

Legalizing small scale gold mining in Gbane in the Upper East Region, Ghana

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Abstract

Small Scale Mining has gained global attention for two broad reasons. First, as a source of subsistence for the poor and increasingly becoming the backbone of mineral-rich rural economies in low-income countries, including Ghana. And second, as a cause of environmental degradation, violent crime and armed conflict, among others. Thus, the ills and potential benefits associated with Small Scale Mining have compelled countries to want small scale miners register, so as to monitor and regulate their operations. These attempts take the form of changes in policies and laws so as to allow miners to legalize their operations. In Ghana, artisanal activities were considered illegal prior to 1989. The promulgation of the Small Scale Gold Mining Laws, however, created opportunity for miners to legalize their activities. Notwithstanding the availability of this opportunity to legalize, most small scale miners in Ghana have failed to register. Using qualitative approach, this study seeks to understand why small scale miners in Gbane are still operating without licenses, although the opportunity to acquire a license exists. This study concludes that high license fees, bureaucracy, mistrust, are responsible for the miners' unpreparedness to legalize their activities.

Keywords: Illegal mining; Gold; Legalization; Ghana

1. Introduction

This paper focuses on why some Small-scale miners fail to legalize their activities, although the opportunity to register and acquire a license exists. Small Scale Mining (SSM) is increasingly becoming the backbone of mineral-rich rural economies in low-income countries, including Ghana (Hilson, 2009; MMSD, 2002). An estimated 80-100 million people worldwide are believed to be engaged in SSM and directly or indirectly depend on it for their livelihood (Hilson and Potter, 2003). The term SSM is variously defined using different criteria. However, it has generally been defined based on two main factors: the type of equipment being used (often used to determine level of sophistication of operations) and production output (Aryee, *et al.*, 2003). In Ghana, SSM is defined as “mining by any method not involving substantial expenditure by an individual or group of persons not exceeding nine in number or by a co-operative society made up of ten or more persons” (PNDCL, 218). This definition, according to Aryee *et al.*, (2003), includes (1) what has been termed ‘artisanal’, those operations using only rudimentary/artisanal implements and (2) more sophisticated mining activities operating at a relatively low level of production and which generally require limited capital investment. SSM is known to be non-mechanised, labour intensive (Hilson, 2002, 2009), and often dependent on rudimentary equipment such as pick axes, chisels, hammers and sluices (Aryee *et al.*, 2003). Small scale mines produce inefficient amounts of gold from deposits and are extremely low in terms of initial investment and high employment per-unit output (Hilson, 2002).

SSM has gained global importance for both good and bad reasons. It is a source of subsistence for the poor and as a cause of environmental degradation (Barry, 1996; Cleary, 1990; United Nations, 1996). It is also associated with violent crime, armed conflict, forest degradation, mercury contamination, and the prevalence of malaria and sexually transmitted diseases like HIV/AIDS (Banchirigah, 2006; Cleary, 1990; Forte, 2000; Macmillan, 1995). According to Hilson and McQuilken (2014), many SSM communities have become major areas for prostitution, disease and narcotics consumption. If not regulated and monitored, their activities may lead to overuse and pollution and because the perpetrators bear only a fraction of the consequences of the overuse and the pollution, they are always encouraged to engage in the illegal mining and therefore their activities need to be curbed.

In view of the many ills and potential benefits associated with SSM, countries are searching frantically for ways to bring the operations of small-scale mining activities into the legal domain, so they can be regulated, monitored and supported for efficiency (Hilson, 2017). These attempts took the form of changes in policies and laws on SSM to make it possible for the miners to obtain licenses to operate legally. In Ghana, artisanal activities, together with the marketing of gold from such activities, were considered illegal prior to 1989 (Aryee *et al.*, 2003). The promulgation of the Small Scale Gold Mining Law (PNDC, 218) and two other laws, PNDC Laws 217 and 219, however, saw the creation of an opportunity for miners to legalize their activities.

Despite the sector's economic importance, Hilson *et al.* (2017) point out that governments across Sub-Saharan Africa are putting impediments, in the form of bureaucracies, which are making legalization more difficult and preventing the realization of the transformative effect on the livelihoods of those involved in the small-scale mining and the Sub-Saharan Africa as a whole. In most Sub-Saharan African countries, policies are skewed in favour of large-scale mining firms (Hilson, 2017). Notwithstanding the availability of this opportunity to legalize, Hilson and Potter (2003) and Carson *et al.*, (2005) report that 85% of small scale miners in Ghana have failed to take advantage of this opportunity and therefore are still operating without licenses. It is in this context that this study, using Gbane as a case study, critically examines why despite the existence of opportunities for legalization, some small-scale illegal miners still operate illegally.

2. Research design, methods and data

This study was conducted in Gbane, a rural community in the Talensi District, Upper East Region of Ghana. Gbane and its surrounding communities has been a hub for SSM since 1995. In an attempt to reduce illegal SSM and encourage miners to legalize their operations, government has reserved about 72 square kilometres of land in the community for SSM.

This study adopts a qualitative case study approach to examine why miners in Gbane are not legalizing their activities, even when the opportunity to do so exists. In Ghana, 'galamsey' is considered an illegal activity and therefore those who engage in it hide their operations making access to them extremely difficult. As a way out, we first visited the Gbane Chief, his elders and other opinion leaders in the area and made them aware of the research aims and activities. After a couple of meetings, we established a good rapport with them and got the permission and support of the chiefs and their elders. With the help of the

elders and using snowballing, we identified 30 mine-pit owners who agreed and participated in the interviews. The snowballing technique was necessitated by the clandestine nature of ‘*galamsey*’ operations in Ghana. We collected data using three main approaches: face-to-face interviews using interview schedules, key informant interviews and Focus Group Discussions (FGD). In all, 30 in-depth interviews with mine-pit owners and 4 key informants (purposively selected) and one Focus Group Discussion were conducted to identify miners’ reasons for not legalizing their operations. All participants were assured of their anonymity and their express consent sought before starting each interview. The reasons identified during FGD were subsequently triangulated with those identified from the in-depth interviews with sampled mine-pit owners. We used verbatim quotations from interview transcripts to illustrate relevant themes. Where necessary, we complemented our empirical data with secondary literature.

3. Small scale mining in Ghana: An overview

Ghana was called the Gold Coast until it became independent in 1957 and assumed its modern name. In the fifteenth century, Europeans knew the West African coastal area as a source of gold that reached North Africa through the Trans Saharan trade routes. When the Portuguese arrived at the Gold Coast around 1471, they called their landing area La Mina (The Mine) referring to the gold they discovered (Quarthey, 2013).

For centuries, gold was panned and mined from the quartz reefs of Ashanti by local gold seekers now called *galamsey* (which literally means gather and sell). The idea of organized, large scale mining began to gain strength only towards the end of the 19th Century. According to Quarshie *et al.*, (1981) (as cited in Tsikata, 1997), gold mining has been carried out by the natives for thousands of years long before the arrival of the Phoenicians on the Guinea Coast of West Africa. These traditional ways have mostly been on a small scale basis, depending on very rudimentary techniques and implements. Today, the small scale mining sector in Ghana consists of those who operate using only rudimentary/artisanal implements, often referred to as “artisanal miners” and those operators using more sophisticated mining tools but producing below the standard capacity or efficient levels.

Various legislation, which prohibited or limited small scale mining activities, stunted the growth of the small scale gold mining sector compared to the large scale sector, leading to a domination of gold mining in Ghana by large scale

mining companies and nearly eradicated the small scale mining sector (Aryee *et al.*, 2003). According to Aryee *et al.* (2003), artisanal activities, together with the marketing of gold from such activities, were considered illegal prior to 1989. This, however, did not deter small scale miners as they resorted to smuggling their gold output outside the country for sale through a well-established black market. Outputs in turn enriched neighbouring countries, which were found to be exporting gold despite lacking significant gold deposits (Aryee *et al.*, 2003).

About a decade and half ago some governments, on realizing the importance of artisanal and small scale mining, began to introduce some regulations and licensing schemes aimed at legalizing the practice. The idea was that legalizing operations would eliminate illegal smuggling channels and thereby enable the complete capture of internally mined products (Aryee *et al.*, 2003). The successful containment of the minerals mined on a small scale would contribute enormously to sector revenues and foreign exchange earnings (Hilson, 2001). Existing operators and ‘first timers’ were therefore required to go through a series of steps to enable them register their activities and subsequently obtain licenses to operate. Attempts to introduce these legalisation schemes were also aimed at reducing illegal small scale mining as well as their associated adverse environmental impacts (Aryee *et al.*, 2003). As indicated earlier, 85% or more of small scale miners in Ghana have not registered and as a result have no operating permits or licenses, although the opportunity exists (Hilson and Potter, 2003; Carson *et al.*, 2005).

As many as 100 million rural inhabitants – including dependent family members and secondary tradesmen, such as blacksmiths, merchants and stone polishers – rely upon the incomes generated from small scale mining (ILO, 1999). Small scale mining remains an economic mainstay in rural sub-Saharan Africa, providing direct employment to over two million people (Hilson, 2009). Ghana’s small scale sector, according to Hilson and Potter (2003), generates approximately 8% of the country’s gold, which as a collective unit, makes it the country’s fourth largest producer behind Ashanti Goldfields (now AngloGold Ashanti), Goldfields Ghana Limited and Abooso Goldfields. Hilson and McQuilken (2014) suggests that a little over one million people are directly employed by the sector in Ghana, and that these people also have an estimated four million four hundred dependents.

Hilson (2009) opines that small scale mining is strongly associated with entrepreneurship throughout the late 1970s and 1980s and provides employment

to vulnerable groups. Hilson (2008); Hilson and Banchirigah (2009), suggest that its existence is linked strongly to poverty. Because small scale mining is largely driven by poverty, it has grown as an economic activity, complementing more traditional forms of rural subsistence earnings (Labonne, 2003 cited in Banchirigah, 2006). It has become a livelihood strategy adopted in rural areas which in many cases represents the most promising, if not the only, income opportunity available (MMSD 2002). Globally, small scale mining is said to have directly employed between eleven-and-half and thirteen million people (Hilson and Potter, 2003). Out of the people directly employed in Ghana by the activity, women constitute about 50 per cent of the workforce (Hilson, 2001). The employment potential of the sector is so great that Hilson and Osei (2014) suggest that small scale mining be used by governments to tackle issues of high unemployment in sub-Saharan Africa

Notwithstanding the enormous job opportunities it provides to the vulnerable and other unemployed people, most public discussions on small scale mining have often emphasized its negative attributes (Spiegel and Veiga, 2010). Small scale mining is known for its destruction of vast landscapes and, in the case of gold panning, releasing significant quantities of mercury into the environment. Also, many SSM communities – including Gbane and Sherigu – have become major sites for prostitution, disease and narcotics consumption (Hilson and McQuilken, 2014). In addition, these miners work under harsh and de-humanizing conditions exposing them to several diseases including respiratory ailments.

4. Institutional arrangements for governing small scale mining in Ghana

In Ghana, several laws have been promulgated and institutions established in the hope of regulating the minerals and mining sector. Fundamentally, Article 257 (6) of Ghana's Constitution vests every mineral, in its raw state or form, in Ghana in the President on behalf of, and in trust for the people of Ghana. This means that although one can own or have access to a piece of land, the minerals underneath it belong to Ghana. Other legislation were made establishing institutions to help in managing mineral resources, key among them is the Minerals Commission.

4.1. The Minerals Commission (MC)

The Minerals Commission, established under Article 269 of Ghana's 1992 Constitution and The Minerals Commission Act 1993 (Act 450), is the main promotional and regulatory body for the minerals sector in Ghana. It regulates and manages the utilization of the country's mineral resources. It also coordinates and implements mining policies and ensures compliance with Ghana's Mining

and Mineral Laws and Regulation through effective monitoring (The Minerals Commission Act, 1993). By law, it is required to formulate and recommend national policy for the exploration and exploitation of mineral resources with special reference to establishing national priorities having due regard to the national economy. It is tasked to monitor the operations of all bodies or establishments with responsibility for minerals and report to the Minister (The Minerals Commission Act, 1993). The Minerals Commission is also given the mandate to secure a firm basis of comprehensive data collection on national mineral resources and the technologies of exploration and exploitation for national decision making. It is responsible for receiving and accessing public agreements relating to minerals and reporting to Parliament (The Minerals Commission Act, 1993).

The Commission, in carrying out its core functions, investigates the backgrounds of applicants, process application for mineral rights and recommends the grant of license or otherwise to the Minister. It also reviews agreements relating to minerals, collects, collates and analyses data on the operations of mining companies for decision making and dissemination (The Minerals Commission Act, 1993). To monitor and ensure adherence of mining companies to the terms and requirements of the mining rights granted to them, it liaise with other government agencies, particularly the Geological Survey Department (GSD) and the Environmental Protection Agency (EPA) (The Minerals Commission, 2010).

4.2. Enactments to support legalization of small scale mining

Prior to 1989 small scale mining was outlawed in Ghana, and maybe the whole of sub-Saharan Africa, making it illegal for one to engage in the activity. During this period miners were criminalized, their machines and equipment confiscated and some of the miners sent to prison. However, while these miners were denounced as criminals, vandals, environmental polluters and self-harmers, it is appropriate to recognize that these miners did so to promote both their livelihoods and those of the communities that live alongside their operations (Tschakert and Singha, 2007). The positions of governments in sub-Saharan Africa regarding small scale mining, however, began to change with time. Governments in the sub-region, and indeed the world, began to see the activity more from the livelihoods perspective. They then started taking steps towards incorporating the activity into the formal economy by way of legalization.

In Ghana, three laws were promulgated in 1989 in a drive to get small scale miners to legalize. These laws were: the Small Scale Mining Law of 1989

(PNDCL 218), the Mercury Law (PNDCL 217) and the Precious Minerals Marketing Corporation Law (PNDCL 219).

The Small Scale Mining Law of 1989, (PNDCL 218), allows for all small scale mining activities in Ghana to be registered. Miners are to go through a series of registration procedures to obtain licenses to operate on parcels of land (concessions) allocated them. The law outlines the registration procedure, the conditions under which such licenses are to be given and some sanctions, in case of any breach. In addition, PNDC Law 218 mandates the Minerals Commission to create District Small Scale Mining Centres for purposes of monitoring small scale gold mining operations and compiling a register of all small scale gold miners and prospective small scale gold miners within the catchment area of each Centre.

The Mercury Law (PNDCL 217) bars anybody from importing, possessing, buying and or selling any quantity of Mercury. It however allows for persons who sought to deal in mercury to apply and be granted a license to deal in Mercury subject to the terms and conditions specified in the license. A license, once issued, could be revoked if the licensee breaches any of the terms and conditions. By so doing, licensed mercury dealers are also brought into the small scale mining and processing chain. Dealers often supplied miners with mercury, which is added to the gold concentrate and mixed to form a gold amalgam. This is subsequently heated to separate the gold. PNDC Law 217 is enacted to help deal with issues of inappropriate and excessive use of mercury by small scale miners so as to reduce pollution, poisoning, exposure to health hazards and risks.

The Precious Minerals Marketing Corporation Law of 1989 (PNDCL 219) established the Precious Minerals Marketing Corporation as a source of market for small scale gold mined. Before the passage of these laws, most small scale gold mined was smuggled out of Ghana through neighbouring Cote d'Ivoire and Guinea (Hilson, 2002b). This law permits private gold dealers to register and be licensed to buy gold from the small scale miners. This, according to Amankwah and Anim-Sackey (2003), is an attempt to curb the smuggling, create a competitive market and keep prices at market levels. Teschner (2012) deemed the permission of private dealers to buy gold a success, as gold in Tarkwa was being purchased at less 95% of the day's spot price. However, Teschner (2012) asserts that, the less intentioned, but not surprising consequence of allowing private gold buyers is that government's Precious Minerals Marketing Corporation (PMMC) is continually undercut by them.

4.3. Relevant collaborating institutions

The Environmental Protection Agency (EPA) ensures that prospective miners or licensees incorporate environmental protection issues into their operations so as to reduce the environmental impact. It is the body permitted by law to issue an Environmental Permit to the would-be license holder, indicating that his/her operations will have little or no adverse environmental impact. Without this permit, the application for a license will not be processed. The body is also tasked to conduct field monitoring visits periodically to assess the operations on the ground and could revoke or recommend the revocation of a mining license.

The Metropolitan/Municipal/District Assembly within which the applicant for a license wishes to mine is also an important institution worth mentioning. PNDC Law 218 establishes in every Metropolitan/Municipal/District Assembly a Small scale Gold Mining Committee chaired by the political head of the area (Chief Executive Officer). The Assembly is responsible for planning the area and designating areas for particular activities and purposes. It also works hand-in-hand with the District Small Scale Mining Centre to process license applications and monitor the activities of miners. In addition, it is responsible for the direct implementation of central government's policies and programmes within the district/municipality/metropolis (Minerals Commission, 2010).

Lastly, traditional authorities in Ghana are believed to be the custodians of our culture and traditions. In northern Ghana, particularly Upper East and Upper West regions, the chieftaincy institution also comprises the earth priests (who are the custodians of the earth). While the chiefs wield political power, the earth priests perform spiritual or religious roles (Lund, 2008) and the two (the chiefs and the earth priests) usually play complementary roles in holding in trust the lands within their jurisdiction for their subjects. They are therefore key actors to consider in regulating small scale mining, although not mentioned in the law. In Northern Ghana, chiefs and their earth-priest play vital roles in leasing out lands for small scale mining and act as liaisons in compensation payments to the communities.

5. Discussions

SSM is done in several communities in Ghana. Although carried out in different areas across Ghana, there seemed to be similarities in some activities, actors in the operations, processes, and issues on its environmental impact and poverty reduction potential throughout those mining areas. The study identified two categories of employees, similar to what pertains in other mining communities;

direct employees and downstream employees. The direct employees included; Miner pit owners (Lange, 2006), daily wage labourers such as underground diggers/excavators, blast men; millers or mill operators; sponsors/gold buyers, mercury suppliers (Banchirigah, 2008; Yakovleva, 2007). In some cases, however, sponsors doubled as mercury suppliers, gold buyers or mine pit owners (locally called 'Ghetto Owners'). The downstream employees (Banchirigah, 2008; Fisher, 2007; Hilson and McQuilken, 2014; Hilson *et al.*, 2013), include those who provide other services like commercial driving, food vending among others.

Per the operative definition of SSM adopted by this study, the activity could be done individually or in groups of at most nine persons, or in a co-operative society whose membership should not be less than ten. Mine pits were often owned by an individual or a smaller group of people but operations often employed several direct employees, similar to findings of Hilson (2012). Miners in Gbane are often unable to raise capital, especially from banks, to fund their activities, similar to what pertains in other gold mining areas in Ghana (Banchirigah, 2008; Hilson and McQuilken, 2014; Hilson *et al.*, 2014). They therefore rely on the individual miner's resources or resort to other sources for financing, a phenomenon that has increased the participation of the Chinese in Ghana's illegal gold mining sector (Hilson *et al.*, 2014). As a result, miners depend on and use mostly traditional, manual and rudimentary methods of mining featuring simple equipment like shovels, pick-axes, pans, chisels and hammers (Aryee *et al.*, 2003). The use of low-tech equipment makes SSM activities in Gbane highly inefficient and makes entry very easy. A respondent said "Boss, is not easy oo. The chiselling of big and hard rocks is tiring and tedious. I have no money to buy or hire excavator. If you are outside you think that this work be easy. I stopped teaching and joined galamsey because all I must buy are a pan and two shovels." This confirms the findings of Hilson and Pardie (2006) and, Siegel and Veiga (2010).

Mining comes with its own impact on the environment. The extent of damage, however, depends largely on the methods of mining and processing being used (Aryee *et al.* 2003; Hilson & Pardie, 2006). This study observed with dismay the level of destruction to surfaces of arable lands and the uncontrolled and unmonitored nature of the activities. A secondary school leaver cocoa farmer, who appeared helpless, shared her story. "You see all the big holes, this is where my cocoa farm was. But you see they spoil all. They did not pay me even one cedi. I reported to the assemblyman and the chief but nothing, not even sorry to

me. My life is spoil for nothing” (interview, cocoa farmer, 2015). The uncovered pits she pointed at and many others we found in the area confirms Aryee *et al.*’s (2003) finding that illegal miners leave a number of uncovered excavated pits full of water. According to the Assemblyman of Gbane, the pit had already claimed the lives of two people: a farmer and a 12-year old boy. SSM activities in the study area also involved the use of explosives to blast gold-bearing rocks and sometimes for downsizing the ore, releasing dust particles into the atmosphere.

5.1. Factors that prevented miners from legalization

In the table below are factors preventing small scale miners in Gbane from legalizing their operations:

TABLE 1: PAIR-WISE RANKING OF FACTORS THAT PREVENT MNERS IN GBANE FROM LEGALIZING

Factors that affect legalization	1	2	3	4	5	6	Rank
1. Lack of mineral rich land	X						4th
2. High cost	2	X					1st
3. Bureaucracy/lengthy waiting periods	3	2	X				3rd
4. No incentives/support	4	2	4	X			2nd
5. Mistrust about government’s intentions	5	2	3	4	X		4th
6. Difficulty in completing application forms / process	1	2	3	4	6	X	4th
Number of participants	1	5	3	4	1	1	

Source: Focus Group Discussion and in-depth interviews in Gbane (2015)

5.2. High cost of obtaining a license

As the table clearly indicates, the issue of cost of legalizing applications is the foremost factor that inhibits operators from wanting to legalize their operations. The cost of processing a license application and the initial investment in mining are often so high that miners wonder if it is worth going for such license; for they

fear that they may not recover their investment considering the fact that little is known about the amount of gold contained in the land. Both interviewees and key informants confirmed this. A 38-year-old mine-pit owner says: “In Ghana, the process of acquiring a license comes with not only payment of the appropriate fees but also extortions by government officials, in form of bribes, making the process too expensive to engage in” (interview mine-pit owner, 2015). Another respondent lamented: “Hmmm. I had to pay GH¢ 755 (about USD 200) to obtain an environmental permit, and at least GH¢ 200 for my intention to mine in an area to be published by the District Assembly within which I intended to mine. The cost of application forms, site plan, payment to landowners for land, and cost of making follow-ups are all not part of this amount” (interview, miner, 2015). Banchirigah (2008) discovered that it cost a pit owner about USD 6,666 to engage employees for 19 weeks to construct a mine site in Noyem, excluding expenditure on supplies, materials and equipment. Considering the fact that it is difficult for the miners to estimate their expected returns as little prospecting is done usually prior to commencement of operations, the high cost of license reduces the motivation to legalize leading to an acceptance of their unregistered status. Legalization is a process, not a product. Therefore no matter how elaborate they may be, policies to legalize mining activities fail if miners cannot afford the costs of joining the legal economy (Geenen, 2012). Respondents were more concerned with the cost of license. This probably explains why they either did not apply for license at all or discontinued the process of legalization.

5.3. Bureaucracy/lengthy waiting periods

Bureaucracy and its associated lengthy waiting periods is yet another challenge preventing miners from wanting to get registered. The processes sometimes last over a year. In Ghana, an applicant for registration in a District must visit a District Small Scale Gold Mining Centre to pick application forms. The applicant is required subsequently to fill the forms and submit same to the District Centre under which the proposed area for mining activity is located. This is followed by an inspection of the area and a report submitted to the Chief Executive Officer of the political district. Miners are also required to obtain an environmental permit from Ghana’s Environmental Protection Agency (EPA) which can sometimes take a minimum of one month to obtain (Aryee et al. 2003). In addition, a miner is required to go to Accra to sign an agreement with the sector Minister in the final stages of processing an application and often have to make several follow ups before the license is finally issued. This has been a major disincentive for miners’ legalization of their activities. Indeed, all the

thirty mine-pit-owner respondents acknowledged that the waiting period was too long. A male respondent expressed his frustration: “Look, after applying, I have to wait for one year. Even some delay for one and a half years. Why? Any time that I go to the district or Accra office I have to carry a lot of money on me. That is why I stopped working on my license” (interview, mine-pit owner, 2015). Another 48 years old pit-owner respondent expressed his unpreparedness to legalize his mining business saying: “my brother license? They can arrest me and take me to court. I will pay if they fine me. The money I will pay as bribe before I get the license can pay the fine and I will still have some left in my pocket to even pay school fees. I have to travel to Accra plenty times and any time you go you have to pay bribe. I will do galamsey but I will not take license” (interview, mine-pit owner, 2015). Thus, when the process is filled with bureaucratic complexities, inefficiencies and the labour, time and costs are high, miners may be dissuaded from considering legalizing their operations (Hilson and Potter, 2003).

5.4. Mistrust over government's intentions

Generally, there is deep seated mistrust between the major stakeholders in the small scale mining discourse. Maconachie and Hilson (2011), for instance, assert that formalization strategies are concerned with creating a legislative framework, licensing, and tracking artisanal mining as a way of getting more revenue for government, rather than addressing the livelihood demands and welfare issues of the miners. Government's focus on gold mining has been on strategies to promote foreign investment in large scale mining and mineral exploration. The major actors in the legalization process, the government and the illegal small scale miners, have their various reasons or perceptions about the whole legalization process. Miners generally viewed the attempts and process with suspicion and skepticism. To them the strategies are ways of taking away, what otherwise belongs to them and handing over same to foreigners. A participant in a focus group discussion has this to say, “If you go to write your name, government will sack you and give your business to the Whiteman who have money to buy big machines” (focused group discussion, 2015). In fact, some miners see the whole of the legalization initiatives as ways by government to identify them, tax them and deny them their livelihoods and eventually curtail their ‘rights.’ A forty-two year lady mine worker says. “You see, I don't pay tax. But if my bosses register this land now he will pay tax and I will also pay tax. How much is my money to go and pay tax every month. No, no. the big companies should register but our business should be as it is” (interview, female mine worker, 2015).

Besides, this issue of mistrust and negative perception about government's intent to get illegal miners legalize their operations stems from the bad image, reportage, stereotype associated with small scale mining, mostly created by government and the media. Small scale miners have been described in several quarters, including political discourse by successive governments, as being irresponsible, criminals and as people who have no regard for protecting the environment (Tschakert and Singha, 2007). They are stereotyped 'inter alia' as 'security risks' and 'threats to live and property' (Ghana Chamber of Mines 2007 cited in Childs, 2008). How then can people who have been criminalized and condemned by government turn around to trust that the latter has their welfare at heart? This is, perhaps, what led Tschakert and Singha (2007) suggest that, deconstructing the dominant 'anti-galamsey discourse' is an essential starting point to cure the mistrust.

5.5. Lack of mineral rich land

Miners in Gbane are least bothered by this factor since about 72 square kilometres of land in the area had been explored and reserved for SSM (though compensations to owners not yet paid). This made them rank it as the least influential factor to affect their decision to legalize. They, however, expressed worry about delays in getting local consent from farm owners and chiefs. "Land is here. But the challenge is that sometimes you have to pay money to farmers and land owners. Negotiations delay us at times. If you don't negotiate the farmer will come and fight your workers" (interview, pit owner, 2015). According to Nyame and Blocher (2010), pit-owners blame this difficulty in acquiring lands on bureaucracy, which often benefited the landowners than miners.

6. Conclusion

SSM in Gbane has been a source of livelihood for many including those not skilled enough for employment in the formal economy. For others, it is a source of additional incomes to supplement what they earn from other livelihood activities mostly agriculture. Generally, SSM could be said to have tremendous benefit for the people of Gbane and even neighbouring communities. The industry is helping alleviate poverty in Gbane.

However, several factors have prevented unregistered miners from legalizing their small scale illegal mining activities. They are faced with land acquisition processes, conditions and arrangements that turn to benefit landowners, chiefs and other influential persons in Gbane in return for local consent to mine. Out of the thirty pit owners interviewed, thirteen have met some basic requirements for obtaining license and are generally operating with two forms of license: formal

and informal. Thus, they have acquired local consent and have also started the process to legalization and are at various stages of the process, hence operated with some level of permission. This paper concludes that supporting small scale miners by promoting dialog, reducing the cost of license, decentralizing license acquisition, easy access to credit, and decriminalization of their operations among other incentives will not only encourage the miners to legalize their activities for effective monitoring and control, but also improve local economy of Gbane and the district assembly revenue.

Biographical Notes

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