised that in some cases this intimidated participants who had no educational background and as a result, they were not as forthcoming as they could have been. In Noyem, there are not many university students, so being one automatically gives an individual a higher social ranking. It is therefore understandable that some research participants may have felt uncomfortable interacting with a university student. In order to prevent this from reoccurring, in subsequent interactions

therefore after introducing myself, I engaged them in small talk to put them at ease and create a friendly atmosphere.

#### **4.10 Fieldwork experiences and challenges**

On the whole, the entire fieldwork experience has been a rather interesting and enlightening one. The initial stages of my research process involved continuous interactions with my supervisor to select a relevant topic and research questions. There was also the need to consider and strike a balance between my interests, time, available financial resources and many more.

The initial stages of field work in Noyem proved to be quite different from what I had imagined in my mind during the research design process. In the first sense, I thought it would be difficult to find a gatekeeper in the community. However making contact with a male school teacher and telling him about my research work, he offered to introduce me to an old friend of his who turned out to be a Galamsey miner who had others working under him.

Nevertheless, I encountered a few challenges during the research process. First of all, there was a limitation to the time and resources I could spend on the field. It would have been better if I could spend more than two months on the field but this was not possible because I did not have enough funds and had to be back for the next semester at school. Secondly, collecting data on the mining site in Noyem proved to be a bit challenging because of the initial hesitance of male Galamsey miners to engage in focus group discussions. This challenge was however tackled by employing another strategy to approach the male Galamsey miners. This was done by adopting a more informal approach as already discussed. Apart from this, another challenge in Noyem was getting the access to the traditional head or chief. A face to face interview was impossible because I was repeatedly told that the chief was busy or sleeping whenever I went to the palace. I therefore had to rely on information from other sources within the community when matters concerning the chief pertained.

Another limitation to my research was the trouble I went through trying to book appointments with government officials for interviews. In most cases I was told to “go and come again.” Initially, I had wanted to interview some large scale companies but due to the continuous disappointments in terms of not being given an appointment date, I was unable to.

## CHAPTER FIVE

### STAKEHOLDERS AND THEIR PERSPECTIVES ON ILLEGAL SMALL SCALE MINING IN GHANA

#### 5.0 Introduction

There exists a number of competing and contradictory perspectives on the Galamsey situation- the miners, the business and associated problems. For instance, there are the anti- Galamsey and Galamsey perspectives on illegal mining. Within these two main positions, different stakeholders have different ways of seeing things. In view of this, the knowledge and value judgments on the Galamsey issue don't seem to be universalistic, but rather differ between different people and stakeholders. It is important to gain insight into the views or representations of stakeholders on illegal mining because it can help us understand the attitudes that inform their actions and decision. In view of this, the main perspectives or viewpoints of various stakeholders on illegal mining will be the focus of this chapter. However, greater emphasis will be put on the main stakeholders- the Government, and Galamsey miners. This chapter provides more of a descriptive discussion of the views of the various stakeholders. This descriptive discussion aims to pave the way and serve as a foundation for a more analytical discussion in the subsequent discussion chapters.

#### 5.1 Anti-Galamsey Perspective

In Ghana, there is a strong wave of opinion that criminalizes and expresses sentiments against Galamsey miners, their various activities and actions. These sentiments, attitudes as well as actions are what I collectively refer to here as the Anti-Galamsey perspective and the main parties that advance and share this outlook on the issue are the government, media and large-scale mining companies.

##### 5.1.1 Government

A senior officer from the Inspectorate Division of the Minerals Commission was asked during a personal interview how illegal mining has evolved over the years. According to the senior officer, illegal mining used to be a pass- time activity practised by rural communities. During the dry season when there was little rain, locals of community would engage in mining, but during the rainy season, locals would go back to their farming activities. So in those times, illegal mining was just a means of sustenance and it was practised at moderate levels. According to the senior officer, in present times, illegal mining has grown from being a means of sustenance to being socio-economic and socio-political in nature. When asked how illegal mining has affected rural communities, the officer revealed that the activity has to a large extent

helped to build local economies and in the process rural-urban migration in mining communities has been minimized. This is because the youth are not overly motivated to travel to the big cities in search of work. The views of the senior officer were sought on if and why government portrays illegal mining and illegal miners negatively despite the activities' positive impact on local economies. The officer admitted that indeed, government depicts illegal miners as 'sinners before Christ' and in general perceives the activity in a negative manner. However, the senior officer pointed out that this negative impression has not always been the case in years past. According to him, in recent times, illegal mining has gained its notoriety from the influx of foreigners- especially the Chinese who have been engaging in the illegal activity.

The officer explained that many years ago, there were very few locals who used heavy machinery in their mining activities, so the devastation on the land was very minimal. However with the influx of the Chinese, heavy machinery was used on a very large scale because the Chinese did not deal with simple, rudimentary tools. They brought bulldozers and all sorts of equipment that really destroyed the land and water bodies. Besides this, the Chinese were only concerned about their profits, and made few efforts to reclaim the land. The officer mentioned that government in realising this problem had to deal with it by arresting most of the Chinese, deporting them and seizing their equipment.

The officer revealed that even though the Chinese are no longer actively on the scene, the notoriety and stigma attached to these foreigners have now been transferred to the locals and Ghanaians who generally engage in illegal mining. The Officer said, 'the Chinese developed a bad name for illegal mining and so now it is very difficult for government to view illegal mining in a positive light. What has worsened the case is that most of the locals have copied the bad practices of the Chinese in their mining activities and do not care much about the land. Apart from this, Government has tried to stop the practise of illegal mining amongst locals but has been quite unsuccessful because of non-compliance on the part of the locals. The locals refuse to obtain a license and resort to illegal mining. This reason, coupled with the other reasons I have mentioned have made government form a negative impression on illegal mining.'

The interview with the senior officer of the Mineral Commission confirms the general notion that the government of Ghana maintains an anti- Galamsey position. Their position places an emphasis on the 'illegal' nature of the business and projects an environmental narrative which focusses on environmental degradation, its consequences such as floods (as a result of the mining process) and points accusing fingers at the Galamsey miners as being the sole culprits.

Criminalization is a dominant thread within government anti-Galamsey perspective. That is, in most of the views shared by government officials, they usually describe the miners as criminals. One of the reasons for their criminalization stems from the fact that these individuals do not have the legal permit or license to mine or carry out mining activities. Tschakert & Singha (2007) have noted that government discourse often regards Galamsey miners as criminals who have no regard for the law. For instance, in 2013, the Chairman of the inter-ministerial task force, a committee set up to ‘flash out’ those involved in the business described Galamsey miners as, “people who simply do not want to go through the legal process...they go onto the land with impunity and conduct their actions without recourse to the law”(Joyfm, 2013) . In an article that featured in a number of newspapers, including the Washington Times, an Environmental Protection Agency officer is quoted as saying, ‘they [Galamsey miners] are illegal operators and they are armed, violent and they don’t obey the rules’ (Palmer & Sackey 2004). These sentiments have not only been shared by ministerial and junior government officials but in past and present times, former presidents as well as the incumbent Head of State have had their take on the matter. For instance, in 2013, the President of Ghana is reported as saying:

‘I am appalled to see people engaging in Galamsey, and especially illegal mining that takes place in or near water bodies. Negative consequences of this activity include the lawless and criminal behaviour exhibited by Ghanaians and some non-Ghanaians involved in the illegal act...I am going to support the security force working to clear these miners and I want to warn those foreigners and local collaborators that we are going to chase them out.’(Mahama 2013)

A careful analysis of this perspective reveals that often criminalization of the miners goes beyond the ‘illegality’ of their working status. That is, criminalization goes beyond the mere fact that the miners do not have legal permits to operate. The anti- Galamsey perspective attacks not only their working status but their very person as individuals. That is, their social statuses are also attacked in some instances by being called names that often do not reflect the true nature of their personalities, attitudes, actions, backgrounds and situations. According to Hilson & Yakovleva (2007), government circles regard ‘illegal’ miners as ‘violent’ people who have to be avoided at all costs. One government official is quoted to have said, “they [Galamsey miners] are mostly wanted criminals and escaped convicts of our society who are fleeing the authorities to make money and are therefore dangerous’ (Hilson & Yakovleva, 2007). On several public platforms and in press releases, various government officials have branded

Galamsey miners as ‘a grievance’, ‘unimportant’ ‘annoying’, ‘a headache’, ‘a threat’ as well as many other (Tschakert & Singha, 2007).

Another important perspective of the anti- Galamsey perspective within government circles is that it projects those involved in the business as enemies of the environment and most often, the sole culprits involved. One of the main reasons for holding this position is the belief that Galamsey miners irresponsibly use mercury to extract gold, which has negative implications for the environment. In this regard, Tschakert & Singha (2007) have noted that government often regards Galamsey miners as reckless polluters of water bodies and other natural resources, especially because of the use of mercury in the gold amalgamation process. Apart from this, government often accuses the Galamsey miners of polluting water bodies and destroying the land surface as a result of their activities. In a recent interview by Citi FM<sup>4</sup>, the deputy divisional head of survey and mapping at the Lands Commission revealed that the Galamsey miners are destroying the vegetation in the region. In his own words, ‘It is horrible, they just keep scattering the whole place, looking for what? I don’t know’ (Kwakofi 2014). Similarly, the president of the Ghana Chamber of Mines said, ‘...illegal mining has taken on disturbing trends as illegal miners expand their activities onto public lands and in water-bodies, polluting and destroying these natural resources extensively’ (Myjoyonline 2012)

### **5.1.2 Media and Large Scale Companies**

The Galamsey mining issue is a very controversial one, so it has naturally become a juicy topic for journalists and the media in general. The media usually tells a version of the story as presented by the government but does not focus much on the story of the miners. Besides this, news stories are sometimes exaggerated. Also, in cases where media houses such as radio stations or T.V stations are owned by government parties, the stories that come out to the public can sometimes be biased (Gyimah-Boadi 2009).

Apart from the media, the viewpoints of large scale companies do not differ much from the government. In recent years, the government of Ghana has opened up the economy of the country to encourage foreign direct investment in the mining sector of Ghana. It has also put in place fiscal incentives to attract investment. In a sense, the entire mining industry has been tailored in such a way to prioritize and make provisions for foreign large scale companies ( Akabzaa & Darimani 2001a; Aubynn 2009). The result has been an influx of foreign large scale mining companies into the country. Even though I was not given access to interview

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<sup>4</sup> A local Fm station in the nation’s capital Accra.

representatives from mining companies, I had the opportunity to interview a representative of a Non-Governmental Organisation (Wassa Association of Communities Affected by Mining) who his working capacity has interacted with these mining companies on several occasions. In my personal interview, I sought to find out what the companies generally think of illegal mining and illegal miners. The officer revealed that, one key viewpoint that is often expressed by these companies is that the Galamsey miners often encroach on their mining concessions. For the mining companies, this issue of encroaching is very problematic because the companies incur costs by spending extra money on hiring security guards who can watch over their properties. Secondly, the Galamsey miners are not deterred by the security guards because they still find ways and means to illegally mine on their concessions.

The NGO representative also revealed that most of the mining companies have a negative impression about the miners because they claim that the Galamsey miners exhibit violent behaviour when confronted and asked to evacuate companies' mining concessions. According to the representative this is why some companies resort to more forceful measures to keep the miners off their concessions.

## **5.2 The Galamsey Perspective**

Besides the anti-Galamsey position, there is also the Galamsey perspective. The Galamsey miners are the main stakeholders who share this Galamsey position. Nevertheless, there are other stakeholders too, such as community members and traditional leaders. These stakeholders do not necessarily condone and approve of the fact that the miners are working without legal permits. However, they are more sympathetic and concerned about the plights and circumstances surrounding the Galamsey miners and recognize the contributions as well as the potentials that these individuals can make to society despite their 'illegal' status. The perceptions and viewpoints and experiences of the stakeholders that share the Galamsey discourse are discussed below

### **5.2.1 The Galamsey Miners**

The world of the Galamsey miner is rather complex and intriguing. Thus to better appreciate the Galamsey perspective, one needs to fully understand the miners. This subsection therefore attempts at deconstructing the world of the miners by first discussing why the miners do what they do, and how they are differentiated in terms of class and gender.

## **Who are they? Status formation with regards to ‘illegality’**

During my interactions with the Galamsey miners, I was interested in finding out how the miners perceived themselves. Were they aware and conscious of the ‘illegality’ of their status and what impressions did they form about themselves especially in the light of all the negative publicity on Galamsey mining? In my dialogues with the miners, I noticed first of all that, they do not consider themselves as ‘illegal’ miners. Instead, they consider themselves only as Galamseyers<sup>5</sup>. When I asked them what they understood by the term Galamseyers, they interpreted it to mean people who gather and sell gold. According to them, they do not consider the term to carry any illegal connotations. As such, they do not perceive themselves as illegal miners.

Beyond this, I inquired whether they were aware that in order to obey the country’s rules and constitution, they needed to get a legal permit. Almost all admitted that the right thing to do was to get a permit. Very few confessed that they knew little about the need to get the permit. Finally I asked them how they juxtaposed their response that they did not consider themselves as ‘illegal’ miners against their admissions that in order to do the right thing, they needed to get a legal permit. The responses I received shed more light on how they perceived themselves, especially with regards to the ‘illegal’ status of their working situations.

### ***Livelihood strategy***

First of all, a greater number of the Galamsey miners, especially the women argued that Galamsey mining is a livelihood survival strategy and since they depend on it for their daily bread, no one can claim that it is illegal in anyway. The miners were of the view that since government has done very little to improve their poor economic conditions, it has no right to consider them as illegal because they are only taking matters into their own hands to fend for themselves. According to them, getting food to eat and money to pay rent in order to provide for their respective families is a daily struggle because most of them are poor and their families have always been poor.

In their opinion, they have to work at the mining site because it is an economic activity that can earn them just enough to get by daily. In my interactions with the miners, I observed that some of the women were mothers because they had their babies strapped behind their backs. During discussions, all the women with babies admitted that they were single mothers and

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<sup>5</sup> Galamseyers is synonymous with Galamsey miners



described the difficulties that come along with not having husbands to take care of them. From their perspective, Galamsey mining is their only escape because there is always demand for workers and it provides them an opportunity to make a little money.

The women also revealed that even though they make money from their mining activities, they are not able to save much. The women pointed out that for several rounds of carrying pans of sand and gravel on their heads, they receive about 15 Ghana Cedis a week, (which is about 4 dollars). Considering the fact that they have to buy food not only for themselves but for their family, pay house rent, in some cases send their children to school as well as spend on others things, there is not much money left at the end of the day and it is almost impossible to keep some for the future.

### ***Cultural Identity***

Interactions with the Galamsey miners also revealed that most of the miners do not consider their activities as illegal because they view their activities as part and parcel of their cultural heritage. In their view, mining is not only an economic activity but a way of life for most of them and can therefore not be regarded as illegal in nature. It is an activity that their families and ancestors over the generations have engaged in and so it forms part of their socio-cultural identities as locals of Noyem.

The Galamsey miners argued that government is rather on the wrong path because by calling the activity illegal, it shows that it has little regard and respect for the socio-cultural practices of the community. For instance one miner said:

*'my family has been engaging in farming and mining even before the white people came. That is all they knew how to do. They passed on the skills and practices involved in farming and mining from one generation to another and these have become part of us.....as for this government, I don't know what is wrong with them. For many years we have been allowed to carry out our activities in peace and there has not been any problem. I don't see why all of a sudden they are making noise that our activities are illegal. Meanwhile they know that this is all we have...this is who we are...mining is part of us. How can we stop it? We are not illegal miners! We are just doing what we have always known to do.'*

Apart from this, the miners also expressed the view that the lands they are currently working on belonged to them and so they do not view their mining on them as illegal. The miners believe that they have property rights because apart from lands being family lands which have been

owned by their ancestors for decades, others are communal lands which are jointly owned by the community of Noyem. The miners claimed that since the lands belong to all of them, they have the right as community members to engage the land and also participate in the community's resources. The miners therefore argued that once they were mining on their own communal lands in order to make ends meet, they did not see why they should be regarded as illegal.

### ***Other reasons***

Besides the reasons given above, a few of the Galamsey miners did not consider themselves as illegal miners because they saw themselves simply as employees at the mining site, being paid for their contracted work and so issues of permits and illegality had nothing to do with them but was applicable only to those who had hired them.

The Galamsey manager<sup>6</sup>, who had employed the other miners was also asked why he did not consider his activities as illegal. In his view, he does not regard his activities as an illegality because according to him, 'everyone is doing it now a days. I know respectable people in this community who are indirectly engaging in Galamsey. There are even some government officials who are involved in this business....Galamsey mining is now the order of the day....if others are doing it and they are not referred to as illegal, why should I consider myself as such?' In his opinion, as long as others are engaging in it, it makes it right for him to also engage in the activity without feeling that is it illegal.

From the responses obtained, it is interesting to note that almost all the Galamsey miners recognized that mining without a license was illegal. However, by giving different reasons to justify their actions, most of the miners were in denial that they were indeed 'illegal' miners in a sense. For most of the Galamsey miners for instance, their impoverished circumstances and the need to survive was a good enough reason to justify why they cannot be considered as illegal miners.

### **Stratification of the miners**

Dialogues with the various Galamsey miners also revealed that there are different social divisions within the Galamsey mining business. There are those at the top of the ladder. These

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<sup>6</sup> As I have explained in my methodology chapter, a Galamsey manager is a Galamsey miner who has employed other Galamsey miners

are the rich business men and women who sometimes hold political positions. They have little interest in physically mining. However, they are the ones who from a distance are ready to invest large sums of money in the Galamsey business. These individuals are hardly heard of or mentioned and seem invisible because apart from their investments, they remain largely passive on the Galamsey stage. The Galamsey manager for instance referred to such a people the ‘big business men.’

There are also the ‘mpanyinfo<sup>7</sup>.’ These are important individuals who are also influential, have political connections and are wealthy to some extent. These individuals have much more interaction with the Galamsey miners and may form some form of collusion with them for mutual benefits. In this case, the Galamsey manager mentioned that he had some ‘mapnyinfo’ who were helping him and this could range from any important person in the village to even the chief. A research conducted by Banchirigah (2008) in Noyem confirms this. According to the study, the chief, queen mother as well as elders of the village have over the years invested in Galamsey mining projects in the village and have supported the business in various ways.

Even amongst the Galamsey miners themselves, there are those that are wealthy, influential, have employed others and possess their own machines. These individuals do not rely heavily on the financial support of others, even though they may make use of their political connections as already described. An example is the Galamsey manager. There are also other Galamsey miners who, even though have employed others, rely heavily on the investments of ‘big people’ and ‘mpanyinfo’ to get by. Very few belong to this category of Galamsey miners who have a better standing and can better cope with the risks involved in the business because of the connections and power relationships at their disposal.

Finally, there are those that rank least in the Galamsey hierarchy. These are the men and women, both young and old who are engaging in Galamsey out of the need to survive. They are not wealthy, they are not influential, and they certainly do not have powerful connections. They represent the greatest proportion of individuals who engage in illegal mining and can be described as the face of the Galamsey business. The most interesting thing is that even at this level, gender and age also play a role. The women are the most vulnerable in this group because of the role they play in the productivity chain. Being women, most of them do not get the opportunity to work at the machines. Instead, they are relegated to the role of carrying pans of gravel on their heads. Working at the machines means that one is key in the production chain

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<sup>7</sup> Mpanyinfo means important people or elders in the Twi language

and will therefore have a closer business relationship with the employer. In times of trouble (such as flash-out activities), the employer is likely to watch out for that individual. Unfortunately, women do not usually have this opportunity because of their gender and are therefore at the mercy of the authorities.

Apart from women, the age of individuals also play a role. Young individuals and even children are much more likely to be caught than the older ones. This explains why during flash out activities, it is mostly young children who are arrested. For instance, an online news article which was published on the 15th of September reported that hundreds of Galamsey miners were arrested in a joint police swoop at Kokotesua in the Obuasi municipality of Ghana (The Ghanaian Times 2014). According to the report, most of the people arrested were Junior High students working as carriers and shovel boys, but the real concession manager and patrons vanished into the thin air, leaving their booties, mainly gold bearing materials behind. Since such individuals do not have sophisticated coping strategies like others, they are the ones that are often caught during flash out activities and suffer the brunt of the law enforcers. These are the vulnerable ones that the anti- Galamsey perspective so often attacks and accuses. These are the ones that have no choice but to mine in order to survive.

### **5.2.2 Other stakeholders- Community and traditional leadership**

How did the community members of Noyem feel about Galamsey mining and what were their general views? Most of the community members revealed that even though they knew that illegal mining was wrong, they could not help but acknowledge the benefits the business had brought to the village as a whole. During interviews with the community members, about two thirds of them provided detailed stories of how Galamsey mining had brought about some form of financial help to friends and families they knew. Even though they were reluctant to suggest that they had benefited themselves, they were quick to admit that it had rescued other people they knew from poverty struggles. Some of the community members described how the village, before the advent of Galamsey mining was depopulated (because all the young men and women had gone to the cities) and did not have much going in terms of business, etc.

According to the community members, the Galamsey business has had positive spill over effects. It has attracted more people to the village and other business such shops and even a local motel have been set up in the community. Apart from the positive impacts, the community members also made mention of some of the negative impacts. For instance, they mentioned how prostitution and other social vices such armed robbery had become more rampant in the

village. In general though, most of the community members admitted that the positive impacts far outweighed the negative ones.

When I asked how the community members felt about the flash out activities and the dominant discourse in general, most of the community members revealed that even though government's motives may be right, their approach is wrong. One man told me, '*these miners are our brothers and sisters...government should stop attacking them and deal with them in a peaceful way....the flash out operations are not bringing any good solution.*' Even though I did not get the opportunity to interview the chief, conversations with the community members also showed that in one way or the other, their chief was supportive of the Galamsey miners and their operations and even received remunerations from the miners.

### **Summary**

This chapter have focused on the government and Galamsey miners as main stakeholders, as well as their positions within the anti-Galamsey and Galamsey representation. The government as well as other stakeholders such as the large scale companies and media hold positions that condemn the Galamsey miners and their actions. These positions are embodied within the anti-Galamsey perspective which focuses on the 'illegality' as well as the negative environmental impacts of the business. On the other hand, the Galamsey perspective which is mostly upheld by the Galamsey miners focusses on the plights and circumstances that surround the miners and their actions.

Laying down the attitudes and viewpoints of the stakeholders as discussed in this chapter is very important if we are to fully understand issues of social justice and power. This is because social justice or injustice and power are instigated through the actions and behaviours of stakeholders. Since actions and behaviours of stakeholders are largely influenced by their attitudes and representations (Fishbein & Ajzen 2005), understanding the perspectives of stakeholders as shown in this chapter will help to contextualize issues of social justice and power which will be discussed in the preceding paragraphs.



## CHAPTER SIX

### DIGGING DEEP TO UNCOVER SOCIAL INJUSTICE IN THE MINES

#### 6.0 Introduction

In this chapter, I apply Nancy Fraser's concept of social Justice to the Galamsey mining situation in Ghana and in particular Noyem, to show that there are several factors of inequality that work together to place individuals in a position where they have no other alternative but to mine illegally. These factors or injustices are social, economic and political in nature. They are embedded within the social-political-economic structure of the Ghanaian society and make individuals not only vulnerable but put them in a state of poverty to the point that they have to resort to non-legitimate livelihood strategies. This is the situation of Galamsey miners in Ghana and this is what this chapter seeks to explain. The chapter is divided into subsections that focuses on concepts of redistribution, recognition and representation and how they play out in the Galamsey situation in Ghana.

#### 6.1 Redistribution/ Maldistribution (Economic Injustice)

The fiscal provisions in Ghana's mining legislation ("Minerals and Mining Act of Ghana," 2006) which have been influenced by the desire attract new investments, as well as the adoption of neoliberal reforms by government over the years has undoubtedly had significant consequences. To some extent, it has positively impacted national economic growth (Aryee, 2001). However, there is a growing body of evidence that suggest that SAP's have brought about economic hardships within the informal, impoverished and subsistence communities of the developing world, of which Ghana is no exception (Herrera et al., 1997; Goldberg & Pavcnik, 2007). According to Crisp and Kelly (1999), the burden of reform has been borne disproportionately by the poor.

Even though neoliberal policies, Structural adjustment Programs and amended legislative frameworks have been successful in attracting foreign direct investment into the country, they have also given rise to new economic problems that serve as the foundation for economic injustice. These are described below:

## *Unemployment*

There is a general consensus amongst researchers, policy makers and development practitioners that artisanal small scale mining and Galamsey for that matter, is a livelihood strategy that is poverty driven (Hilson & Potter, 2005). What has often been overlooked is that the poverty driving individuals into the Galamsey business has not been created in a vacuum. It is mainly the indirect outcome of several factors, one of which is unemployment, and this is as a result of various reforms that have been implemented by policy makers over the years. As a result of particular policies implemented to encourage change, formal sector employment in Ghana has diminished, as well as many of the opportunities for personal fulfilment which existed during the early years of independence (Sarris & Shams 1991; Panford 1997; Abdulai & Huffman 2000; Söderbom & Teal 2003). Reforms implemented to improve the efficiency in the public sector have also had a devastating effect on job creation and levels of employment. Beyond this, the opening up of markets to foreign investors have also brought about competition for many subsistence artisans and entrepreneurs, kicking them out of business and further worsening the unemployment issue (Chalfin 2000; Hilson & Potter 2005).

One may think that with the opening up of the mining sector to foreign direct investment and the subsequent increased mining output, there would at least be opportunities for the sector to absorb job seekers. However, it seems the contrary is quite true. In Ghana, the large scale mining sector has displayed a low capacity for labour absorption and is therefore not a major employer of the country (Bush 2010). Many of the very people left unemployed by industry privatization both in the large scale mining industry and other important segments of the economy in Ghana have pursued employment in the Galamsey business (Banchirigah 2006). This was confirmed by my respondents in Noyem during focus group discussions and interviews. According to most of them, they engage in Galamsey mining because there are no other jobs for them to do. An elderly man in his late 50s revealed that he lost his job in a large scale mining firm in the early nineties during the Structural Adjustment Programme. Consequently, he had to transfer his skills in to the Galamsey business in order to cater for his family when it became almost impossible to find other jobs.

Also, it was interesting noting how almost all of the miners blamed the government for not providing them with employment opportunities. One young Galamsey miner even said that one of the reasons that made him drop out of school was the fact that he saw no point in continuing because even if he finished High School and proceeded to University, there would be no jobs



available upon completion. As already mentioned in the previous chapter, most Galamsey miners also revealed in conversations that Galamsey mining is temporary job, and if they get an alternative employment opportunity, they would leave the industry.

### ***Unavailability/Appropriation of land***

According to Banchirigah (2006) one major reason behind the increasing occurrence of illegal mining activity in sub-Saharan Africa is the unavailability of land in local areas because land is taken out of the hands of rural communities. According to Akabzaa and Darimani (2001b) under government reforms, large concessions of land have been contracted to multinational companies for periods spanning decades. According to the later, *'the [large scale] mining industry has withdrawn a significant percentage of the labour force in agriculture and other income-generating activities by taking farmland away...and has not provided enough jobs to match the number of people laid off from agriculture'* (Akabzaa & Darimani 2001b, p. 45). For instance, a research study carried out by Bhattacharya et al. (2002) show that mining investment in the town of Tarkwa between 1990 and 1998 led to the displacement of 14 farming communities which had a population of about 30000. Similarly, Aubynn (1997) also points out that about one-third of Ghana's entire Western Region is currently under the concession of large scale mining companies.

The case is not very different in Noyem either where large concessions of communal land are currently contracted to a Canadian mining company called African Queen Limited. The area under license for this company now comprises two non-contiguous blocks aggregating approximately 30.23 sq. km. Namely, Noyem A (Nyanfoman) which covers 23.55 sq. km and Noyem B (Apragya) which covers 6.68 sq. km (African Queen Mines Limited 2013). During an interview with the District leader of the Association of Small Scale Miners, he pointed out the fact that, the government has given large tracts of land to mining companies in Noyem and this has seriously compromised the livelihood strategies of those who were formerly depending on the land. In his view, he is not surprised that so many people in the village are shifting to Galamsey because according to him, the issue of landlessness and the inability to make ends meet puts them in a situation where they have no other choice but to do Galamsey.

Apart from the loss of livelihood strategies as a result of land being taken away, the leader also mentioned that the unavailability of land, and the priority given to large scale companies when it comes to awarding land concessions has been one of the demotivating factors for Galamsey miners to obtain a license. According to him, he does not blame the miners... *"how can they*

*be motivated to register when there are no productive lands available? All the good lands are being taken by the big companies....even if they register, what land will they mine on? Even as the leader of the registered small scale miners, it took a very long time before a portion of land was given to the association so our members can mine.”*

Subsequent conversations with the Galamsey miners themselves showed that this proves to be the case. One miner said, *‘you can’t go to Accra for license if you have not found a good available land to mine....but how can you find that land to mine if there are no more lands left? How can you go and register? For me it is better to stay in your own village and do things your way’*. It is in line with this reason that Aryee et al. (2003, p. 409) states that, *‘the only viable option remaining is to work [mine] in alienated lands or other restricted areas.’*

## **6.2 Redistribution and the occurrence of marginalization and deprivation**

For participation parity (social justice) to take place in society, there is the need for resources, (both man-made and natural) to be distributed in such a way that it will ensure participants’ independence and ‘voice’ (Fraser 1998a). The concept of redistribution focusses on aspects of social justice that are socio economic in nature. Redistribution can therefore be considered as the economic aspect of social Justice.

Fraser (1995) uses the term maldistribution to describe the scenario where there is the absence of redistribution. In mining communities, land resources are very important to the local people because the livelihoods of most individuals, be it farming or mining are tied to it. The issue of control over land resources is very important because it basically determines the livelihoods of those in rural areas. As already mentioned, chiefs have traditionally been the custodian of lands in rural areas and have worked over the years through local land tenure systems to ensure that community members have equal and fair access to land. However, in present day, the system of control especially when minerals are concerned puts the ownership of lands in the hands of the President. This has led to a disruption in the equal access and distribution to land. This situation reflects what Robbins (2011 p. 21) describes succinctly when he says *‘control of resources and landscapes are wrested from producers or producer groups....in the process, local systems of livelihoods and production are disabled by officials and government interests.’*

As already pointed out earlier, land has been continually contracted to large scale companies, while locals have not had equal access. This reflects a situation of maldistribution because according to Fraser, resources (and in this case land resources) need to be distributed in such a way that they ensure participants’ independence- economic independence that is free from the

yoke of inequality. As already shown, the outcome of a lack of access to land is that individuals in communities are forced to rely on less legitimate work in order to survive. This is exactly what Fraser (1995;1998a) describes as economic marginalization. A situation where individuals are confined to less desirable and poorly paid work. This is the situation most Galamsey miners find themselves. Galamsey mining is not a desirable job because it is illegal, and most importantly, the wages of employees- the vulnerable youth, women and children who form the greater proportion of Galamsey miners are very minimal. As already mentioned in the previous chapter, these wages are hardly enough to keep them going.

Beyond this, Fraser (1995;1998a) also suggests that marginalization occurs when individuals are 'denied access to income-generating labour altogether.' The state of marginalization where Galamsey miners do not have access to income-generating labour is very evident in Noyem. I have discussed previously how there is a high level of unemployment and how Galamsey miners do not have access to alternative jobs. In addition to marginalization being a form of maldistribution, Nancy Fraser uses the term deprivation to describe another instance of maldistribution where the individual is 'denied an adequate material standard of living.' The term deprivation also characterizes the situation of the Galamsey miners in Noyem. This is because the unequal distribution of land resources combined with the lack of access to alternative employment opportunities have accumulated and led to a low standard of living for the miners and this is a state of deprivation.

From the foregoing, unequal distribution and access to land resources as well as the unavailability of income generating opportunities are only outcomes of economic policies (such as SAP) and legislations which have consequently produced situations such as Galamsey mining. Thus when Fraser (1995) suggests that Maldistribution should be considered as a socioeconomic injustice deeply rooted in the political-economic structure of society, the case of Noyem is a classic example that reinforces her position.

### **6.3 Recognition/ misrecognition (socio-cultural injustice)**

Fraser (1995) points out that individuals in society can be affected by three distinct types of injustices: cultural/symbolic, socioeconomic, and political injustices. Cultural-symbolic injustices are associated with "representation, interpretation, and communication" (Fraser 1995, p. 71). In other words, as Nelund (2011) points out, cultural/symbolic injustices can be conceptualized as "ideologies and norms that classify some groups of people as worthless in respect than others". Fraser (2000) also argues that recognition or misrecognition is basically

a matter of social status (social identity). When the social statuses of individuals are respected and held in proper regard, then recognition is said to have taken place. On the other hand, when the contrary occurs, for example, when people are looked down upon, regarded as inferior, stereotyped, etc. then misrecognition takes place. Nancy Fraser's conceptualization of Recognition is well suited to examine the Galamsey mining situation in Ghana because of its emphasis on cultural domination, non-recognition and disrespect. The subsequent subsections will examine the issues of misrecognition as they play out at the institutional and basic level<sup>8</sup> within the context of the Galamsey issue in Ghana.

### **6.3.1 Misrecognition at the institutional level**

In a research carried out on Galamsey mining, Tschakert (2009a) points out that, Galamsey miners, who knowingly engage in 'illegal' practices can be justifiably conceived as the victims of social injustices. According to him, the fundamental reason is a dominant discourse that portrays these miners as violent criminals, instead of seeing them as citizens with rights to participate. During focus group discussion and interviews, it became obvious that Galamsey miners do feel misrecognized by the institutions of society as manifested certain actions and attitudes. These are described below:

#### ***Stereotyping***

Stereotyping is a form of misrecognition. It is the process whereby social identities of Galamsey miners are construed in a negative way, such that they do not reflect who they truly are or what and why they do what they do. Information gained from focus group discussion and interviews with the Galamsey miners show that these individuals are usually stereotyped in society. For instance, apart from discussing the illegality of Galamsey miners, stakeholders go a step further, beyond the issue of illegality to attack the very person and identities of the miners by describing them as people who are violent and dangerous. In essence, young children, women, as well as men are all lumped together and regarded as violent criminals.

From focus group discussions with female Galamsey miners, one striking thing I noticed was how the women were well aware and conscious of the things that were being said about them and how it seemed to affect their self-image. Most of the women, especially the younger single mothers (who had their babies strapped behind them) kept on mentioning that they did not feel good about themselves. One single mother even expressed her fear of not getting a suitable

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<sup>8</sup> The institutional and basic level have been explained in the theoretical chapter of this research

husband to take care of her child because of the stigma attached to her and the work she was doing. Honneth (1992) stresses the psychological component of misrecognition mentioning that perceptions of misrecognition by 'victims' are important indicators of injustices. Similarly, in this case, the very fact that the female Galamsey miners have a sense of consciousness that they are misrepresented is a key indicator of the injustice of misrecognition.

Apart from individual experiences as an indicator of injustice as described above, Fraser (2001) focuses on the structural and institutional manifestations of misrecognition. Apart from governmental policies, Fraser argues that institutionalized patterns, perceptions and customs can play a role in the Galamsey miners being regarded as inferior and deficient. Fraser's argument reflects the situation in Ghana. This is because the main structural institutions in the country such as the governmental body, the media, the police and armed forces, etc. have all played a role in producing and reproducing through their actions and words, a tarnished image of Galamsey miners. The miners are collectively branded in a negative way and this is shown in the anti- Galamsey discourse. The notion of misrepresentation is therefore reflected in the public and institutional stereotypical representations of the Galamsey miners.

### ***Exclusion***

Exclusion is both a cause and outcome of misrecognition. Exclusion occurs when Galamsey miners are denied participation in society at political, social and economic levels. This is basically because their presence and contributions are not only disregarded and overlooked but counted as unimportant. In line with this, Fraser (2000) asserts that institutionalized and distributive systems of disesteem inhibit parity and participation in society. At the heart of the Galamsey mining issue are the Galamsey miners themselves. One would think that in order to reach an amicable solution to the mining situation, the government in conjunction with other stakeholders would work hand in hand with the Galamsey miners themselves to come up with the best strategies to move forward. My interviews with government officials and the Galamsey miners showed that this is not the case.

An interview with the District Assembly Man of Noyem (a government official at the local level) revealed that in Noyem, the government, both at the national and local level has had no dialogue with the Galamsey miners in order to assess their situation and come up with amicable solutions. When I asked the Assembly Officer the reason for the lack of dialogue, he simply stated that the very fact that the Galamsey miners were illegal and offenders of the law was enough reason for not involving them in any form of dialogue. In his own words, '*government's*

*goal is to get rid of them....not talk to them.*’ The lack of dialogue and communication with the Galamsey miners reflects the notion that their contributions are not very welcome. This is probably because, their being regarded as offenders of the law overshadows and to some extent discredits the fact that they are citizens first – citizens who have the right to be heard irrespective of their actions.

Research has also shown that most large scale mining companies hardly engage the Galamsey miners in dialogue, even when the miners are encroaching on their land concessions. During a study conducted by Tschakert (2009a), a Bogos Gold Limited (BGL) official admitted that the company had a non-recognition, no-dialogue policy with Galamsey miners. The BGL officer is reported claimed that if the company talked with the miners, the miners would begin to see themselves as partners and equals (Tschakert 2009a).

### **6.3.2 Misrecognition at the basic level (social injustice)**

The Galamsey miners during focus group discussions and interviews brought up and expressed their views on certain incidents and situations which make them feel undignified and disrespected as human beings because their basic human rights are infringed upon. These situations and incidents are discussed under the subheadings below:

#### ***Flash out operations***

In this context, a flash out activity can be described as a crackdown exercise where the government sends the military and police to mining communities to round up and arrest individuals involved in the business. One of the Galamsey miners, who happens to be the employer of other Galamsey miners in Noyem expressed his dissatisfaction with the flash out exercises that have been taking place in Noyem over the years. According to him, what worries and disturbs him is not the fact that government carries out these exercises in an effort to curb Galamsey mining. Rather, the cause of anxiety and unhappiness for him, is the manner in which these flash out exercises are executed. Having been a target of these flash out exercises and having gone through the experience himself several times, the Galamsey miner whom we shall call Kwesi recounted one of the experiences that stood out for him:

“It was still dark, the sun had not come out yet because it was early morning. We were all busy at the site mining. That day I was helping to carry the gravel to my friends who were working at the machines. There were others there too. Everyone had their work to do. Then we heard shouts from the other mining site which was very close to ours. We knew something was

wrong...very wrong. It was still dark and it made seeing in the distance difficult for us. Our leader at that time told one of the boys to quickly go and check what was happening...but it was too late. The big cars had already surrounded our site and the car horns were blowing so loudly. There was confusion everywhere. The noise alone was scary and by that time we knew the soldiers had come. They were armed and were coming at us fast. I saw my friends running. I also started running. Everyone was running. But our legs were no match for the cars that were chasing us. That was when we heard the gun shots. Then we stopped. There was no use continuing. They would catch us anyway.....and yes they did...the soldiers treated us like we were some violent gang members...they used a lot of force...I still remember how one soldier hit my back with his club when he took hold of me and arrested me....they had also arrested our leader and most of the other boys. Very few managed to escape. I felt sorry for the women amongst us. They also took our leader's machines...it has been over four years since then but I still remember how they beat us and threw us into police cells. The worst part was waiting and waiting. Waiting to be released. Some of us were lucky...we were released three days later but others were not.”

Apart from speaking to Kwesi, I also had the opportunity to speak to other Galamsey miners. However, unlike Kwesi, these Galamsey miners were women. Even though these women were reluctant to mention their ages, I observed that some were young, others seemed well past their early thirties and still, others were mothers. An interesting thing is that almost half of them admitted that they had at one point in their mining careers fallen into the hands of the police and military during flash out exercises.

Their experiences were not too far from that of Kwesi. According to them, some of their colleagues and they themselves were beaten, told to do embarrassing exercises such as standing and squatting with their hands behind their ears. In their opinion all these things that were done to them made them feel unimportant, as if they were not human beings<sup>9</sup>. When I asked them why in their opinion government was sending the military after them in such a manner, the responses were similar. Most of them made mention of the fact that government sees them as violent criminals who are dangerous and so that is why they send the military with guns after them. For instance, one of the women complained, “...it is not easy at all....we know that we are not the ‘mpanyinfo,’ but instead of sending the soldier men to arrest us, why can't government send people who will be willing to sit and speak with us so that we can find a

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<sup>9</sup> A number of the women kept on saying, “are we not nnipa?” This means are we not human beings?

*peaceful solution? If government treats us like armed robbers, how do they expect us to listen to them?"*

The flash out exercises are not peculiar to Noyem. These crackdown missions have also occurred in other mining communities. For instance, in 2006, the government carried out operation 'Flash out' and this was coordinated by the Ghana Chamber of Mines (Hilson & Pardie 2006). During the exercise, three Galamsey miners were shot in Prestea. The military also confiscated all the equipment at the various mining sites. According to Hilson and Pardie (2006) most of the Galamsey miners went through a lot of psychological shock and physical assault during the entire process of being beaten, arrested and eventually released. What we see from the experiences of the miners with regards to flash out operations is flagrant disregard by the security forces for the rights of the miners.

### ***Corporate violence***

Apart from flash out activities which are initiated by Government and carried out by the military, corporate bodies such as large scale mining companies also carry out actions that disrespect the miners by disregarding their basic rights. According to Carson (2005) most of Ghana's gold bearing land is demarcated for large scale companies. In the absence of a title to land, Galamsey miners usually trespass on concessions of companies. Usually what happens is that, large scale companies go to all lengths to protect and defend their land concessions and at times this can lead to human rights abuses. During an informal conversation with the Galamsey manager, he told me a story of a close friend whose 15 year old son suffered at the hands of a large scale company because he was mining on their concession. According to the story, the security personnel beat the boy up indiscriminately with the butt of their guns when they caught him. He sustained a lot of injuries and ended up being hospitalized for a long time. When I asked the Galamsey manager why a responsible father would allow his young son to do Galamsey, his response was simple, *"my friend is old....past his 70's...he has no job and no money.....his son is the only breadwinner for the family now."*

According to a BBC report, Anglo Gold Ashanti (AGA), the oldest large scale mining company in Ghana has a shoot-on-site policy in the case of encroachment (Angus 2006). The director of the Wasa Association of Communities affected by mining has described as criminal the methods used by the company to defend their concessions as well as the punishments meted out to the miners that were caught (Sarin 2006). According to the director, these criminal methods include torture of Galamsey miners in private company cells. Between 1944 and 1997,



3 Galamsey miners were killed, 16 were severely beaten and 6 beaten and attacked by AGA guard dogs (Sarin, 2006). The Commission on Human Rights and Administrative Justice in Ghana (CHRAJ), has also published a document on human rights violations in the context of large scale mining operations. The CHRAJ (2008) report alleges that mining companies often employ guard dogs to terrorize Galamsey miners and even mining communities. The report also acknowledges widespread violent abuses of human rights by mining company officials and their security contractors (CHRAJ, 2008).

#### **6.4 Misrecognition and Implications for Participation**

According to Young (2011), there is a strong connection between misrecognition and a person's ability to participate in the wider community, politics and institutional order. Similarly, Fraser (2000) points out that both distributive inequalities and institutionalized patterns of disesteem can prevent parity of participation or participating as equals in society. In Ghana, the greater consequence of misrecognition with regards to the Galamsey miners is that they have been denied full participation in state- supported educational, financial and technical services. The inability to participate can be described as a social injustice.

Participation as recognized peers in the mining industry starts with obtaining a legal permit to mine. However, the bureaucratic and procedural stumbling blocks (Tschakert & Singha 2007) that the Galamsey miners face when they want to register prevents them from doing so. According to Holifield et al. (2011), the waiting period for obtaining a permit can take up to one year and the costs that come with it are extremely expensive. Most individuals have to pay about 2000 Ghana Cedi (190 dollars) at the district level, including fees from the Environmental Protection Agency in order to be legally registered. It is therefore not surprising that almost 85 percent of the miners are unregistered (Holifield et al. 2011). If the government recognized the plights of the Galamsey miners and realized that a majority of these individuals are not acting out of sheer disrespect and disregard for the law, but are rather acting out of a need to survive, the government would reconsider its bureaucratic processes and tailor the process of getting a license in such a way that it will give equal opportunity for Galamsey miners to participate and obtain a permit.

Beyond this, Galamsey miners because they are misrecognized are unable to participate in institutional support. For example, the government condemns the Galamsey miners for mercury pollution without providing them with the needed technical and socio-cultural training on the health and environmental implications as well providing adequate solutions (Tschakert

& Singha, 2007). The injustice here lies in the fact that the criminalization and misrecognition of these miners robs them from being considered candidates for such educational and sensitization activities. The Galamsey miners are overlooked and ignored and as such they are not able to participate in institutional support.

### **6.5 Representation/ misrepresentation (political injustice)**

The third dimension of social justice is representation and it has to do with the political aspect of social justice. Representation according to Fraser and Lovell (2007) concerns decision- rule aspect and the procedures that shape public processes of decision making. Policies and decision making processes should be geared towards promoting equality. Thus, I am interested in understanding how first the local Galamsey miners participate in decision making processes and the extent to which their voice are heard. Secondly, I am interested in finding out the extent to which mining laws specifically with regards to the license process reflect the interest and welfare of the people. Focus group discussion and interviews in Noyem were limited to investigate these two main aspects of Representation- participation in the decision making process and the impacts of policies.

#### **6.5.1 Loud inaudible voices-Participation in decision making process**

Decision making processes relative to Galamsey mining is mostly restricted to a few individuals. The most affected and key stakeholders- the miners, themselves are hardly involved in the processes. This was apparent from focus group discussion with Galamsey miners who revealed that they are hardly involved in decision making processes when it comes to Galamsey mining. The general conclusive agreement among the research participants who participated in focus group discussions on this issue was striking. The discussions delineated two underlying factors contributing to their voice not being heard or regarded.

First of all, they are unable to air their concerns to local government representatives on issues that relate to them because of the negative notion of ‘illegality’ that surrounds them. Several of them felt that because they are considered to be engaged in illegal activities, the officials do not regard their opinions valuable. This for them explains why local government officials hardly approach them to dialogue on matters concerning the Galamsey situation. For example, one young woman said;

*‘...these people in power, they don’t listen to us, they don’t even care about what we have to say because they think we are illegal miners....are we not also human beings who have mouth to speak...are we not citizens....were we not part of those who voted them into power....they*

*want to stop Galamsey, but how can they stop it if we don't work hand in hand? After all, is Galamsey not about all of us- we the miners? They should stop these flash out things and listen to us so that we solve the problem together...who said we enjoy what we do? We all want this Galamsey thing to end. Maybe if they listened to us, they could put some things in place to help us stop Galamsey. Already I'm tired of all this ...it's not easy working in the sun and carrying sand on your head just to have money to chop.'*

An interview with the Galamsey manager also revealed that even though (unlike his employees) he personally knows the local government official in Noyem, their conversations are mostly business and community related and issues on decision making with regards to Galamsey in the community are hardly mentioned.

Secondly, a lack of a well-coordinated channel of communication was noted as accounting for the inability of the miners to contribute in decision making. They noted that they are not well mobilized in an association or union with leaders mandated to push for their interests. They explained that because of the negativity surrounding their status, it was difficult to form an association. Delving deeper into this, they noted that it was difficult for anyone to mobilize and lead them to advance their views even though they have large numbers to form a strong constituency capable of shaping decisions. As one man puts it....*"who would be the leader of the people and face the officials? He would be arrested and asked to bring the others."* Another man puts it subtly in ironic way....*"they [officials] see us as criminals and you want us to form association of criminals and help the government decide what to do with criminals?"*

Beyond this, I have also mentioned previously how an interview with the Assembly man of Noyem revealed that the government's *'goal is to get rid of Galamsey miners...not to talk with them.'* The lack of formal and informal platforms for dialogue and communication reflects the notion that the contributions of Galamsey miners are not very welcome. This has serious implication for political justice, because according to Fraser & Lovell (2007), equality (which involves the opportunity for individuals to be engaged politically without discrimination) should span across all aspects of social life, even in the decision making apparatus of society.

In the absence of dialogue and communication, political injustice occurs because it prevents the Galamsey miners from relating as equals with other individuals in society since they are discriminated, therefore leading to more inequalities. This is why Wampler (2012) argues that the absence of participatory institutions discourage social justice in society because they worsen the already glaring social inequalities in developing countries. The lack of participation

also extends beyond Galamsey miners to the extent to which small scale miners have been involved in discussing legislative reforms. According to Campbell (2009) when the current Mining and Minerals Act 703 was in the formulation process, a number of stakeholders engaged to discuss the bill. However, Campbell (2009) points out that there were unequal representation of stakeholders. The existing power relations further worsened the problem because government and large scale mining companies were over represented relative to the representation of small scale miners.

### **6.5.2 Disenabling through Policies and legislation**

In 1989, policy makers in Ghana came to a decision to legalize small scale mining in the country by passing three key laws which opened the doors for small scale miners to be legally registered. These laws were the Mercury Law (PNDC 217)<sup>10</sup>, Small –Scale Gold Mining Law (PNDC 218)<sup>11</sup> and Precious Minerals and Marketing Law (PNDCL 219)<sup>12</sup> (Hilson & Potter 2005; Aubynn 2009). Currently, under the Mining and Minerals Law Act 703, prospective small scale miners have to apply for and be granted a license in order to can legally operate. Despite legislative legislations which grants small scale miners the opportunity to regularize and mainstream their operations, less than one-quarter of operators work within the boundaries of the law (Aubynn 2009). The failure of most small scale miners to legalize their operations has been mainly attributed to the long and cumbersome process of registration (Aubynn, 2009). Aubynn (2009), briefly summarizes the process. First of all, the proposed mining area needs to be identified, if it is not already part of the Government of Ghana listed area. Then, a notice showing intent to mine has to be given for a period of 21 days, and an agreement from the District Assembly allowing an area to be demarcated for mining has to be made. Following these procedures, the Galamsey miner will then have to go to the Capital city of Ghana, Accra to sign a lease. The process can take more than 12 months to be completed and it is therefore a disincentive to people who need quick cash to survive.

It was therefore not surprising that when Galamsey miners were asked if current government policies and legislation affect them in any way, most indicated that the current procedures stipulated in the Mining and Minerals Act 703 relative to obtaining a license discourages them from regulating their activities. According to them, apart from the process being unnecessarily

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<sup>10</sup> The Mercury Law (PNDCL 217) allowed for the legitimate purchase and use of mercury in gold processing

<sup>11</sup> The Small Scale Gold Mining Law (PNDCL 218) legalized small scale mining activities and requires operators to go through a licensing process to legally operate.

<sup>12</sup> The Precious Minerals and Marketing Corporation Law (PNDCL 219) regularized and provided a legitimate sales outlet for hold produced by small scale operators

long and cumbersome, it is also very costly to get the permit. The miners expressed that since most of them were poor and did not have sufficient finances, they prefer to do Galamsey mining instead of spending their small monies on getting a license. For instance, one of the Galamsey miners said, *'it takes more than a year to get a license, and you need to have more than 500 Ghana Cedis in your pocket...me I don't have that kind of money so I can get that permit. The little money I get, I use to take care of my family. If government makes things simpler and cuts down costs, you will see that most of us will rush for license. The process is just too tiring.'*

Fraser & Lovell (2007) emphasizes that, representation concerns itself with understanding the dynamics of political inclusion and exclusion. This is very important when analysing how the dynamics of legislative laws and policies can exclude Galamsey miners from engaging in legalized operations. As already shown above, the long administrative processes and expenses involved in regulating activities serves as a disincentive and prevents most miners from obtaining a license, instead of encouraging them to. The majority of Galamsey miners, most of whom are relatively poor are therefore indirectly excluded from the regulation process because of their economic status, whilst the very few wealthy ones are able to secure licenses. This further reinforces inequalities and can therefore be described as political injustice.

## **SUMMARY**

This chapter has shown that the issue of Galamsey mining in Ghana should not be regarded solely as a matter of 'illegality' where the focus is on projecting miners as deliberately disobeying the law and carrying out their operations illegitimately. Rather, the problem of Galamsey mining needs to be understood in a broader context- a context where wider political, social and economic forces work together to result in a situation which encourages Galamsey mining indirectly or directly. This is why understanding the Galamsey mining situation in Ghana through the lens of social justice has been the focus of this chapter. The social justice approach as used in this chapter has provided a lens to understand the underlying issues that play a role in Galamsey mining. However, it has not looked at the element of power and power relations and how these mediate issues of social, economic and political justice. In view of this, the next chapter will build on the findings of this chapter to address the issue of power and how it affects Galamsey miners.



## CHAPTER SEVEN

### POWER AND IMPLICATIONS FOR SOCIAL JUSTICE

#### 7.0 Introduction

The previous chapter discussed how social justice unfolds through institutional and structural mechanisms and how this affects Galamsey miners. As already explained in the theory chapter, in order to truly understand the issue of social justice within the Galamsey context, it is important to not only examine it within the light of institutions and structures as Nancy Fraser proposes but also to understand how social justice plays out in all spaces of interaction. Also, as I have explained in the theory chapter, it is very important to put social justice within a political context by not only looking at issues of inclusion and exclusion and decision making processes, but also examining the active role of power in shaping social justice outcomes with regards to Galamsey mining. In view of this, this chapter will examine the power dynamics that occur between actors in all spaces of interaction- at the national level and the local level. The outcomes of power relations on social justice will also be discussed.

#### 6.1 Macro-level power relations

The Galamsey issue in Ghana, just like most other social problems reveals a play out of power. According to Foucault (1997) power relations are relations of inequality which exist at all levels of society, working to influence our actions by shaping the way we think, act, perceive and react. The Galamsey mining issue is one that concerns various stakeholders and as Foucault (1980, p. 98) explains, stakeholders are first of all individuals, rational beings with their own interests, and are ‘in a position of simultaneously undergoing and exercising power.’ This research found that within the Galamsey context, power is leveraged at the macro level; between national actors on one hand, and local actors on the other. At the national level, the main actors are the government and large scale companies and at the local level, the actors involved are the traditional leadership, community members and small scale miners (both legal and illegal) of Noyem. This research also revealed that as a result of the political power national actors possess, they mostly dominate local actors in the mining industry, and this leads to unequal power relations and subsequently social injustice. The power wielded by the actors at the national level is manifested in two ways-power over resource ownership and power over policy. These are discussed further subsequently.

### **6.1.1 Political power of Resource Ownership**

The Government of Ghana is undoubtedly one of the most dominant actors not only in the mining industry but the country as a whole because of the constitutional power that is vested within its executive functions. Ayee et al. (2011) emphasize this by stating that there is substantial executive dominance and uneven distribution of power inherent in Ghana's governance and this is reinforced by the wide powers given to the president by the constitution. With particular regards to the mining industry, the Mining and Mineral law 703 (Minerals and Mining Act of Ghana 2006) stipulates that, '*Every mineral in its natural state, in, under or upon land in Ghana, rivers, streams, water courses, throughout the country, the exclusive economic zone and an area covered by the territorial sea or continental shelf is the property of the Republic and is vested in the President in trust for the people.*' This gives the President of Ghana ownership and the legal power to acquire any land deemed viable for mining and to also control the issuing of mining contracts on the same land to any investor of its choice (Akabzaa 2000).

This implies that, the state working through the executive arm of Government basically has control over not only lands and mining territory but also controls who has access to mineral resources. The government's control over resources was confirmed during an interview with a Minerals Commission representative. According to the Mineral Commission Officer, since the enactment of the 1992 constitution, government has always had the power over mineral resources in the country. However, the reason why most communities are currently experiencing the effect of this power more than ever is because in present times, unlike in past years when nationalization of mining companies and mines was the order of the day, government's focus is now on encouraging foreign direct investment into the mining sector. As a result, government has had to act within its power of resource ownership to take mineral-bearing lands from communities and make them available to mining companies ready to invest in the industry. According to the Minerals Commission representative, even though government is taking lands from the communities, it is working in the best interest of the country's development by ensuring that economic growth is sustained through foreign direct investment flows. Furthermore, the representative also stated that there is a system of compensation for communities who have been dispossessed. Implications of power over resource ownership includes the following;



- *Unequal power relations*

I interviewed community members of Noyem to find out their views on governments' ability to control mining resources and shape policies and how it affected them. About a quarter of community members interviewed were not willing to provide responses to questions that pertained to this subject because according to them, they had little idea or no knowledge about the role of government in the mining industry. However, the majority of community members who were willing to discuss the issue first of all expressed the view that governments' capacity to control resources and shape decisions tilts power in its favour whilst reducing the influence of the chief and community members in decision and negotiating processes with regards to the use and distribution of resources.

It was clear from the interviews that the hitherto custodial role of the traditional chiefs have been eroded given the unequal power relations. Even worse, the participation of the community as a whole is limited when it comes to deciding what their agricultural lands are used for when appropriated by government. Community members explained that in times past, the chiefs of Noyem were regarded as sole custodians of communal lands and were very influential and powerful at the local level because they involved actively in all decisions concerning how local resources such as land were used. Besides this, they had the power to negotiate land deals and allocate land for investments in the community. However in present day, community members revealed that the traditional leadership and community of Noyem have little say in how their resources are used. According to them, alienation of the community in decision processes is reflected in the fact that there is insufficient and sometimes no prior consultation and consent before lands are appropriated by government and given to large scale mining companies. For instance some community members cited the example that they felt their community was left in the dark with regards to the negotiation process which led to their communal lands being given to Newmont mining company and African Queen Company.

A central theme in political ecology is how power is linked to access and use of diverse environmental resources. The more recent works in political ecology have shown that political and economic elites accumulate power based on tenure arrangements and management practices (Bryan et al. 1993). For instance, studies have linked the social and economic marginalisation of farmers, shifting cultivators, etc. to the propensity of states to turn locally owned and operated 'commons' resources into state run territories through new tenure arrangements. For example, the 'tragedy of enclosure' (Magazine 1993) has been described

notably with reference to forest lands in south and south-east Asia (Peluso 1992; Bryant 1997) and rangelands in east and South Africa (Neumann 1992). According to Bryant (1997) Research studies have also shown that the privatisation of locals' resources in the name of modern development has often been associated with disrupted livelihoods, cultural genocide and degradation of local environments. This reflects the situation in Noyem. Indeed from a national view point, the government exercising its power of ownership over mineral-bearing lands would appear to be acting in the interest of the nation as a whole. However, in the process, the local community of Noyem tends to be disadvantaged.

- *Social injustice*

The situation in Noyem has serious implications for social justice, especially with regards to the political aspect of social justice which is Representation. Nancy Fraser argues that representation is a matter of social belonging. At the heart of representation are issues of how individuals are included or excluded from society and the extent to which individuals are entitled to make justice claims on one another. Also, representation is concerned with the decision-rule aspect of society and how individuals are able to participate in the procedures that shape public processes. In the case of Noyem, government officials tend to overlook the interests and voice of local actors in negotiating land deals for mining purpose and this can be described as a political injustice because they are excluded from the processes that determine the use of their own resources. As Ayee et al. (2011) point out, the result of this is that government tends to make biased decisions which do not ensure the welfare of all community members. Ayee et al. (2011) assert that this situation is not peculiar to Noyem alone, but pertains to most communities in Ghana because in general, decision making processes are centralized in government institutions and unfortunately, the state has not developed a culture of community engagement in negotiating the usage and distribution of resources because of its capacity to claim ownership of environmental resources.

Apart from the political injustice discussed above, the locals of Noyem suffer economic injustices because of Government's power over resource ownership. An interview with the District leader of the Association of Small Scale mining revealed that government has been using its power over resources to determine who has access to the more lucrative mineral bearing lands and who has access to the less productive lands. The District leader of the association explained that one of the problems the local small scale miners of the community face is that they are often pushed to the fringes of the land and are given less productive lands

to mine on whilst the more lucrative mineral- bearing lands are taken from them and given to the foreign companies. He explained that the local miners are not able to reap profits from their investments because the land does not yield much and this leads to financial losses and more poverty. This is an economic injustice because the government's power that determines who has access to what results in economic marginalisation of the rural poor. Consequently, the locals are pushed into unproductive spaces which in the end leads to more unproductivity and disparities in income and wealth.

Government appropriation of the lands through its power of ownership also brings about socio-cultural injustice. According to the District leader of the association, most of the locals have cultural ties to the lands because they are the same lands their ancestors worked on and also, these lands sometimes contain sacred grooves that are of religious significance to the people. When government takes these lands without much consultation with the locals, it severs the cultural ties that the locals have with the land. Even though this form of social injustice does not have to do with the identities of the locals being stereotyped and disrespected as was discussed in the case of misrecognition, (in the previous chapter) it is still another form of socio-cultural injustice because the cultural attachment to communal lands which forms part of the locals' identities are not fully considered in the process of appropriation. In line with Nancy Fraser, this is a social injustice because the qualities associated with the locals (in this case cultural qualities) are disrespected and disregarded leading to status inequality among the locals.

### **6.1.2 Political power of policy making**

Apart from political power over mining as a result of constitutional provisions, the state or the government of Ghana exercises political power through the policies and decisions it makes with regards to the mining industry. This is of particular importance when putting the Galamsey mining issue in context because policies have the potential to affect the daily lives of all stakeholders, including women and children involved in the Galamsey business. According to Ayee et al. (2011), policy making in Ghana is centralized in government institutions and unfortunately, the state has not developed a culture of community engagement especially with regards to policy formulation in resource issues. The result is the tendency to make biased decisions which do not ensure welfare-focused policies for society in general (Ayee et al. 2011).

In Ghana, the government through its power to shape policies has over the past thirty years been pushing the neoliberal agenda (through reforms). Thus, they have promoted large scale mining in the country by opening the mining sector to foreign direct investment. (Akabzaa & Darimani, 2001a; Tsuma, 2007). The fiscal liberalization of the mining sector has been an important aspect of reform and through this, various policies and legislative laws have been put in place to encourage foreign direct investment. For instance, the Mining and Minerals Law provides a wide range of incentives to foreign mining companies to encourage them to invest in the country (Akabzaa & Darimani 2001a).

During an interview with a Senior Officer of the Inspectorate Division of the Mineral Commission, he revealed that government is set on an economic development agenda and privatising the mining industry is an important aspect of this agenda because apart from agriculture, the minerals sector is an integral part of the economy in terms of its contribution to Gross domestic products. The monopoly of government over policies in the mining industries has led to the entrance of foreign companies into the industry. More importantly, these companies have gained more influence and dominance over local communities in their areas of operation such as Noyem. The effects of this is seen in terms of the social inequalities economic disadvantages at the local level. The implications of government power over policy includes the following

- *Unequal power relations*

Control over lands and mineral resources have shifted from the hands of traditional leaders and community members to large scale mining companies because they hold new positions of influence based on their access to land concessions and the legal right to mine as a result of policies.

The District leader of the Association of Small Scale Miners in Noyem revealed that foreign mining companies have gained more influence and power not only over community members and traditional authority, but also over the local small scale miners. According to him, this is because foreign companies receive more attractive fiscal incentives from government to encourage their activities, relative to small scale miners. In addition to these incentives, he also mentioned that the priority given to these foreign companies by government strengthens their bargaining power when it comes to negotiating land deals. According to him, small scale miners who do not have much bargaining power therefore find it very difficult to compete with the large companies for mining concessions. The District leader of the Association of Small

Scale Miners explained that this situation is one of the main reasons why Galamsey mining is so prevalent in the area. According to him, since locals find it difficult to obtain land for mining they do not even bother to obtain a license because one of the requirements for obtaining a license is having a registered land concession to mine on. Most locals therefore resort to mining illegally on the land concessions of others.

- *Social Injustice*

There is nothing wrong with the government encouraging economic growth by promoting policies that focus on foreign direct investment in the mining sector. However, as Robbins (2011) argues that policies should not only push forth an economic agenda but should be in the best interest and welfare of community members who are likely to be affected the most by such development initiatives. The benefits and costs of large scale foreign mining companies coming to, and operating in rural communities as a result of policies should be shared equally. Unfortunately, as Robbins (2011) argues, the costs and benefits associated with development initiatives are for the most part distributed among actors unequally and this is basically a social injustice. This reflects the case of Noyem. Most of the community members I interacted with claimed that the community as a whole has not benefited much from the policies which have encouraged the presence of foreign mining companies in their community.

Most of the community members were of the view that with the arrival of the Newmont Mining Company and subsequently African Queen mining company, they thought that there would be employment opportunities for the locals in these companies. They also thought that the mining companies would help develop Noyem by at least repairing the worn out roads within the community and building social amenities. However, according to them, their wishes have not materialised because over the years. They claim these companies have done little in terms of contributing and giving back to the community, and also, there have been very few opportunities for locals to work in these companies. Even the few lucky ones to be employed often are engaged in low income position such as labourers or security staff. For example one local said, ‘what is in it for us? The Newmont and African queen have been making money off our resources and government is also getting a percentage from their profits...but for us...what are we getting? Shouldn’t we all take part in the good things that come from our resources?’

The interaction between the modern economy which is influenced by government policies and peoples’ economy based on direct access to natural resources is a key issue in social Justice. As shown above, the former encroaches on the latter by appropriating the natural resources

which the local people depend on for their livelihood. In a sense, even though the local people of Noyem may not get direct access to these resources because of the mining companies, they should at least benefit indirectly. For instance, there should be the opportunity for the profits of the mining companies to trickle down to the community. In Noyem, this however is not the case as they do not benefit directly or indirectly from the resources being used by companies through corporate social responsibility efforts. The local people are therefore losers on all fronts and this worsens the poverty situation in the area. In line with Nancy Fraser's stance on economic injustice, the people of Noyem have been prevented from participating as equals because the economic structure which is shaped by policy has prevented them from sharing in the national cake.

Community members also revealed that instead of benefiting in some way from the presence of these companies, they have rather had to bear the burden of most of the costs associated with the presence of these companies. As I have already discussed in the previous chapter, community members revealed that they have had to come to terms with dispossession, landlessness and loss of livelihood strategies as their lands have been appropriated by government and given to the foreign mining companies. Besides this, community members revealed that government has worsened the situation by not sufficiently compensating them for their losses. The social injustice of these situations lies in the fact that government has used its power over resource ownership and its power over policies to initiate development agendas that have resulted in uneven outcomes. Outcomes that have reinforced social and economic inequalities.

## **6.2. Micro- level power relations**

Alvarez, Dagnino, and Escobar (1998, p. 98) explains that power should not only be viewed as 'blocks of institutional structures, with pre-established, fixed tasks to dominate, to manipulate or as mechanisms for imposing order from top downwards, but rather as social relations diffused through all spaces.' This viewpoint is relevant when analysing the power relations in the mining sector. Power is not only embedded within state institutions and Government of Ghana. In other words, power is not only fixed and established at the national level, but is evident in 'all spaces.' These spaces include local systems and networks at the local level. Power therefore is also existent within local communities and is diffused through 'social relations' (Alvarez et al. 1998). Apart from the national level where government exercises power over resource ownership and policy, there are also local actors in the community who exercise some level of in the local mining business, especially the Galamsey business. These

local actors make use of economic, political as well as social power as they relate with other local actors to execute Galamsey business activities. The subsequent paragraphs will discuss the power relations between various actors at the local level and the implications of these power relations.

### **6.2.1 Power of the businessmen**

According to Banchirigah (2008), the Galamsey business is a capital intensive venture which requires a lot of money to start. In many situations, even though Galamsey miners are unable to secure financial support from banks and micro credit facilities, (because of the illegitimate nature of the business) they are able to depend on other members of the community who support them financially and as a result indirectly encourage the business. For instance, Banchirigah (2008) shows that Galamsey miners in Noyem are able to obtain funds from gold buyers who sponsor the activities of illegal mining in exchange for gold at below market prices and from other important wealthy people in the community which I refer to as business men.

Fieldwork in Noyem revealed that powerful business men provide the economic resources that finance the Galamsey miners. Thus by sponsoring the miners they wield economic power over them. They exploit this power by taking the greater profits of the proceeds from the business. This is despite the fact that the miners do all the tedious tasks involved. The miners obviously have little or no option than to kowtow to the demands of the business men.

The business men are also influential in terms of other power networks they have access to. This is social power. By virtue of these power networks they are able to negotiate with law enforcement agents for the release of their Galamsey business partners when they are caught and arrested as well as the release of mining equipment which may have been seized during flash out activities. Apart from this, the business men by virtue of their power links with government officers are able to get access to information on upcoming flash out activities. They are therefore able to warn their Galamsey partners ahead of these operations so that they are not arrested. This creates a dependency relationship where the Galamsey miners have to rely on them for their security.

The dependency relationship is exploited by the business men for maximum profit. For instance, during an interview with the Galamsey manager, he revealed that most miners give much of the revenues they make to pay back the business men who invest in their operations. Apart from this because of the role these business men play in protecting them, they end up paying extra in order to be in their good books. The implication of this power relations between

the miners and the business men is that there is unequal economic bargaining power. A situation which leaves the miners with little income from their activities and further increasing their vulnerability and poverty status whilst enriching the businessmen. This situation reflects a subtle form of economic social injustice at the local level. Whereas the miners do most of the hard and risky job, they have little benefit compared to the business men.

### **6.2.2 The power of the traditional chief**

At the local level, within communities, villages and towns, the chief is traditionally the first point of authority. In the bigger towns and cities where modern life has weakened peoples' commitment to cultural and traditional ties, the authority of the chief may not be felt that strongly. For instance, inhabitants of big cities may prefer to go to court instead of going to the chief for dispute settlements. However, in the local and more rural communities such as Noyem, inhabitants are highly tied to their cultural and traditional roots. The chief who is the embodiment of the traditional system is therefore held in very high esteem and seen as a figure of authority and therefore has political power by virtue of the position as traditional head. (Banchirigah 2008). This is particularly true of most mining communities because they are to a great extent rural in nature. The chiefs have the political power to banish anyone from the community who flouts their authority. In Noyem the miners indicated how this affects their activities. They said most of the time they must ensure that they are in the good books of the traditional authorities and obey them.

The chief also has political power because he is the custodian of all the lands within his territory. As already mentioned, the power of the chief over land resources has somehow been limited because of the new ownership arrangement (already discussed above) where chiefs are not central to big land deal negotiations between the government and large scale companies. Nevertheless, the chief still possess power when it concerns small scale land negotiations and plays a role when it comes to negotiating local investments on a smaller scale (Banchirigah 2008). For example most of the illegal miners somehow negotiate with the local chiefs before setting up their operations. This provides them with some form of security. As noted by some of the miners during interviews, to mine on a portion of land requires some form of approval from the local chief, even if such an approval is not be recognized in law.

The chief also has social power by virtue of social networks and the ability to make use of social contacts for personal interests. For instance the chief has links with other officials in the capital who can also provide information on upcoming flash-out operations and this



information is very vital in helping the Galamsey miners. The situation gets even better for the Galamsey miners when the chief is directly engaged in the Galamsey mining or financing it. According to Banchirigah (2008), the chief not only financially supports Galamsey mining but is the owner of a Galamsey company in Noyem called Space Rock mining company. Similarly, a study by Tsuma (2010) revealed that in the Tarkwa community of the Western Region, chiefs are reported to be the actual owners of Galamsey mining. The chief through his political, social and economic power and influence is able to shield Galamsey miners who are connected to them from the security. For instance, during interactions, some of the Galamsey miners revealed that when security officers arrive at the community for flash-out activities, they tend to be selective. They somehow ignore the pits being dug by miners who are highly connected to powerful people such as the chief and concentrate on the other miners.

### **6.2.3 Power of Galamsey Managers**

Galamsey managers also exert a level of power at the local level. Galamsey managers are the ones in charge of bands of Galamsey miners. Usually these leaders have good financial standing because of the profits they make from the Galamsey business. Apart from this, they may also be considered important socially and politically because of their relationship networks. For example, during an interview with one of the Galamsey managers, he revealed that he is influential in Noyem. He said, ‘ I get a lot of help from everywhere because I am ‘someone’ in this village...last month I made a donation to the Presbyterian Church in Noyem, I try to help the village and I have friends here, including the chief and a number of ‘mpanyinfo’. His philanthropic actions and his networks of friends with other important people also make him important in terms of social standing. Having such networks puts him at an advantage to safeguard his activities

Apart from this, Galamsey managers hold the reins of power in their power relations with their employees. By employing other individuals who are men, women and even children from different backgrounds, they control the livelihood strategies of those who work for them as they can determine wages and who to sack from the job. The wages that Galamsey managers pay their employees is just a tiny, minute fraction of the large profits they make daily. These wages are barely enough to sustain the livelihoods of their workers and thus most employees are constantly in a situation of poverty.

Whilst Galamsey miners reserve the right to blame the government for lack of jobs and poverty, etc. it is also important to understand the role Galamsey managers play in reinforcing income

and economic inequality as a result of power. The leaders have the power to employ or sack, as well as the power to determine what they want to pay as wages to their employees. By deliberately choosing (by virtue of their economic power) to pay very minimal wages when they could pay better, a form of economic domination exists here. This is because the employees have no choice but to work despite the low wages because of their poverty and desperate need of money to survive. Those who are economically subordinated are the employees and they are far less powerful in the power relations with their with Galamsey manager which produces more inequalities.

### **Implications of local level power for social Justice**

From the above analysis of the local level power relations, a key theme running through is an informal institutionalised dependency relationship between the poor vulnerable Galamsey miners on one hand and the more powerful business men, chief and Galamsey manager on the other hand. This dependency relationship institutionalised through the unequal power relations at the local level reveals various forms of economic social injustices.

- Hard work or labour is not equally rewarded. This is because profits are not equally shared pay is determined arbitrarily or at the discretion of the Galamsey managers
- Inclusion and exclusion; as pointed out the chief has a say in who participates even though all are suffering equally.
- Investment of businessmen and protection from chief reinforces risky behaviours and encourages perpetuation of Galamsey which actually does not address the bigger problems of landlessness, unemployment, etc. This consequently produces a cycle of poverty and unending social injustices.

### **SUMMARY**

This chapter shows that social injustice is a product of unequal power relations at the Macro-level, between national and local actors. At the macro-level, government uses its power over mineral resource ownership and power over policy to privatize communal resources and transfer formal ownership to foreign mining companies in the name of economic development. As shown, this cuts off marginal users and restricts community members of Noyem (which includes Galamsey miners) from gaining access to resources. The problems of dispossession, landlessness, loss of livelihood strategies, inequality and ultimately poverty that arise from this situation not only affects community members but helps to contribute to the factors that lead

the locals to engage in Galamsey mining. This chapter also shows that unequal power relations also exist at the local level and they tend to produce inequalities amongst local actors. Even though most local actors are generally disadvantaged as a result of the unequal power relations with national actors, certain groups such as Galamsey miners are more disadvantaged and adversely affected than others because apart from facing the burden of power inequalities from national actors, they also have to bear the burden of uneven power relationships with local actors. This puts the Galamsey miners in a situation where they are further pushed into a cycle of poverty, inequality and Galamsey mining because of their dependence and reliance on other local actors in Noyem.



## CHAPTER EIGHT

### SUMMARY & CONCLUSIONS

#### 8.0 Introduction

This research study set out to explore the nuances of Galamsey mining in Ghana. The study aimed at understanding whether Galamsey mining is a mere act of illegality or a by-product of social injustices meted out to the vulnerable in society. In investigating this research objective the study brought to light how different stakeholders or actors perceive Galamsey mining in Ghana by focusing on perceptions, attitudes and experiences as well as the implications of these representations on the Galamsey miners themselves. This research brought to the fore the social, economic and political factors that create vulnerabilities, social inequalities and most importantly, injustices for Galamsey miners. Finally, this research also showed how actors at national and local levels are intertwined in power relations and the outcomes of these power dynamics on the Galamsey miners. The study discursively demonstrated how Galamsey miners are marginalized and further driven into a cycle of ‘illegal’ mining as a result of these social injustices and power imbalances.

Theoretical insights were mainly drawn from Nancy Fraser’s conceptualization of social justice which emphasizes the role of recognition, redistribution and representation in ensuring equality in society. A political ecology perspective on power was employed to compliment the main social justice theory. The research study was primarily conducted in the Noyem community of the Birim-North District in the Eastern Region of Ghana. Noyem was selected as the main study area because it is currently a sprawling Galamsey community in the Eastern region. Aspects of field work were also conducted in Accra, which is the capital city of Ghana. The study was conducted qualitatively, making use of interviews, focus group discussion and observation to collect information from 44 primary informants and 4 key informants. Secondary data was also utilized. In line with the research questions of this study, the following findings were made.

#### 8.1 Stakeholders and their perspectives on Galamsey mining

This study revealed that the key stakeholders of the Galamsey issue are the Government, large scale mining companies, media, community members of Noyem, traditional leadership of Noyem and Galamsey miners within the Noyem community. The study also showed that these stakeholders hold either an anti-Galamsey perspective or a Galamsey perspective on the issue of illegal small scale mining in Ghana.

The anti-Galamsey perspective is mostly advanced by the government of Ghana. Criminalization of Galamsey miners is the central theme within this view point. As shown in the study, the main reasons for their criminalization stems from the fact that Galamsey miners do not possess the required license to legally carry out their mining operations and the assumption that the miners are enemies of the environment.

Besides the anti-Galamsey perspective, there is also the Galamsey perspective. The main stakeholders who support this position are the Galamsey miners in Noyem. The research revealed that the Galamsey miners do not view their activities as illegal because from their perspective, they have good enough reasons to justify their actions. Besides the Galamsey miners, the community members and traditional leadership of Noyem were identified as other stakeholders who share the Galamsey standpoint. These stakeholders do not necessarily condone the ‘illegality’ of the miners’ working status but are more sympathetic and concerned about the plights and circumstances of poverty that surround Galamsey miners.

### **8.3 Social Justice and Power**

This study showed that Galamsey mining is not only an issue of ‘illegality’ but in actual fact, a matter of social injustice and power. It is a matter of social injustice because the economic, political and social institutions that shape the Ghanaian society are structured in such a way that create an environment of poverty and marginalisation for the Galamsey miners. Such an environment places them in a socio-economic prison, where the only way of escape according to them is to mine illegally in order to survive. The study revealed that the injustices the Galamsey miners face are economic, social and political in nature. Economic injustice lies in the fact that there is unequal distribution and access to resources as well as lack of alternative employment opportunities for the miners and community members of Noyem in general.

In addition, Galamsey miners can be considered as the victims of social injustice. This is because, the anti-Galamsey narrative portrays the miners as criminals as opposed to equals who have the right to participate. This occurs when they are stereotyped, excluded from communication and dialogue processes as well as when they are subjected to flash-out activities and corporate violence. Finally, Galamsey miners are faced with political injustices. The study revealed that the political injustices are deeply rooted in the mining legislative framework which makes it difficult for miners to regularize their operations and obtain a legal permit.

Galamsey mining in Ghana is not only a question of social injustice but very much an issue of power. Even though social injustices have been pointed out in this research to be the root of

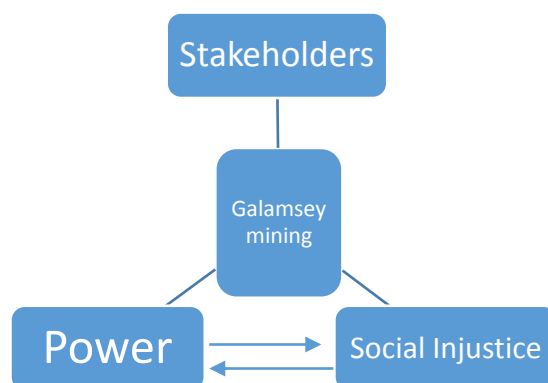
the problem, it is power that plays the key role of not only maintaining but producing and reproducing these injustices through unequal power relations. Unequal power relations help to sustain already existing social injustices and this is why the Galamsey situation in Ghana appears to be unending and difficult to resolve.

This research revealed that unequal power relations occurs at the macro-level, between national and local actors and at the micro level, between local actors. With regards to the former, government uses its power over mineral resource ownership and its power over policy to appropriate the communal lands of Noyem and transfer their ownership to foreign mining companies for mining purposes. The local people are displaced and deprived of their sources of livelihood. This leads to vulnerability and poverty and has the potential to encourage Galamsey mining, as the locals resort to other means such as illegal mining to make a living. Power is also exerted at the micro level, as local actors dominate the more vulnerable ones (mostly Galamsey miners) who depend on the money, social influence and political standing of the more powerful actors to cope. This puts the vulnerable actors in an even more vulnerable situation because if they are to continue making ends meet, have no choice but to kowtow to the actions and demands of the powerful actors.

#### **8.4 How stakeholder Perspectives, power and social injustice are interrelated**

The Galamsey mining situation in Ghana is undoubtedly a social problem. It is social in nature because of its ability to indirectly or directly affect different members of society. This study recognises this and has therefore placed an emphasis on understanding the positions of stakeholders and their perceptions on the illegal mining. Understanding the perceptions of stakeholders is key to better understanding the actions of stakeholders.

**Figure 3: Linking Stakeholders, Power and Social Injustice**



It is also important to realise that the three dimensions of social justice (recognition, redistribution and representation) and power are mutually interrelated and reciprocal in influence as far as Galamsey mining is concerned. Just as the ability to make claims for distribution and recognition by Galamsey miners depends on representation, so the ability of Galamsey miners to politically participate and air their views depends on relations of status and class. Similarly, the capacity of Galamsey miners to be included in political participation depends not only on the formal decision rules of the Ghanaian society, but most importantly, on the power relations that are rooted in the economic structure and status order.

Economic injustice (maldistribution) coupled with social injustice (misrecognition) have worked together to undermine the principle of equal political voice for the Galamsey miners and community members of Noyem. In a similar manner, the Galamsey miners who have suffered from political injustice (misrepresentation) have become more vulnerable to injustices of class and status and unequal power relations. This is because their inability to participate in political and decision making processes have made it difficult for them to articulate and defend their interests with respect to distribution of resources and this situation has further exacerbated their misrepresentation. The Galamsey issue therefore reflects a situation where the three dimensions of social injustice (misrecognition, maldistribution and misrepresentation) together with unequal power relations reinforce each other, creating a viscous cycle in which the Galamsey miners are denied the chance to participate on a par with others in society.

By examining the political, social, economic injustices and unequal power relations that surround Galamsey mining and their effects on the Galamsey miners, this study shows that social injustices are the primary underlying factors that encourage illegal mining in Ghana. Hence, this study comes to the conclusion that illegal mining or Galamsey mining is not a mere act of illegality. Instead it should be considered mainly as a product of social injustices meted out to vulnerable members of society. These vulnerable individuals are mostly members of rural mining communities such as Noyem who are constantly faced with the issue of poverty and therefore have to compromise their 'legal standing' in society by engaging in illegal mining in order to make ends meet. Galamsey mining should there be considered more as a problem of social injustice rather than an issue of illegality.

### **8.5 Limitation of the research**

1. The study was mainly conducted in one mining community. The findings may therefore not be completely representative of all mining communities in Ghana.



2. The lack of time and resources limited the period of time spent in the study area. A more detailed and elaborate field work process could have taken place if more time had been spent in the Noyem community.
3. The inability to obtain primary information from large scale mining companies made it difficult to properly analyse the role they play in the Galamsey mining situation in Noyem.

### **8.6 Recommendations**

As already discussed, Galamsey mining should be seen as a matter of social injustice. There is therefore the need for government to change its approach to understanding illegal mining in Ghana. The approach of government should be one that focusses less on the outcomes of illegal mining and rather stress on understanding the underlying factors that encourage illegal mining. If government formulates policies that address the root problems of Galamsey mining, it is more likely to find a more lasting solution. In line with this, government should reassess its Flash-out initiatives and campaigns. Whilst these flash out exercises may have some moderate success rates in dealing with the manifestation of illegal mining, they do little to actually tackle the causal factors that lead to the manifestation of illegal mining. Also, the flash-out initiatives should be re-examined because of their tendency to encourage human rights abuses.

This study also showed that most Galamsey miners engage in illegal mining because of the problems associated with getting a legal permit. In order to address these problems, there is the need for government to tailor its policies on obtaining a license to the needs and situations of most small scale miners. It is very important that Government helps to make easier the process of obtaining licenses because apart from the fact that Galamsey miners represent the majority of those involved in small scale mining, their contribution to the Ghanaian economy cannot be overemphasized. Government can facilitate the process of obtaining licenses by first of all decentralizing the license process. Currently, all miners have to travel to the capital city of Ghana in order to secure the license and this is a demotivating factor for most miners. If for instance, miners are able to obtain their licenses at the various regional capital it may speed up the process be a great incentive to regularize operations. Also, Government can reconsider the fees and costs that come with obtaining a license because as already mentioned, most Galamsey miners struggle daily with poverty.

Finally, the problem of Galamsey mining can be tackled through the co-management of resources. This occurs when the miners themselves who are at the heart of the issue, as well as

other stakeholders are involved in dialogue and communication with the Government. Such dialogues should take in consideration the viewpoint of the miners and solutions that involve their active participation should be negotiated.

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## APENDIX A

### Interview Guide for Galamsey manager

General Demographic Information- Name, Age, Gender, Current and previous occupations, Marital Status, Educational background, Hometown/ Place of Origin.

Body of interview

1. Does government have control over all mineral resources? Yes/No.
2. What role does government play in the mining industry and how does it affect you?
3. Are all small scale miners required to register their operations and obtain a license permit? Yes/No
4. Is it illegal according to the country's laws to mine without a license? Yes/No
5. Do you mine without a license? Yes/No. If yes, how do you perceive yourself?
6. What do you think are the reasons why so many small scale miners do not register their activities? Do these reasons relate to you in anyway?
7. Why do you engage in mining activities?
8. How long have you been engaged in mining activities?
9. Do you make a lot of money from mining?
10. Who are the people you interact with as you carry out your activities and what is the role these people play in your occupation?
11. What are your tasks on the mining site? Are some miners more important than others in their tasks and influence? How and Why?
12. How do you feel about government's efforts to stop illegal mining through flash out activities? Have you had any experiences with regards to flash out activities? If so, what were they and how did you feel about them?
13. What are the attitudes and perceptions of government, large scale companies and community members on illegal mining and illegal miners? Are these perceptions true or false? Do these perceptions and attitudes affect you in anyway? If so, how?
14. Do you participate in local decisions which concern mining activities in your local community? Yes/No and Why?

15. Are there large mining companies in Noyem? If yes, how have their presence affected you?
16. Would you wish to quit mining as an occupation one day? Yes/No and Why?

### **Focus Discussion Guide**

General Demographic Information- Name, Age, Gender, Current and previous occupations, Marital Status, Educational background, Hometown/ Place of Origin.

Body of interview

1. Does government have control over all mineral resources? Yes/No.
2. What role does government play in the mining industry and how does it affect you?
3. Are all small scale miners required to register their operations and obtain a license permit? Yes/No
4. Is it illegal according to the country's laws to mine without a license? Yes/No
5. Do you mine without a license? Yes/No. If yes, how do you perceive yourself?
6. What do you think are the reasons why so many small scale miners do not register their activities? Do these reasons relate to you in anyway?
7. Why do you engage in mining activities?
8. How long have you been engaged in mining activities?
9. Do you make a lot of money from mining?
10. Who are the people you interact with as you carry out your activities and what is the role these people play in your occupation?
11. What are your tasks on the mining site? Are some miners more important than others in their tasks and influence? How and Why?
12. How do you feel about government's efforts to stop illegal mining through flash out activities? Have you had any experiences with regards to flash out activities? If so, what were they and how did you feel about them?
13. What are the attitudes and perceptions of government, large scale companies and community members on illegal mining and illegal miners? Are these perceptions true or false? Do these perceptions and attitudes affect you in anyway? If so, how?

14. Do you participate in local decisions which concern mining activities in your local community? Yes/No and Why?
15. Are there large mining companies in Noyem? If yes, how have their presence affected you?
16. Would you wish to quit mining as an occupation one day? Yes/No and Why?

**Interview Guide for Community members.**

General Demographic Information- Name, Age, Gender, Current and previous occupations, Marital Status, Educational background, Hometown/ Place of Origin.

Body of interview

1. Does government have control over all mineral resources? Yes/No.
2. What role does government play in the mining industry and how does it affect you?
3. Are all small scale miners required to register their operations and obtain a license permit? Yes/No
4. Is it illegal according to the country's laws to mine without a license? Yes/No
5. What are your perceptions on illegal mining?
6. What do you think are the reasons why so many small scale miners do not register their activities?
7. Are Galamsey activities present in this community? Yes/No. If yes, how extensive is the practise?
8. Are the local involved? If yes, what do you think are the reasons for their involvement?
9. Are the chiefs and other important people involved indirectly? If so, what role do they play?
10. How has Galamsey mining affected the community and you as an individual?
11. Are there large companies in Noyem? If yes, how have their presence affected you?
12. Is the community as whole involved in decision making process when it comes to how resources such as land are used in Noyem?

## **Interview Guide for Government Officials**

### Body of interview

1. Does government have control over all mineral resources? Yes/No. If yes, how does government exercise its power over ownership of mineral resources?
2. Does government have the power to formulate policies for the mining industry?
3. In this current government, what direction are policies taking with respect to the mining industry? What does government want to achieve in terms of its current mining policies?
4. What are the effects of policies on mining communities and large scale companies?
5. Does government engage those at the grass roots in the process of formulating new policies?
6. What role does government play in the mining industry?
7. Are all small scale miners required to register their operations and obtain a license permit? Yes/No
8. Is it illegal according to the country's laws to mine without a license? Yes/No
9. What are your perceptions on illegal mining and what is government's position on Galamsey mining? What are the reasons for these perceptions?
10. How has Galamsey mining affected the nation and mining communities?
11. What do you think are the reasons why so many small scale miners do not register their activities?
12. What are the efforts of government to deal with the Galamsey situation?
13. Does government think it will be able to completely wipe out Galamsey mining in the near future?

### **Interview guide for Members of the Small Scale Association of Legal Miners**

1. Does government have control over all mineral resources? Yes/No.
2. What role does government play in the mining industry and how does it affect you?
3. Are all small scale miners required to register their operations and obtain a license permit? Yes/No
4. Is it illegal according to the country's laws to mine without a license? Yes/No
5. What are your perceptions on illegal mining?
6. What do you think are the reasons why so many small scale miners do not register their activities?
7. Are Galamsey activities present in this community? Yes/No. If yes, how extensive is the practise?
8. Are the locals involved? If yes, what do you think are the reasons for their involvement?
9. What are the challenges that face small scale miners in general and what would you attribute to be the reasons for those challenges?
10. Are the chiefs and other important people involved indirectly? If so, what role do they play?
11. How has Galamsey mining affected the community and you as an individual?
12. Are there large companies in Noyem? If yes, how have their presence affected you and small scale miners in general?
13. Is the community as whole involved in decision making process when it comes to how resources such as land are used in Noyem?



Interview Guide for Representative of Non-Governmental Organisation- Wassa Association of Communities Affected by Mining (WACAM)

Interview Body

1. For how long has WACA been in existence?
2. Can you provide a brief explanation of WACAM and the role it plays in Mining communities
3. What are your views on Galamsey mining?
4. Why is it so prevalent in the country?
5. What is the relationship between human rights and mining communities?
6. WACAM interacts a lot with other stakeholders on the mining scene. What do you think are the perceptions of other stakeholders on Galamsey mining and miners?