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UNIVERSITY OF THE WITWATERSRAND

WITS SCHOOL OF GOVERNANCE



Policy-making and institutional crisis: Formalizing artisanal gold mining in Zimbabwe from 2005 to 2017

By

Tonderai Fadzai Mukonoweshuro

DECLARATION

I hereby declare that this thesis is my work. To the best of my knowledge, it contains no materials previously published or written by another person, except where acknowledged in the thesis. It is being submitted for the Degree of Doctor of Philosophy at the University of the Witwatersrand, Johannesburg. It has not been submitted before for any degree or examination at any other University.

Signed.....

Date.....

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I dedicate this work to my parents for believing in me.

ABSTRACT

Artisanal gold mining is a crucial economic activity in Zimbabwe that gained prominence in the post-2000 period when there was a defined shifting interest from agricultural activity by many people to artisanal gold mining, with over a million people engaged in the sector. Artisanal gold mining became a part of a large and complex informal economy, with the potential to address some of the economic challenges by providing the much-needed foreign currency for the ailing economy.

However, like most countries, Zimbabwe struggled to regulate the sector to make it more efficient, economical, safe and environmentally friendly. Much existing research seems to suggest that policy on artisanal mining, while being a function of the state, is an instrument or arena of contestation among powerful groups within the state and society. Thus, the study answers the question, "In what ways did politics, power and institutional dynamics influence policy trajectories on artisanal gold mining in Zimbabwe between 2005 and 2017?" It further investigated the complex reality of politics and policymaking for informal (artisanal) gold mining in Zimbabwe, seeking to dissect underlying politics, power and institutional dynamics and how these influenced policy trajectories in this growing informal gold mining sector between 2005 and 2017.

Through a case study approach, I collected qualitative data through in-depth individual interviews with key informants both nationally and at two mining sites in the District of Chegutu, in Mashonaland, Zimbabwe. By situating the study's findings within theories of informal economies, institutionalism, street-level bureaucracy and human securities, this thesis contributes to the consequences of informality as they relate to production and the miners

wellbeing and policy development for ASM. The other is the complex and non-linear reality of politics and policy-making concerning ASM and law enforcement agencies. The local case study demonstrates the struggles between networked actors in amplifying how informal gold mining policy has evolved and the particular effects on policy outcomes for informal gold mining in Zimbabwe.

The study concluded that although politics had a bearing on the continued informalisation of ASM during the crisis period, the state actors occupying critical positions in shadow networks drove policy to maximize self-interest. At a local level, policy implementation met the agency of transitional actors, including small-scale artisanal miners, gold dealers, and traders. These networked actors also operated within their own unwritten rules and shaped their policies as they extracted or traded the gold. Therefore, a policy framework for formalizing ASM must be based on enforceable legal systems that provide accountability, transparency, and human rights.

Keywords: Institutions, Informal economies street-level bureaucracies and human security

TABLE OF CONTENTS

DECLARATION 2

ACKNOWLEDGEMENTS 3

ABSTRACT 5

TABLE OF CONTENTS 7

FIGURES 12

ACRONYMS 14

CHAPTER ONE: INTRODUCTION 16

1.1 Introduction 16

1.2 Study Background 19

1.3 Research problem 21

1.4 Purpose of the study 23

1.5 Research Questions 25

1.6 Locating the study: crisis, policy development and artisanal mining and the case study 25

1.6.1 The post-2000 crisis 25

1.6.2 Periodisation of the study 27

1.7 Definition of key concepts 32

1.8 Outline of the chapters 38

CHAPTER TWO: LITERATURE REVIEW: GLOBAL, REGIONAL AND LOCAL PERSPECTIVES OF ARTISANAL GOLD MINING 41

2.1 Introduction 41

2.2 Artisanal mining as it is known in other parts of the world 42

2.3 State of research on artisanal gold mining 44

2.3.1The global picture 48

2.3.2 Growth of artisanal mining 49

2.3.3 Artisanal mining and livelihoods 55

2.3.4 Women and artisanal mining 58

2.3.5 Artisanal mining and environmental impacts 60

2.3.6 Regulating the ASM sector 61

2.4 Informal economies 65

2.4.2 Informal economies and the state 67

2.5 Human security 70

2.6 Political power and artisanal mining 72

2.7 Zimbabwe's post 2000 crisis 77

2.7.1 Zimbabwe's economic crisis 79

2.7.2 A rising informal economy 83

2.7.3 A political crisis 85

2.8 The growth of artisanal mining in Zimbabwe 89

2.9 Conclusion 96

CHAPTER THREE: THEORETICAL FRAMEWORK 98

3.1 Introduction 98

3.2 Theoretical framework 99

3.1.1 Institutional theories 100

3.1.2 Street-level bureaucracy 104

3.1.3 Informal economy theories 106

3.1.4 Human insecurities and artisanal mining 111

3.2 Applying a conceptual framework to policy development 114

3.3 Conclusion 116

CHAPTER FOUR: METHODOLOGY 117

4.1 Introduction 117

4.2 Philosophical and theoretical perspectives 117

4.3 Research design 119

4.4 Sampling and Choice of methodology 123

4.4.1 Study location: Chegutu District 123

4.4.2 In-depth interviews 125

4.4.2 Focus group discussions 127

4.4.3 Observations 128

4.4.4 Document analysis 129

4.4.5 Archival Research 130

4.5 Data analysis and interpretation 130

4.6 Ethical considerations and research limitations 133

4.7 Conclusion 136

CHAPTER FIVE: FUSION BETWEEN POLICIES AND BUREAUCRATIC INSTITUTIONS 137

5.1 Introduction 137

5.2 Changes in policies and Legislation 139

5.3 Mining policies and related legislation 148

5.3.1 Mines and Minerals Act (MMA) [Chapter 21:05] of 1961, reintroduced as the Mines and Minerals Act (1996) 152

5.3.2 The Gold Trade Act 157

5.3.3 The Precious Stones Trade Act 158

5.3.4 The Minamata Convention on Mercury 158

5.3.5 Indigenization Act 14:33 158

5.3.6 Rural District Councils Act 29:13 160

5.3.7 Environmental Management Act 160

5.4 Policies 160

5.5 Institutional mechanisms for policymaking in the mining sector 161

5.6 Conclusion 165

CHAPTER SIX: NETWORKED ACTORS: THE ROLE OF THE STATE, ELITES AND THEIR INFLUENCE ON POLICIES 169

6.1 Introduction 169

6.2 Consequences of policies and legislation aimed at gold production, marketing and export 173

6.2.1 “Survival strategies” 173

6.2.2 Conflict and violence among ASM....181
6.2.3 Bureaucratic institutions and informal mining....185
6.2.4 Role of the army and the police....187
6.2.5 The political instrumentalization of disorder?....191
6.2.6 Non-state actors....196
6.2.7 Other foreign players....198
6.3 Analysis of the factors defining the resultant policies....200
6.3 Conclusion....203
CHAPTER SEVEN: INFORMAL GOLD MINING: THE CASE OF CHEGUTU....208
7.1 Introduction....208
7.2 Artisanal gold mining in Chegutu....212
7.2.1 The research sites....215
7.2.2 The actors....218
7.2.3 Mining operations....222
7.2.4 Women ASM....228
7.2.5 Environmental and safety issues....230
7.2.6 Conflicts and violence....232
7.2.7 ASM and illegal activities....234
7.2.8 Local politics and ASM....238
7.3 Policy implications....242
7.4 Conclusion....244

CHAPTER EIGHT: CONCLUSION 249

8.1 Introduction 249

8.2 Summary of main findings 250

8.3 Contribution to knowledge 256

8.4 Significance of the study 257

8.5 Recommendations 257

8.6 Conclusion 259

REFERENCES 260

FIGURES

FIGURE 1: COUNTRIES WITH THE HIGHEST NUMBER OF ASM OPERATORS 50

FIGURE 2: INTERNATIONAL GOLD PRICES 52

FIGURE 3: INFLATION 81

FIGURE 4: GDP GROWTH 82

FIGURE 5: HUMAN DEVELOPMENT 83

FIGURE 6: CORRUPTION PERCEPTION 88

FIGURE 7: GROWTH OF ARTISANAL GOLD MINING IN ZIMBABWE 91

FIGURE 8:CONCEPTUAL FRAMEWORK 115

FIGURE 9: STATE OPERATIONS AGAINST ASM 188

TABLES

TABLE 1: EXAMPLES OF HOW ASM APPLIES TO SELECT MDGS 44

TABLE 2: A TWO CASE STUDY APPROACH 121

TABLE 3: RESEARCH MATRIX FOR THIS STUDY 134

TABLE 4: MINING POLICIES AND LEGISLATION 149

TABLE 5: GOLD PRODUCTION IN MASHONALAND DISTRICT.....213

TABLE 6: INCENTIVES FOR AND AGAINST FORMALISATION 227

ACRONYMS

ASM	Artisanal and Small-Scale Mining
ASGM	Artisanal and Small-Scale Gold Mining
GNU	Government of National Unity
FRP	Fidelity Refinery Printers
ILO	International Labour Organisation
MDC-T	Movement for Democratic Change-Tsvangirai
MEWC	Ministry of Environment, Water and Climate
MHCW	Ministry of Health and Child Welfare
MMA	Mines and Minerals Act
MMMD	Ministry of Mines and Mining Development
MOD	Ministry of Defence
MoFED	Ministry of Finance and Economic Development
MoLG	Ministry of Local Government
MSMECD	Ministry of Small and Medium Enterprise and Cooperative Development
NEDPP	National Economic Development Priority Programme
UNDP	United Nations Development Programme
RBZ	Reserve Bank of Zimbabwe
ZANU (PF)	Zimbabwe African National Union-Patriotic Front
ZELA	Zimbabwe Environmental Lawyers Association

ZEDS	Zimbabwe Economic Development Strategy
ZIMRA	Zimbabwe Revenue Authority
ZIMSTAT	Zimbabwe Statistical Office
ZMF	Zimbabwe Miners Federation
ZRP	Zimbabwe Republic Police

CHAPTER ONE: INTRODUCTION

1.1 Introduction

Artisanal gold mining is a crucial economic activity in Zimbabwe that is "too significant to ignore in terms of size, socio-economic and environmental effects and general regional importance" (Pact, 2014, p. 54). Its significant contribution to Zimbabwe's economy can be traced back to the early 2000s when there was a defined shifting interest from agricultural activity by a large number of people to artisanal gold mining (Hilson & Mcquilken, 2014; Zwane *et al.*, 2006). A synthesis of artisanal mining activities by Hilson and Mcquilken (2014) also points to a growing trend of this type of mining in several African countries. Research estimates that since 1995, at least 30 per cent of gold mined globally, is derived from artisanal gold mining activities, indicating a substantial contribution to gold delivery (Labonne, 2014, p. 121). While one cannot over-rely on statistics for ASM, evidence from Hayes (2008) puts the contribution of ASM to the labour force at 1 in 30 Zimbabweans (14% of the labour force) actively engaging in artisanal and small-scale gold mining. He estimates that by 2008, 26.4% of Zimbabwe's population depended directly on ASM, making it the fourth highest rate of dependence on ASM in Africa. According to the Zimbabwe Miners Federation, there were about 50,000 registered small-scale miners in the country, employing at least ten workers each on average before 2020.

Despite its potential to generate income and reduce poverty for those involved in the activity, artisanal gold mining has remained mainly in the periphery position of economic activity for African governments (Drescher, 2001; Mawowa, 2013; Labonne, 2014). Similarly, there has been limited research in Zimbabwe to focus on how this important phenomenon has been handled in terms of public policy-making processes and what becomes of the policy once it is

made. Hilson and Mcquilken (2014, p. 111) argue that while this type of mining is an indispensable livelihood strategy, it continues to be largely informal because of unfounded and ill-advised policymaking in most African countries.

In Zimbabwe, ASM represents a large and complex informal economy with significant national and regional implications. Characterised by zero mechanization for extracting gold deposits as well as very low start-up capital, artisanal mining is mostly informal, has disadvantageous market structures and is very mobile in nature (United Nations Economic Commission for Africa, 2015, p. 19). The informal economy or informal sector is usually identified as unregistered business activities and, therefore, unregulated by laws and regulations (Godfrey, 2011). Legislation in many developing countries related to artisanal mining is fraught with confusing definitions. “Informal mining”, a term found in many legislations, is a broad term that comprises all forms of mining that operate without labour or social protection (Chen, 2007). This term is often mixed up with “illegal mining”, which is generally identified when the activity is conducted deliberately without proper authorisation issued by the relevant authorities or by criminals practising the activity to launder money.

There is no separation between artisanal and small-scale mining, although there is a slight distinction between when it is done formally and informally (Ncube-Phiri, Ncube, Mucherera, & Ncube, 2015). Although it carries various meanings, ASM is loosely defined as “an activity that encompasses small, medium, informal, legal and illegal miners who use rudimentary methods and processes to extract mineral resources” (Ncube-Phiri, 2015). The artisanal and small-scale miners are considered informal, given that even where miners are licensed and operating legally, their mining practices are still determined by informal rules and norms.

While small-scale miners are thought to work with a greater degree of legal legitimacy, it is widely asserted that most ASGM in Zimbabwe is illegal. Estimates are asserting that as much as 80% of the sector is operating illegally (Nellemann, et al., 2018).

In this study, a distinction is made between the ASM mentioned above and the medium to large-scale corporate-owned mining ventures. Mawowa (2013) describes ASM as engaged in low skills and production while using rudimentary technology and working illegally. The categorisation of small-scale miners by the Zimbabwe Miners Federation (ZMF) helps understand the different types of ASGM operations. First there is Class A which includes, miners with full mining permits, qualified mining management, standard mining operation and gold production of 5kg per month or more. Class B encompasses mining operations which hire technical expertise, like a geologist, and may hire equipment as needed and their gold production is up to 5kg per month. The majority of ASMers fit into Class C, in which mining operations are run by people with mining claims, and so they hire labourers to work the site. Often this is done by syndicates, which have profit-sharing agreements. The last category is Class D which comprises artisanal miners, who use rudimentary tools, pick and shovel and do not have a mining title. In some cases, they may have a prospecting license.

This study examines policy developments of what is often termed an informal economy that includes restricted illegal and restricted legal operations in the artisanal gold mining sector in Zimbabwe. Like any informal economic activity, informal mining attracts countless and often uncounted people whose produce comprises a significant part of their country's economy. However, these people and their economic contributions remain unknown or poorly known, loosely governed and mostly unrecorded, at times illegitimate, and often at the mercy of the

state's law enforcement. Most countries have laws and regulations to govern ASM, but these laws and regulations are often outdated or inappropriate. Moreover, depending on the context, existing laws and regulations are selectively enforced or not enforced at all. The study, therefore, primarily seeks to dissect underlying politics, power and institutional dynamics and how these influenced policy trajectories in this growing informal gold mining sector between 2005 and 2017. It examines the policy choices within artisanal gold mining during the last years of what has come to be known as Zimbabwe's First Republic.

A case study of informal gold mining activities in the Chegutu District of Mashonaland West Province in Zimbabwe is used in this thesis to analyse state attempts at formalising informal artisanal gold mining. It also demonstrates the interaction between the variety of actors in shaping policy and its implementation at the local level.

1.2 Study Background

There is generally a consensus on the significance of the informal sector, which employs an estimated 75% of the working population in Africa. The term informal economy and the beginning of scholarly research are attributed to Hart's article about the informal urban labour market in Ghana (Hart, 1973). Globally, research estimates that since 1995, at least 30 per cent of gold mined is from artisanal gold mining activities, indicating the sector's substantial contribution to gold delivery (Labonne, 2014). A synthesis of small-scale mining activities by Hilson and Mcquilken (2014) also points to a growing mining trend in several African countries, including Zimbabwe. Since the turn of the century, the continent has recorded approximately eight million artisanal and small-scale miners (Hilson & McQuilken, 2014). Despite the growth in ASM operations, the Zimbabwe state seems to hesitate to fully formalise

informal artisanal small-scale gold mining operations based on the potential benefits that could accrue to the miners, not the state. Informality exposes the sector to corruption, embezzlement, and criminality while simultaneously resulting in lost revenue for local and national governments.

According to a World Bank report (2022), the drivers of informality in Zimbabwe stem from macroeconomic and institutional conditions, including its regulatory burdens and governance. The Bank notes that the level of informality in Zimbabwe exceeds the level predicted by its GDP per capita. In addition, economic level. Economic recessions and hyperinflation during the past two decades devastated economic activity and jobs, resulting in a rise in output and employment informality (The World Bank, 2022). Zimbabwe's economy after 2000 presents a unique era in its history, characterised by economic recession and a drive for black empowerment and indigenisation (Mawowa, 2013, p. 20). The gold mining sector has grown and continues to grow in Zimbabwe after discovering new mining claims and abandoned mines in most parts of the country. However, despite this growth in operations, there is paucity in scholarly literature on state formation and political, social and economic transformation processes considering policy-making in the artisanal gold mining sector.

Much of the existing research on informal mining suggests that policy on artisanal mining is a function of, and is affected by, excessively complicated regulations – noting Zimbabwe's powerful and centralised state bureaucracy during the colonial period (Alexander & McGregor, 2013)). A configuration of governance and institutional arrangements in this political system would indicate how well elites and internal players interact. However, governance as a concept has been criticised because it has meant different things to different constituencies (Fukuyama,

2013). Hyden *et al.* found that comparative political scientists used the term to identify how different rules affect results (Hyden, Court, & Mease, 2004) Here governance refers to how collective impacts are produced in a social system (Hill, Hupe, & Hupe, 2002). More broadly, the social system refers to regimes of law, administrative rules, judiciary rulings and practices that constrain or enable governmental activity (Lynn *et al.*, in Hill and Hupe & Hupe, 2002). Moreover, to an extent, the governance configuration includes regular citizens, whose views have often been ignored or thwarted in designing and enforcing a country's policies in ways that benefit their interests.

1.3 Research problem

Globally, small-scale mining is challenging and usually wrapped up in obscurity. One of the many challenges is the scarcity of documentation. In many sites where meaningful production statistics are compiled, the contribution of small mines is hidden in national totals. The World Bank, 2019 argues that there is still a lack of "complete, accurate and reliable data" to inform policy interventions in the ASM sector; be it formalisation or ways of improving livelihoods and empowering miners. Accordingly, there is a need to "shine a light on this 'hidden sector' by researching, collecting, and sharing data to inform policymakers better" (The World Bank, 2019).

As governments seek to maximise benefits from mining operations, they have increasingly assumed an active role in natural resource extraction, including artisanal mining (Ahere, 2021); (Conrad, Reyes, & Stewart, 2021) However, most countries have struggled to regulate the sector and wrestled with how to tax it and encourage legal trade into formal channels. Among the reasons for this is the lack of power and political will by governments to enforce laws and

stop smuggling consistently, the portability of gold that makes it easy to smuggle, and that gold ASM often occurs in rural regions where state presence is limited (PACT 2015). Also, by its nature, informal trading is part of complex economic webs which, states find cumbersome to regulate and, in some contexts, gold facilitates flows of other legal and illegal products (PACT, 2014). As a result, entrenched practices and strong vested interests often resist change. The motivation for regulation, as explained by Davidson (1993), is that rationalisation and formalisation can make ASM more efficient, economical, safe and environmentally friendly.

Most miners operate outside formal governance frameworks. In this regard, they cannot benefit from legal protection nor access support services needed to address negative expressions of informality. The dire and disorganised state of affairs in a sector that has the potential to significantly increase the country's Gross Domestic Product (GDP) illustrates the damaging extent of the struggles for an accumulation of wealth between the state and the poor informal artisanal miners in parts of Zimbabwe, including Chegutu, where empirical data collection for this study was conducted. Both the lack of government control over the artisanal mining sector and the prominence of informal trade networks can have severe social, political, and economic consequences. Given the growing importance of Zimbabwe's informal mining economy and its violent nature, relatively little attention has been given to understand the political economy of gold ASM and to examine the extent to which networked actors influenced artisanal gold mining policies during the period under review. By networked actors, it refers to the range of competing policy brokers from bureaucratic institutions, miners, external influences and the spectrum of political and intergovernmental institutions.

1.4 Purpose of the study

The study seeks to dissect underlying politics, power and institutional dynamics and how these influence trajectories of policy development in the ASM sector of Zimbabwe between 2005 and 2017. It investigates the complex reality of politics and policymaking for informal (artisanal) gold mining in Zimbabwe. The existing research implies that policy on artisanal mining, while being a function of the state, is an instrument or arena of contestation among powerful groups within the state and society. This is in noting Zimbabwe's characteristics of a powerful and centralised state bureaucracy during the colonial period (Alexander & McGregor, 2013). The historical literature on 'policy' seems to ignore the propensity for ruling party-state mergers in political economies such as Zimbabwe. This thesis aims to fill a gap in the literature to analyse how the material realities of the various 'fractions' of the ruling class-in-the-making struggle over mineral commodities while influencing policy towards the formalisation of gold mining operations in Zimbabwe.

This study explores other possible explanations of power dynamics between different elites, including probable elucidations of politics and patronage in post-colonial times – and how these could have shaped the resultant policies on artisanal gold mining. In particular, it goes beyond explaining policy development from a human security perspective. The understanding of security applied here goes beyond studying military disputes to the lived experience of communities in extractive sites and their quotidian existence of insecurity. Therefore, the research fills a gap in the literature on how networked actors, including political parties, influenced decisions on artisanal gold mining policies in Zimbabwe.

The findings from the study are intended to contribute to theoretical debates on political power agendas and their impact on human insecurities in this chosen policy field. These findings explain the spectrum of assumptions and approach that view party and state institutions as the source of policy and value choices. Drawing from the institutional theories to be discussed in in Chapter 3, the significance of the research lies in reflecting on political power in influencing policy and human security (Bond and Kirsch (2015). While typically, securitisation narrowly focuses on existential threats to state security or a given polity, in this instance, human security broadens the scope to include security as the total of core key human dimensions. Concepts and theories, such as institutionalism and informal economy theories are applied as analytical frameworks for the research. It investigates whether the theoretical arguments over post-colonial African changes aid in shedding light on Zimbabwean policy-making. Moreover, the study examines if the theories convincingly explain the influence of networked actors on policy on artisanal gold mining in Zimbabwe. Finally, the study utilises the Chegutu case study to map policy and political actors and how they interact in their policy influence.

This study adds to the work of Spiegel (2015), which scrutinises institutions as mechanisms for policy development and its management. In his article, Spiegel illustrates the ways in which centralization of power in ASM by government leads to livelihood insecurity. Whereas my study contributes to understanding how the state creates policy through the interactions, frictions and evolving interests of networked actors. Spiegel's work assists framing this study. In so doing the study will pay special attention to shifting positions of bureaucratic institutions on the formalisation process from the early 1990s. Through its focus on the institutional arrangements through which policy on the formalisation of artisanal mining in Zimbabwe is carried forward, my study will address methodological gaps of previous research strategies, by applying different research designs, and samples. Previous comparable research has mainly

been on institutions and diamond mining in Zimbabwe with less commentary on artisanal gold mining (Scoones, 2014; Nyamunda and Mukwambo, 2012).

1.5 Research Questions

The main research question is:

- In what ways did politics, power and institutional dynamics influence policy trajectories on artisanal gold mining in Zimbabwe between 2005 and 2017?

The sub- research questions which the study addresses are:

(i) What were the policy trajectories of artisanal gold mining in Zimbabwe between 2005-2017?

(ii) What was the fusion between political elites[1] and bureaucratic policy-making regarding artisanal gold mining policies in Zimbabwe?

(iii) How did the networked actors, including the ruling elites and other powerful actors, influence artisanal gold mining policies from mining sites to external markets?

(iv) What were the implications of these policy choices for human security?

1.6 Locating the study: crisis, policy development and artisanal mining and the case study

1.6.1 The post-2000 crisis

Zimbabwe's post-2000 political economic landscape evokes what Moore and Mawowa (2010) describe as "a political economy of chaos and instrumentalisation of disorder" in policy-

[1] Political elites refer to "distinct high-level political officials (the president, his/her advisers and Cabinet Ministers

making processes. The thesis attempts to define the gap between politics (and political economy) on the ground and the policy-making processes in institutions, using the example of artisanal gold mining. In taking stock of policy development during the time, Zimbabwe underwent legal and economic transformations in contemporary resource governance; the thesis attempts to link the informal economy to human impacts at the local level. Part of the Zimbabwean crisis resulted from the crumbling of the remnants of a 'formal' economy relatively well established before the country's independence (Mcgregor, 2002).

Over the years, gold output from artisanal mining has grown globally, including in Zimbabwe. This growth is evident in the figures showing that by 2016, small-scale miners controlled up to 65 per cent of active gold deposits in the country (Evidence Chenjerai, 2017). Large companies produced 11,759 tonnes against 9,680 tonnes by small operations (Pact, 2017). As a result, gold mining emerged as a fundamental source of livelihood for a substantial population in Zimbabwe, with more than one million people engaged (Mawowa, 2013). However, such a significant contribution to GDP occurred even though most operations remained outside state regulation. This domination by the ASM sector is because the small ore bodies are not favourable to industrial mining. Secondly, the poor investment climate in Zimbabwe does not encourage large scale and long-term investments (Zimbabwe Environmental Law Association, 2022).

In terms of global financial flows, gold plays a significant role, with high expectations that its role in Illicit Financial Flows (IFF) will continue to grow. Currently, informal mining and gold smuggling are a substantial source of IFFs, depriving governments of revenue that could potentially go towards development aims. In addition, there is also a high risk of illicit gold

flows intermingling with more dangerous flows, such as drugs and arms, and the emergence of protection economies, resulting in increased violence and corruption (Crime, Global Initiative Against Transnational Organised, 2016).

1.6.2 Periodisation of the study

The study period (2005-2017) is historically significant for Zimbabwe, as it was a key juncture in a country in crisis as a post-colonial state. Real GDP growth averaged only 0.1 percent per year between 2000 and 2021, averaging -3.9 and 2.3 percent in this period's first and second halves, respectively. The World Bank explains the economic crisis, whereby considerable macroeconomic instability and distortions in the first two decades of the century led to high inflation and multiple exchange rates in Zimbabwe. These consequences, coupled with a high-cost regulatory environment, external shocks and productive resource misallocation, reduced economic growth to below its potential, lowered incomes, and increased poverty. The frequency and magnitude of natural disasters experienced by Zimbabwe over the past four decades have contributed to the country's underwhelming economic performance and the associated turmoil.

This is also a crucial period of cultural politics of opposition and patronage economies (Mawowa, 2013). During this period, several scholars highlighted a transformation of the state and its institutions, the consequences of patronage, the rise in informality and elite accumulation, and the political and social effects of truncated horizons for the youth. Alexander and Mcgregor (2013) note that:

> *"While clearly the 'crisis' is rooted in long-standing tendencies, Zimbabwe's powerful state bureaucracies, its liberation struggle history, its substantial formal sector and its*

strong post-independence history of service provision had all seemed to mark it out as different from, if not an 'exception' to, the experience of those African countries in West and Central Africa that had often provided the empirical basis for theories of state' failure' and social and political disorder."

With over ten years, the thesis covers three distinct socio-political and economic periods/phases (each beginning in an election year). The first phase (2005-2008) marked the intensification of patronage economies, with Zimbabwe experiencing a worsening economic decline not witnessed in previous years. By 2008, the GDP per capita had fallen to its lowest since 1954 (Mawowa, 2013). In addition, Zimbabwe was the most food aid-dependent country globally in the following year, with nearly seven million people requiring food aid. With an economic decline of this magnitude, thousands of jobless people flocked to informal artisanal gold mining.

During the period of interest for the study, the Government introduced several policies with far-reaching impacts on artisanal gold mining. The first was the land reform policy[2], which was a reaction to the widespread land dispossessions during colonial times. The land question had dominated the Lancaster House Conference Agreement (1979), especially the land acquisition, allocation and distribution[3] amongst the races. Therefore, in 1980 when Zimbabwe gained its independence, the new Government sought to redress land allocations and distribution while providing space for indigenous people to participate in the national economy. This Act authorised the government's compulsory land acquisition following evidence of slow delivery of land to landless blacks under the willing buyer–willing seller approach. However, the Government did not have enough resources to compensate those whose land would be

compulsorily acquired for redistribution. In 1998, donors made pledges which were premised on an accountable land redistribution policy. The Government objected to this option with strings attached; therefore, LRRP II was never implemented. By 2000, due to the lack of expediency in land distribution, the situation fuelled random land invasions across the country, which the Government effectively managed to control. After that, the Government introduced a fast-track land reform programme, indirectly encouraging land invasions. According to (Zhou & Zvoushe, 2012), this can be argued as an attempt by the state to regain support from the landless village dwellers.

Another policy was "operation restore order" in 2005, which saw several thousands of people displaced from their homes by the Government, ostensibly as part of a clean-up exercise code-named Operation *Murambatsvina*. A provision of the operation was to remove slums in urban areas banning most informal economic activities through violent means by the state in 2005. Murambatsvina cost some 700,000 Zimbabweans their homes, livelihoods, or both and otherwise affected nearly a fifth of the troubled country's population (International Crisis Group, 2005). At the time of the operation, no more than 20% of the adult population was employed in the formal sector, with 80% of adults relying on the informal sector, either through subsistence farming or through informal employment in towns. Informal employment was the unofficial backbone of Zimbabwe as income from the sector allowed those involved to pay their rent, buy food for their children and send them to school.

> *"Zimbabwe government collectively mounted a brutal, ill-managed campaign against its own citizens. Whatever its intent -- the urban clean-up claimed by authorities, or more sinister efforts to punish and break up the political opposition lest resentment explode into revolution -- that campaign has exacerbated a desperate situation in a*

country already sliding downhill for a half-decade." (International Crisis Group, 2005).

Although this did not eradicate the informal economy, it radically changed its face. *Murambatsvina* thus pushed people to the rural areas where they had to find an alternative livelihood. The United Nations estimated that this campaign to restore order affected at least 700,000 people directly by losing their homes or livelihood and indirectly affected around 2.4 million people (International Crisis Group, 2005). Artisanal mining became one of the options for most displaced people that did not own farmland. Besides, commercial agricultural production in the post-2000 period declined following farm invasions and climate change-induced drought. In this fragile environment between 2005 and 2017, gold mining activities grew tremendously, particularly from small-scale indigenous or black people as a substantial number of people moved to gold mining.

The policy environment was rendered even more complex and volatile after 2007 with the Indigenization and Economic Empowerment Act *[Chapter 14:33]* of 2008 (IEE) (Saunders, 2017). This hallmark legislation of Robert Mugabe and ZANU-PF's growing economic nationalism meant new growth through the domestication and indigenisation of asset ownership in the leading economic sectors. Ndlovu Gatsheni (2009) has located Mugabe's post-apartheid and postcolonial nativist economic tendencies as "*deep-rooted antinomies of black liberation thought and partly current ideological conundrums linked to the limits of both the African national project and global liberal democracy"* (Ndlovu-Gatsheni, 2009, p. 61). Under the guise of this policy, the Government subsequently introduced specific terms and conditions for the mining sector that meant to transfer the majority control in mining companies to indigenous companies. The result was a chaotic and controversial period, catalysing

extensive debate on mining indigenisation, resource mobilisation, and the mining sector's shape (Saunders, 2017).

The Public Order and Security Act *[Chapter 11:17]* of 2002 (POSA) mimicked the colonial version, which was referred to as the Law and Order Maintenance Act[4] (LOMA). There were minimal differences between the two pieces of legislation. Both were passed at a time when political tension was rising, and both sought to suppress black resistance. On the other hand, POSA was introduced again at a time of political tension towards the period of the 2002 presidential elections. National challenges at the economic and social fronts had bred public discontent and subsequent rise of opposition politics.

Several authors describe the second phase (2009-2013) as relatively peaceful, with a semblance of some economic stability from 2009 to 2013 (Alexander & McGregor, 2013). The landmark global political agreement that led to a Government of National Unity (GNU) between the two main political parties, ZANU (PF) and Movement for Democratic Change (MDC), saw the state actively re-engaging with donors and the private sector. This, in turn, allowed for a more measured approach to resource governance incorporating artisanal miners (Saunders, 2017).

The last phase of the study (2014-2017) witnessed broader shifts in the political economy, including political mobilisation and renewed divisions in the ruling party, which affected the party-state and economic institutions' functions. In addition, the state formally initiated a mining policy initiative, alongside moves to substantially revamp the Minerals and Mining

[4] The Law and Order Maintenance Act (LOMA) of 1960 sought to to ban demonstrations by former combatants who demanded compensation for wartime injuries;

Act's primary enabling legislation. However, neither process was completed by mid-2017 (Saunders, 2017). By November 2017, President Mugabe, who had assumed power in 1980, was deposed through a military coup.

1.7 Definition of key concepts

a. Artisanal mining:

Despite several attempts to arrive at a consensual position, policy makers agree that no single group of characteristics is appropriate for classifying artisanal mining across different countries. A study commissioned through the Africa Mining Vision (2016, p. 19) makes some progress in summarising the leading criteria/ parameters for artisanal mining across 16 countries in Africa. For most countries, four main parameters define artisanal mining: the level of mechanisation, the concession size, number of workers involved and the size of the capital investment.

The different definitions of artisanal mining are also evident across several institutions. For instance, the World Bank (2013) explains artisanal mining as a poverty driven practice in poor and remote areas practiced by poorly educated people with limited employment alternatives. While many researchers converge on a definition derived from the use of simple mining technology, Hilson and Mcquilken (2014) define artisanal mining as a complex value chain process beginning with the extraction to the final disposal of the gold.

Despite the convergence in certain aspects on its definition, ambiguity is not unexpected given the different production and technological characteristics from one economy to another. Spiegel (2015) explains the problem with this ambiguity has often led to confusion over legality

of artisanal mining activity in many countries. The distinction between who makes an artisanal miner as opposed to a small-scale miner is less clear. Sometimes artisanal miners are inclusive of both formal and informal operators, mechanised and semi-mechanised miners of varying sizes in terms of production, labour and capitalisation. This study acknowledges this difficulty in distinction, given that production and employment characteristics differ from one economy to another (see Hilson and Maponga, 2004, p. 23). Mawowa (2013, p. 992) provides a useful summary of common references to artisanal mining, which include low levels of production, poorly skilled labour, poor technology and illegality. In Zimbabwe policy and legal frameworks do not provide a specific definition of artisanal mining. Rather the Mines and Minerals Act suggests a loose interpretation of artisanal gold miners as those mining less than 15 kg per year (Maponga and Ngorima, 2003, p. 350).

The way in which artisanal mining is viewed in different countries lends itself to the terms that are adopted to describe the activity. In Zimbabwe for instance, the term artisanal mining or '*makorokoza'* in the local Shona language has been coined to refer to people engaged in mining activity using rudimentary methods of mineral extraction (Hilson and Maponga, 2004, p. 22; Mawowa, 2013, p. 992). Whereas in the DRC artisanal miners are referred to as 'creuseurs' literally meaning diggers while in Brazil artisanal miners are termed to as garimpeiros (Mawowa, 2013). Saurombe (2019) 's classification of small-scale artisanal mining includes several poor conditions, like limited mechanisation, low level of occupational safety and health care, insufficient qualification of those involved in operations, and inefficiency of exploitation and processing mineral production. Like Saurombe, Mawowa uses the same standard references to artisanal mining: low production levels, poorly skilled labour, limited technology, and illegality (Mawowa, 2013).

b. Formalisation

This is central to this research in as far as this notion attempts to explain how the many threads and networks have driven policy formulation and its subsequent implementation. Geenen (2012, p. 2) defines formalisation as an example of a standardised legal framework administered by the government. Drawing her analysis from the Democratic Republic of Congo, Geenen argues that bureaucratic and technical measures on their own are not sufficient to fully achieve formalisation of artisanal gold mining. She explains artisanal miners' informality because of conflict, poverty and state control of natural resources. In conclusion, Geenen notes that while bureaucratic processes are a major hindrance to the process of formalisation, high costs for obtaining licenses, limited availability of land on which artisanal miners may work legally as well as high investment costs are also key. Parallels can be drawn between Geenen's study and those studies undertaken in Zimbabwe on attempts at formalisation of artisanal mining. Similarities exist across case studies where miners view formalisation as a disturbance to existing dependencies, reciprocal relationships, thereby exerting pressure on the power balance between themselves and government (Geenen, 2012).

Hilson and Maconachie (2011) use the Sierra Leone example. In their case study, formalisation predominantly revolves around the need for government to legally register artisanal miners, organise and track mining activities, primarily through enhancing legislative frameworks and licensing mechanisms. Their argument for selecting Sierra Leone is that the country is significantly more advanced in its institutional and regulatory framework governing the country's mining sector in comparison to other African countries. Spiegel (2009) weigh the incentives for formalisation, noting that "formalisation is a process and not a product, even the

most elaborate policies to formalise mining activities fail if a government lacks the will to implement these plans, if miners perceive licensing as a threat, or if miners cannot afford the costs of joining a legal system".

In Southern Africa, diverse and contested concepts of formalisation have been noted. These range from the legal aspects, institutional arrangements, to social and environmental issues. The World Bank and ILO view formalisation as a social concept that looks at enforcement of welfare regulations such as environment laws protecting communities in mining areas. The Ministry of Small and Medium Enterprise and Cooperative Development (MSMECD) in Zimbabwe defines formalisation as legal recognition of a business entity with benefits accruing through access to loans, markets and better jobs for those who are engaged in the business entity (Formalisation Strategy, 2016). While previous research carried out in Africa and beyond has shown that in general a broad consensus to formalise artisanal mining activity exists, scholars nevertheless differ in their conclusions. They differ particularly on the business incentives for formalisation which previously have included security, access to operating space and finance (Geneen, 2012, p. 322).

Using the conceptual parameters for formalisation in Ghana, Hilson and Maconachie (2011) are critical of formalisation, rather seeing conflict between a formalisation process and promotion of artisanal mining as an economic activity. They argue that formalisation strategies mainly led by institutions such as the World Bank are concerned with creating a legislative framework, licensing and tracking artisanal mining. This is to capture revenue for government, but in the end, they fail to address livelihood demands and welfare issues of artisanal miners such as working conditions, low remuneration and job insecurity. Hilson and Gatsinzi (2014)

see institutional conflict between governments and non-state actors who are faced with the reality that across Africa artisanal mining is now an integral component of the rural economy governed by rigid regulatory frameworks which do not reflect reality. Geneen (2012, p. 324) suggests formalisation that is more than the procedure requiring registration of unregulated mining activities, but rather extending to activities including access to finance, technical expertise and training of artisanal miners.

While the definitional debate is important, substantive questions about institutional decision-making processes on the formalisation process in Zimbabwe remain key to this research. Take for instance, Mawowa (2013) adopts Feige's distinction of formality and informality in his thesis on mining in Zimbabwe. The difference lies in whether an operation adheres to established rules. If in adherence, the activity constitutes a formal economy, whereas non-compliance or circumvention of established rules constitutes the activity as informal. One can also consider, Fritz *et al*. (2018) who are more deliberate in their definition of formalisation. For them, it brings informal income-earning activities into the formal sector through regulatory and policy frameworks. It also monitors and enforces such regulations, as well as the inclusion of marginalised miners in developing and adapting legal frameworks to make them effective. (Fritz, Graaff, Caisley, Harmelen, & Wilkinson, 2018).

c. Public policy and related concepts

The term' policy' originally from the Greek word polis meaning 'city state', was later used in Latin to mean politia (state) and more recently into middle English policie, meaning the conduct of public affairs (De Coning, 2006). De Coning (2006) defines it as a statement of intent while other scholars describe it as a course of action targeted at problem solving backed

by a set of beliefs (Hill, 2005; Smith, 1976; Anderson, 1997). Jenkins (1995, p. 5) emphasises the implementation and action components, defining public policy as a set of decisions taken by political actors regarding the selection of goals and ways of achieving those goals. With no universally accepted definition, this research borrows from Jenkins (1995), that public policy is generated within a framework of decision making influenced by political actors and their value choices.

d. Policy phase approach

The proposed study on formalisation of artisanal mining is concerned with patterns of policy development in terms of choices and actions taken by conventional hierarchical institutions as well as emerging institutions at different stages of policy-making on artisanal mining. The policy process phases approach (defined by Howlett and Ramesh, 1995; Jenkins, 1978 in Hill, 2005; Hogwood and Gunn, 1984 in Hill 2005; Anderson, 1997; Deleon in Sabatier, 1999, p. 21) conceptualises a complex breakdown of phases in the policy-making process. The policy phase approach, however, offers a useful structuring of policy processes embracing, for example, the stages of agenda setting, policy formulation and adoption, implementation and evaluation (Parsons, 1995). This phases approach to public policy making is applied here in acknowledgement of the complexity of policy making; at best it offers a conceptual framework for exploring policy development and related policy institutions and networks of the policy process.

Though criticised for creating an artificial reality and recognised as potentially oversimplified, the policy phase approach is a useful way of disaggregating the policy process (Hill, 2005; Howlett and Ramesh, 2003). While recognising its usefulness and possible application in this research, the policy phases approach requires flexibility in application as in reality policy may

unfold in irregular ways.

1.8 Outline of the chapters

The thesis is organised into eight chapters. This introductory chapter has introduced the study, setting out the research's economic, political, and socio-political context. It has identified the topic of the study and its significance. This part of the thesis discusses the aims, objectives, and problem statement, concluding with an overview of the entire study. Next is Chapter Two, titled, *Global, regional and local perspectives of artisanal gold mining* which reviews relevant literature. The organising framework for literature review are the three sub-research questions focusing on, (a) policy and informal economies, (b) policy and human insecurity, and (c) policy and local state-building. By interrogating existing knowledge on artisanal mining, the chapter identifies knowledge gaps in Zimbabwe's policy formation and reformation in ASM sector.

Chapter Three provided a discussion on the *Theoretical framework* that will be applied in the current study. Next is Chapter Four which discusses the research methods. It outlines the methodological choices employed for this study to investigate the nexus between politics and policy-making on artisanal gold mining in Zimbabwe. The methodology framework is implicit in using qualitative methods for investigating complex data from multiple sources.

The succeeding three chapters present research findings of this study and so they are organised according to research questions. Chapter Five, titled, *Fusion between policies and bureaucratic institutions* attempts to answer the question, "What were the policy trajectories of artisanal gold mining in Zimbabwe between 2005-2017?" The chapter presents findings on Zimbabwe's primary mining legislation and economic policies between 2015 and 2017.

Chapter Six: *Networked actors: the role of the state, elites and their influence on policies* examines the research questions: What was the fusion between political elites and bureaucratic policy institutions regarding artisanal gold mining policies in Zimbabwe? How did the networked actors, including the ruling elites and other powerful actors, influence informal mining policies from mining sites to external markets? Crucially role of politics at the national level (including actors) in shaping artisanal gold mining policies during a crisis. It assesses the networks (including centres of power) and conflicts in the gold commodity chain, which have led to the formation and reformation of state policy to formalise the artisanal small-scale gold mining sector.

Chapter Seven: *Artisanal gold mining: The case of Chegutu* answers the following questions: What were the implications of these policy choices for human security? What was the leverage of citizens to their political elites in promoting policies for democratic accountability and curbing corruption, conflict, and violence necessary for artisanal gold mining development? The Chapter focuses on the evidence from a case study in Chegutu. It also explores how informal mining has given rise to joint extraction and local state-building institutions while promoting local politicians' interests. Finally, it also analyses the party-state's conflation even in peripheral regions where the presence of state institutions is limited.

Chapter Eight: *Conclusion* summarises the major arguments presented in the thesis and provides the study's significant findings and conclusions. It closes the analysis of a complex social formation that used informal and formal artisanal gold mining policies to give itself a vantage position concerning the accumulation of resources and wealth. The Chapter also suggests possible areas for further research emerging from the study regarding human security approaches and attention to the political ecology concerning policy development.

CHAPTER TWO: LITERATURE REVIEW: GLOBAL, REGIONAL AND LOCAL PERSPECTIVES OF ARTISANAL GOLD MINING

2.1 Introduction

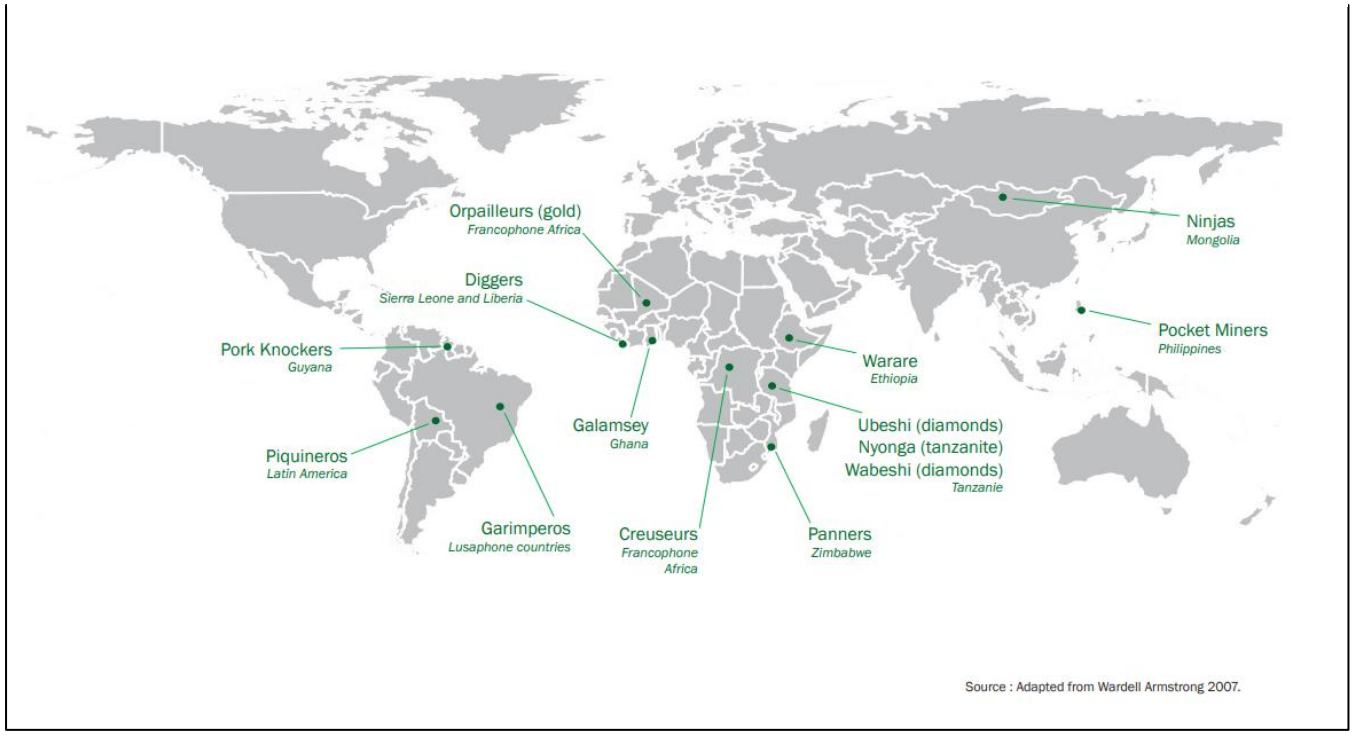
This chapter reviews literature and scholarly debates relevant to this study. It places the study into perspective, and its research context with a view to identify research gaps. I begin by commenting on the global perspectives on artisanal gold mining through briefly examining available literature on the growth and extent of ASM, its contribution to livelihoods, social and environmental aspects. The role that women play, and the associated social impacts are covered in the literature review. Also key to the review and central to the thesis is the focus on formalisation and regulation of the sector including the role of networked actors' role in influencing related policies from mining sites to external markets.

In consideration of the research questions, this literature review unpacks three emerging themes that are peculiar to ASM policy choices and development: informal economies, human security, and political power. These themes point to theoretical frameworks that ultimately interpret the research findings discussed in later chapters. By reviewing the literature on these themes, Chapter Two concludes by identifying knowledge gaps that could benefit from further investigation. Following an examination of the themes, I reflect on Zimbabwe's post 2000 economic and political crises and impacts of the crisis on policy of artisanal gold mining in Zimbabwe during this period. An analysis of the events is useful for later analysis of the study findings discussed in the later chapters.

2.2 Artisanal mining as it is known in other parts of the world

Artisanal mining is a rudimentary type of mining and processing used by almost 30 million individuals worldwide to extract minerals from secondary or primary ores, whereas small mining refers only to the size of the operation (Veiga, 1997). In this study, ASM refers to mining that is carried out with minimal use of machinery or technology. The mining operations happen with or without legal mining title or valid contract with the titleholder. Artisanal mining is also associated with low productivity, inadequate safety measures, and a lack of environmental protection (Hentschel & Hruschka, 2002).

Map 1:Global distribution of artisanal gold mining and colloquial names



Source: Delve (2011)

Map 1 above shows the geographical distribution of artisanal mining activities and the colloquial names for the activity in the different regions.

Depending on the region and country, artisanal miners are often known by colloquial names as evidenced in the map above. For instance, in Ghana, such workers are known as *galamseyers*. The name was coined from the phrase "gather them and sell". These *galamseyers* engage in illegal gold mining that is autonomous of private mining companies (Teschner, 2012). Elsewhere in Guyana, South America, *pork-knockers* are freelance prospectors engaged in mining for diamonds and gold in the alluvial plains following gold and diamond rushes. The name *"pork-knockers*" refers to their regular diet of pickled pork of wild pig which the miners consume at the end of the day. Webber suggested that the term may have originated as "pork-barrel knocker. In Brazil, wildcat miners work in the small-scale gold mining camps of the Brazilian Amazon are known as garimpeiros (Kolen et al., 2018). *Over time* garimpeiros have mined for gold in the most remote areas of the Amazon rainforest and are associated with violence and immoral behaviour including villains pillaging the forest. Lastly, the ninja miners in Mongolia are named after the Teenage Mutant Ninja Turtles because of the green plastic pans they carry on their backs. But two devastating winters, known as dzuds, wiped out a third of Mongolia's livestock in 2001 and 2002, and so thousands of families joined the gold rush, scouring sites rejected by large mining companies for quartz or crumbs of gold (High, 2007).

In Zimbabwe ASM informal, unregistered, or illegal producers are commonly referred to as makorokoza, a term meaning panners, while the practice is called chikorokoza. Other less common names include the Warare in Ethiopia, Creuseurs in Francophone Africa, Ubeshi and wabeshi in Tanzania (Bryceson and Mwaipopo, 2009). The literature does not dwell much on these, maybe because ASM is not as widespread in some of these countries when compared to countries where definitions of ASM are more commonplace. While known by different names across the world, the definitions tend to place ASM into a category of similar characteristics. The characteristics in the definitions centre on informal mining operations with simplified

extraction. Most colloquial definitions coin ASM negatively, making them responsible for causing environmental damage through deforestation, silting rivers, creating socio cultural tensions and other social friction between communities. The definitions also speak to the pragmatic attitude of ASM actors regarding their defiance to regulation and licensing.

2.3 State of research on artisanal gold mining

According to the World Bank, artisanal mining is a poverty-driven practice in poor and remote areas practised by poorly educated people with limited employment alternatives (The World Bank, 2013). Of the data that do exist, even less can be disaggregated by metrics such as gender, age, class, ethnicity, and educational background. In terms of revenue generation, export, and trade, few, if any, national accounts distinguish between large-scale and ASM operations (The World Bank, 2019).

Table 1: Examples of how ASM applies to select MDGs

Sustainable Development Goal	**Relationship to ASM**
Goal 1: No Poverty *End poverty in all its forms everywhere*	ASM is a largely poverty-driven activity that provides a vital economic lifeline to millions of people in rural communities. It is also a source of wealth creation and, if properly harnessed, can be a driver for social and economic development both locally and nationally by generating tax and export revenues, and through value addition activities.
Goal 2: Zero Hunger *End hunger, achieve food security and improved nutrition and promote sustainable agriculture*	Inextricable links and feedback mechanisms exist between mining and farming livelihoods. In rural communities, ASM supports agriculture by creating the capital needed to purchase equipment and fertilizers and is an additional market for local foodstuffs. ASM also extracts a significant number of development minerals used as fertilizers and in feeds. Yet, poorly managed mining destroys agricultural land and water bodies.
Goal 5: Gender Equality *Achieve gender equality and empower all women and girls*	Women are very active in ASM: on average they account for 30–50% of the workforce and in some cases more than 90%. However, despite being economically empowered through ASM, their participation is usually confined to lower paid roles, and they often face extreme discrimination both in law and due to social norms around land ownership, obtaining bank loans, becoming license holders, and mining in certain roles. Women can also face gender-based violence and are negatively impacted by the lack of sanitation and childcare facilities in and around mine sites.

Goal 6: Clean Water and Sanitation *Ensure availability and sustainable management of water and sanitation for all* Goal 14: Life Below Water *Conserve and sustainably use the oceans, seas and marine resources for sustainable development*	ASM activities are inherently linked to water; water is integral to the processing activities, and many mineral deposits, such as placer gold and sand dredging, are found in fluvial environments. When poorly managed, ASM can cause siltation, pollute through mercury and cyanide releases, and destroy sources of potable water for drinking, household activities, and agriculture.

Source: Delve (2019)

The table above shows the contributions that ASM makes to the sustainable development goals on ending poverty and hunger. At the same time while women benefit from ASM activities, they can also be negatively impacted through discrimination ASM activities, while increasing economic opportunities for women, they also widen disparities between different sexes.

In several regions where artisanal mining is practiced, many actors operate on "the margins" without conforming to the regulations, which then makes it a global problem (Maponga & Ngorima, 2003); (Siegel & Veiga, 2010); (Spiegel, 2009). While there are several definitions of formalisation, this thesis offers Hernando De Soto's theory of 'extra legality' to define formalisation as a means of bringing existing customary practices by miners into the mainstream of a country's legal frameworks.

The overwhelming challenge of informality in global gold mining operations has led to a growing academic and technical focus on policy-making in this sector (Veiga *et al*, 2014; (Mawowa, 2013); While artisanal mining in many African countries has been legalised and gold flow chains from mine to export established, informal trading networks exist in which miners try to avoid paying taxes and fees by selling to unauthorised buyers. These networks have the potential to become international in scope, with actors operating in multiple countries.

There is a widely held view showing that ASM's non-conformity to regulations is a product of exclusion from broader systems of mineral resource governance or as a form of resistance against this exclusion (Verbrugge & Geenen, 2020). The "informal realities" have also attracted other schools of thought – that this is a business strategy meant to increase efficiency and gain access to specialised services and skills while dealing with fluctuations in commodity prices.

Despite its substantial contribution to local economies, ASM has been perceived as a nuisance, remaining framed within the over-optimistic idea that "if kept illegal, the sector would simply disappear (Verbrugge & Geenen, 2020). This widespread disapproval of ASM in public opinion has overwhelmingly sprung from the sector's environmental legacy, notably its environmental impacts, including the widespread use of mercury. Verbrugge and Geenen observed that the absence of policy regulations on ASGM is not accidental.

> *"Despite its central importance for local livelihoods as well as the global supply of gold, and despite its far-reaching social and environmental impacts (not least in terms of mercury pollution), the lion's share of ASGM activities persists without any form of government recognition, let alone regulation."* (Verbrugge & Geenen, 2020, p. 16)

In recognition of these adverse impacts, scholars have paid attention to legislative reforms for the artisanal gold mining sector, hoping that scholarship may aid in increasing the successful formalisation of legitimate gold miners. However, Sousa et al contend that the lack of formalisation is problematic due to unrealistic or inappropriate policies and regulations. The other challenges arise from a lack of political will and infrastructure to enforce the existing regulations and a lack of incentives for miners to comply with legal requirements (Sousa, et al., 2010). Other scholars have even gone to the extent of citing bureaucracy involved in the formalisation of artisanal miners as the problem, creating more informality and more illegality – which has *been heavily responsible for 'creating' and sustaining informality in the sector, or,*

more precisely, spawning the policy frameworks and spaces which have nurtured its growth. (Hilson G. , 2013) Nevertheless, some academics believe that through appropriate measures, mining actors may be encouraged or enticed to conform to these regulations by, for instance, developing environmentally friendly methods for gold mining and recovery.

While many ASM actors remain informal, Verbrugge (2015) points to a growing number of artisanal gold activities operating with some degree of government recognition, with a considerable share of the gold from these activities still finding its way into official gold trading circuits. This strong argument on the complex connectedness between a wide range of intermediaries operating informally and the global markets is real, thus making it sometimes difficult to distinguish between formal and informal economies. A few other academic studies analyse this overlap between formal and informal domestic gold trade, noting that even licensed gold traders smuggle a considerable share of their traded gold illegally across borders (Geenen, 2015).

While informal gold mining contributes to the economy, several governments fail to collect revenue from this sector as the mining chain actors are unwilling to or are unable to comply with the tax laws. While the informal situation in many cases is intentional and aimed at limiting costs, the discussions focus on challenges facing genuine actors, precisely the difficulties they often encounter when attempting to obtain required permits to operate legally (Hilson, Hilson, Maconachiec, McQuilken, & Goumandakoye, 2017).

2.3.1The global picture

It is no doubt that a burgeoning body of literature (Childs, 2014; 2014; Spiegel, 2015; Mutemeri et al., 2016) on global perspectives, including the expansion of informal artisanal gold mining, has gained the currency of academics, non-Governmental organisations, and governments. Generally, resource curse literature[5] has dominated Africa's minerals and development discourse (Collier, 2000; Sachs and Warner, 1999; Rosser, 2006), with mineral wealth and economic choices suggesting a positive role that minerals can play in the economic development of a country or region. While this rings true in developed countries, the poor economic performance of low-income mineral exporting countries is not unusual, with influential literature arguing that mineral resources may be a curse rather than a blessing for developing countries (Van der Ploeg, 2011).

Of note Tom Burgis' (2015) The Looting Machine is an excellent general read of Africa's mineral political economy. His neither academically nor politically inclined book provides journalistic perspectives on resource exploitation, particularly diamonds that allowed politicians to remain in power and businesspeople to carve out personal empires (Burgis, 2015). In his review of Burgis's book, Kalu notes:

> *"Instead, there is a strong normative theme in this recounting of events that juxtaposes the suffering of the Africans, especially those who reside in the environs surrounding the various raw materials in question, against the lengths that the corporations, oligarchies, warlords, smugglers, and their cronies would go to increase their profit margins and accrue wealth and power, African and foreigner alike".*

5 Resource curse proponents have used the paradigm to justify policy trends such as international regulatory standards, national reforms aimed at expanded formalisation and administrative capacities, and industry accountability initiatives

A deliberate approach for this literature review is the departure from generalised development literature on mineral wealth and economic choices. Instead, the literature examines the complex reality of policy development, particularly in the formalisation of artisanal gold mining. Hill and Varone (2021) define the policy development process as embracing the emergence of policies on the agenda, formulation, and implementation while highlighting the exercise of power in the policy process. Their approach that policy development is complex and multi-layered with several actors, including elected political leaders, bureaucrats, international agencies, academic experts and journalists, is critical for this literature review.

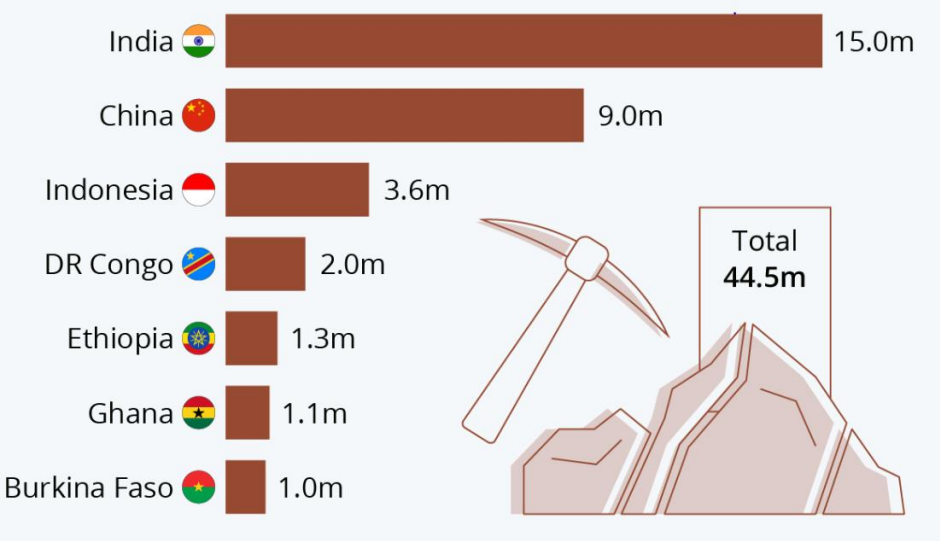
2.3.2 Growth of artisanal mining

Available literature has mainly sought to understand trends and patterns in the demographic and socio-economic situation of artisanal and small-scale gold miners and traders. In addition, the literature dwells on gold mining production, processing, legal and regulatory framework, environmental impacts, and related child labour issues (Hilson G. , 2013). While there is overwhelming literature, I limit the analysis below to the sector's growth and discourse on the sector's regulation.

Historically the growth of artisanal mining is most significant in the last half of the twentieth into the twenty-first century's first decade, with more than 70 countries hosting artisanal and small-scale gold mining, of which 80-90 percent operate informally. The International Labour Organisation (ILO) estimates that the sector makes up approximately 25 percent of the global diamond supply, 20 percent of the world's gold supply, and 80 percent of the world's sapphires. ASM also supplies 18-30 percent of the world's cobalt—an essential battery metal powering the world's clean energy transition (OECD 2019).

India has the largest concentration of artisanal and small-scale miners, with 15 million people in the Asian country working in this specific branch, followed by China with nine million ASM miners (Delve, 2022). Apart from these significant contributing countries, ASM is most prevalent in Sub-Saharan Africa, suggesting that ASM could be the most significant rural non-farm activity in sub-Saharan Africa. While there is significant participation in mining alluvial gemstones and diamonds, and in Africa, predominantly in the Democratic Republic of Congo, Sierra Leone and Madagascar, most of Africa's ASM actors are involved in gold mining.

Figure 1: Countries with the Highest number of ASM operators



Source: Delve, 2022

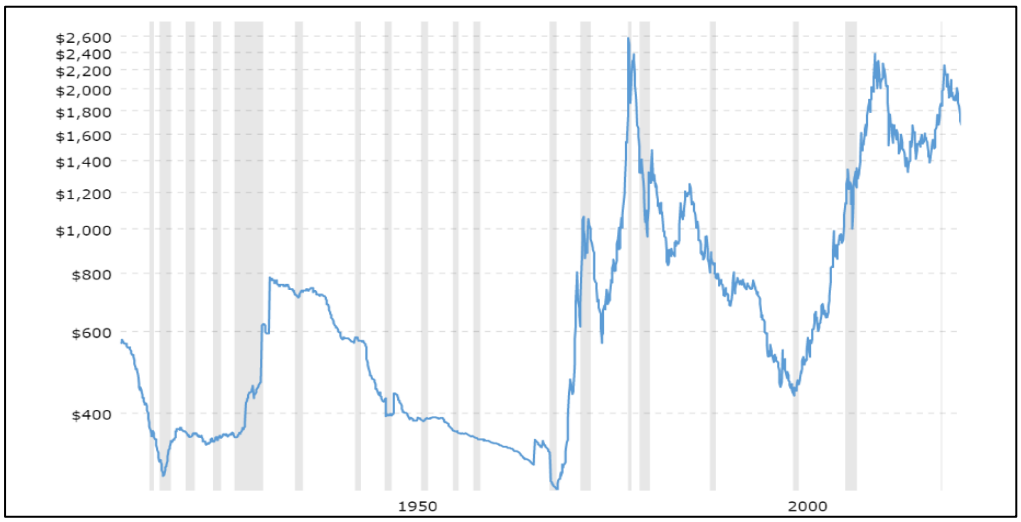
Figure 1 shows India with the highest concentration of ASM operators globally, with DRC, Ethiopia, Ghana and Burkina Faso having the highest ASM operators in Africa. In relative terms, the importance of ASGM production as a share of total mine production is highest in the DRC, where ASGM production outweighs official mine production. However, these figures could be underestimated, as most activities are informal and below the radar. Again, because of the informality, many scholars recognise the difficulty in quantifying production and trade volumes to ascertain the sector's real growth. To overcome this difficulty, Delve (2019) states that:

"Moving forward, more disaggregated economic data will be needed to showcase ASM's economic contributions, beginning with its contribution to GDP as well as more accurate figures linked to the value of exports. At present, there is an overreliance on export figures, declared production, and sales as the key sources of data for understanding ASM's contribution."

This growing attention on ASM correlates with several events globally, with several scholars arguing that this growth is in response to increased demand, rising prices, and the looming threat of gold scarcity. Global gold production increased from 2445 metric tons in 2000 to 2770 metric tons in 2013 (USGS 2014). This increase in demand was paralleled by a dramatic increase in the price of gold (Shafiee and Topal 2010). In mid-2011 a gram of gold was valued at almost 60 US dollars, by 2013, the price of gold had increased from $250/ounce in 2000 to $1300/ounce (World Gold Council 2012). A most cited reason for increased gold production since the turn of the century was the growing gold prices that resulting in remarkable growth and intensity of this form of gold mining. Temporally, the gold price had multiplied by four between 1998 and 2014, directly increasing the benefits of artisanal gold mining (Girard and Bazillier, 2018).This rise in global demand and the price of gold stimulated new gold mining activities by multinational companies and small-scale gold miners throughout the world (Bury 2004, Creek 2009).

This increase has been driven by personal consumption (e.g., jewelry), particularly in China and India (World Gold Council 2012).

Figure 2: ***International gold prices***



Source: Delve, 2019

Figure 2 shows the trend in international gold prices from before the 1950s to post 2000. While at the beginning of the century gold prices had been depressed, by 2013, the gold price had dramatically increased.

According to the World Bank, ASM growth can be due to different factors. The Bank notes that ASM represents many centuries of tradition in some regions like Mali or Peru, with the activity gradually increasing with the growth of populations. Meanwhile, in other countries, ASM is the consequence of a rush following the discovery of minerals.

> *"In Madagascar, for example, the discoveries of sapphire in the late 1990s triggered a sharp influx of hundreds of miners in new "wild west" type of cities. Sometimes the rush is a result of external shocks like droughts or conflicts, which often implies migration of people to regions where mining is an income generating alternative. Between those extremes, ASM sometimes represent a complementary off-season activity*

to agriculture for peasants. When agriculture products prices decrease, those people tend to rely more intensively on ASM" – World Bank, 2018

Case studies from a growing number of countries, including in Africa, have demonstrated that agricultural poverty (Hilson and Garforth 2012) is pushing people into ASGM, whose *"barriers to entry remain low enough that anybody with a strong back and the need for income can enter the labour force*" (Siegel and Veiga 2009: 277). Studies conducted over the past decade have repeatedly shown that large numbers of people from all segments of African society are, indeed, moving into the sector because of poverty (UNECA, 2003; Banchirigah and Hilson, 2010).

Another body of scholarship attributes the rise in ASM to the adverse impacts of structural adjustment programmes driven by international Finance institutions on livelihoods of communities which rendered ASM a viable activity (Hilson and Potter 2005). In support of this claim, Hilson draws from Crisp and Kelly (1999), stating:

"Literature, has been fuelled heavily by the sweeping changes made under structural adjustment, including a devaluation of currencies, removal of tariffs and subsidies, a 'rolling back' of the state, mass privatization and a dismantling of public services, which have been responsible for numerous redundancies and causing the labour force to contract markedly"

In other cases, it is the impacts of armed conflict, for example, in the DRC and Liberia (Hilson and Van Bockstael 2012). The DRC is an example of conflict minerals, having been covered in policy discussions (Maystadt, Luca, Sekeris, & Ulimwengu, 2014). In is usually the military which is dependent on natural resources such as gold for their activities (Weinstein, 2007).

In the case of Zimbabwe, which is my focal area, several scholars note the growth of artisanal gold mining to several factors. For instance, Mkodzongi (2017) discusses this growth captured by the phrase 'Mari yaputika'/ 'gold has detonated'. Mkodzongi examines the effects of freeing minerals in formerly unreachable rural areas. The land reform in Zimbabwe permitted rural fold access to land that belonged to commercial farmers (Mkodzongi, 2013)'s study in Zimbabwe's Mhondoro Ngezi District (not far from my case study) provides an understanding of the small-scale farming and gold mining nexus[6]. Citing that smallholder farming and small-scale mining are now two pillars of Zimbabwe's economy, Mkodzongi challenges accounts that downplay the interconnectedness of artisanal mining and farming. According to the World Bank, ASM supports agriculture by creating the capital needed to purchase equipment and fertilizers and is an additional market for local foodstuffs. ASM also extracts a significant number of development minerals used as fertilizers and in feeds. Yet, poorly managed mining destroys agricultural land and water bodies.

Hilson suggests that a 'rethink' of ASM and its nexus with agriculture is dependent on recognizing and strengthening the bonds between the sector's activities and subsistence farming. (Hilson G. , Mining and Rural Development: The Trajectory of Diamond Production in Ghana, 2008). According to the Centre for Conflict Management and Transformation, the clash between farmers and miners is rooted in the Mine7s and Minerals Act, which farmers say places greater value on gold prospecting than farming.

6 https://www.sciencedirect.com/science/article/abs/pii/S2214790X16300132?casa_token=rzVDfzzbGBoAAAAA:HudslMBCnoD7P5Q8svx0hUXV4A4yIHAOHsaN8fe3h8CQLfGgvud7i_WMFXMNzJ7A0sSDJKtd

7 Farmers, miners clash in Umzingwane | The Chronicle

2.3.3 Artisanal mining and livelihoods

An emerging area of scholarly interest is the contribution of artisanal mining to livelihoods, with several academics extensively documenting artisanal gold mining's contribution to poverty alleviation globally. According to World Bank (2019):

> *"Combining ASM's direct labour figure with its indirect one, the scale and possibility of ASM's contribution to livelihoods and economic growth assume greater significance. It is estimated that at least 134 million people work in related industries that support the ASM sector."*

Literature on ASM and its contribution to livelihoods indicates the universality of artisanal and small-scale mining (Hilson, 2016; Mkodzongi and Spiegel, 2019). Most of this critical research has focused on West Africa, pointing to significant ASM contributions to the livelihoods of communities. (Hilson, 2016; Maconachie, 2011). For instance, in Ivory Coast, many people, including children, are engaged in artisanal mining because they can earn higher incomes than through other traditional activities such as agriculture, the main activity in the country (Kouame, Yao, Jiang, Feng, & Zhu, 2017). Kouame et al, discuss the problems associated with the minors in artisanal gold mine as well as how the illegal gold mining activities should be of concern to the state's authorities while suggesting initiatives and actions that the Ivorian Government should take to reduce the rate of children or if possible to withdraw all the children from mining sites.

Most contemporary scholarship seem to suggest that artisanal and small-scale mining (ASM) in Africa submits it is a livelihood activity with poverty reduction potential (Noetstaller et al., 2004). In acknowledgement of its role in livelihoods, several African countries have gone on to embrace artisanal gold mining. Artisanal mining has been identified as an important

economic opportunity especially for rural dwellers, in providing income for households (Hentschel et al., 2002; Dreschler, 2001). In a quest to establish whether change in poverty status is a result of mining activities, Fisher et al, (2009) used a random sample survey to capture data on involvement in mining at household level to understand people's experiences of ASM, while situating these experiences within the wider policy context in Tanzania. Their study sought to capture change in artisanal and small-scale miners' poverty status – if individual miners and mining households may have been poor in the past but were not necessarily poor now; on the other hand, they may have the potential to fall into poverty in the future. Findings from the research suggests that in the study areas, people working in mining or related services were less likely to be in poverty than people who were with other occupations in the sample sites. Although published literature widely associates ASM with vulnerability, the data demonstrate that a regular income from this type of mining may also reduce poverty.

Braziller and GIRARD's 2017 case study in Burkina Faso is the first paper to directly and empirically assess the impact of artisanal mining on wealth with nationally representative data. Their findings document the effects of artisanal and industrial mining on the wealth of local populations. Furthermore, the case study demonstrates that the common property management of artisanal mines significantly increases households' consumption. Overall, they estimate that the 2009-2014 boom in the gold price increased consumption by about 8 cents of euros per day and per person for people living around artisanal mines. In comparison, despite the vast wealth generated by private industrial gold mines, the opening of these mines did not generate enough backward linkages at the local level to significantly affect households' consumption.

Another broader angle worth pursuing is artisanal mining's role to rural development. Mkodzongi (2017) explores this type of mining's significance to rural development of the flow of funds from ASM into farming and agriculture into investments. He argues how the Fast Track Land reform[8] in Zimbabwe altered the livelihoods of newly resettled peasant farmers, formally known as 'A1 farmers, noting that narratives have tended to present artisanal mining as an off-farm activity replacing or undermining peasant farming rather than complementing it. His works in Zimbabwe demonstrate the increasing intertwining of farming and artisanal mining.

Mondlane and Shoko (2003) and Maponga and Ngorima (2003) review how ASM became an alternative coping strategy as a seasonal, part-time, and permanent livelihood activity in Zimbabwe in the 1990s and early 2000s. They note the emergence of increased ASM activity in the 1990s, citing the effects of the World Bank and IMF Economic Structural Adjustment Programmes (ESAPs), which have caused retrenchment and unemployment – creating a gulf between the rich and poor (Heintz and Valodia, 2008). However, improved livelihood security from ASM is not straightforward; evidence also shows it can contribute to poverty and expose people to income vulnerability and health and safety risks (Hilson and Pardie, 2006; Noetstaller et al., 2004). Despite significant contributions to major global mineral supply chains, artisanal and small-scale miners are some of the world's most marginalized workers, and their contribution to the global economy garners little attention (Hilson and McQuilken 2014). Moreover, the informality of the sector, an ongoing problem, leaves ASM workforces around the globe exposed to dangerous working conditions.

[8] Land reform involved redistribution of land from white farmers to indigenous persons. The redistribution was contested and signified by violent episodes.

In some cases, however, several scholars have sought to weave through conflicting evidence on the impact of artisanal gold mining on livelihoods resulting from weak statistical information on the demographics of mining populations (Hilson, 2005), lack of longitudinal data (Noetstaller, et al., 2004), and inadequate understanding of the relationship between ASM and wider livelihood processes (Hentschel et al., 2002; Labonne, 2002b).

2.3.4 Women and artisanal mining

The involvement of women in mining has been well documented (Hilson, Hilson, Siwale, & Maconachie, 2018). It has been estimated that women make up 50% of the entire workforce in artisanal mining. Women occupy several roles ranging from labor-intensive mining methods to the processing aspect of artisanal mining, including amalgamation with mercury in the case of gold extraction (Hinton et al, 2003). The following quote sums the roles of women in the sector;

> *A hot, dry wind envelopes a statuesque woman as she kneels over wind-sifted trays of tin bearing pulverized ore in Uis, Namibia. In Bolivia, a nine-year old girl scrambles down a steep pit wall yet again to refill her bucket of metal-rich sand. And yet another woman stokes the fire in her wood burning stove in the Philippines, releasing the mercury from doré in a poorly ventilated kitchen; the thick black soot coating the kitchen wall contains more than 15% mercury. Up to her knees in muddy water, a woman pans for gold to supplement the meagre family income in a Malian "orpaillage". The faces are as varied as these scenarios but there is one commonality – artisanal mining represents an opportunity"*

In informal settings, women play lower-to-middle-rung roles in ASM labour structures, typically involved as labourers (panners, ore carriers and processors), providers of goods and

services (cooks, shopkeepers) and are often solely responsible for domestic chores. Their responsibilities can be anything from crushing, grinding, sieving, washing and panning, to amalgamation and amalgam decomposition in the case of gold.

Literature is abounded on women in artisanal and small-scale (ASM) mining and challenges they face as a result of a prevailing culture of masculinity in this sector (Onditi, 2022). Despite their growing involvement, findings reveal that gender norms, especially, negatively impact women's roles and opportunities, with men taking up the more lucrative jobs. It is noteworthy that gendered stereotypes and discriminatory socio-cultural norms have shaped women's experience of ASM to a considerable degree. According to Ibrahim et al, (2020), this is combined with persistent gender inequalities in property rights, education and women's role in decision-making processes. Other scholars similarly suggest that inequities in political power, distribution of income, capital assets, and access to education and information have resulted in the increased susceptibility of women to chronic poverty mining (Hinton, Veiga, & Beinhoff, 2003).

In their analysis of informality and women in ASM, (Hilson, Hilson, Siwale, & Maconachie, 2018) critically analyze how women employed in artisanal and small-scale mining using low tech extraction methods could be affected by formalisation of the sector. Exploring the livelihood and occupational roles of women in formalised ASM settings in Ghana, Ofosu et al, (2022) suggest that contrary to the dominant narrative, women's employment avenues remain minimal in formalised settings through capital-labour substitution mechanisms. Their findings further indicate that women play differentiated, high positional roles in formalised settings, contrary to their lower-to-middle-rung roles in ASM labour structures in informal settings.

Although practitioners and policymakers have argued that there is a relationship between artisanal and small-scale mining (ASM) and sexual violence in DRC (e.g., United Nation Environment Program (UNEP), 2013), the understanding of the mechanisms linking the two is limited. Rustad et al (2015) contribute to filling this gap by exploring how artisanal and small-scale mining (ASM) and sexual violence are related in Eastern DRC. Results from their study conclude that women living near ASM are undeniably more likely to experience sexual violence committed by their intimate partners and others.

2.3.5 Artisanal mining and environmental impacts

While employing and providing a livelihood to many people, some scholars observe that the sector's environmental footprints have overshadowed these positive developments. As a result, existing research on ASM is mostly highly-scientific, focusing heavily on the sector's environmental aspects and technical features (Nichols et al., 2015; Veiga et al., 2014).

I briefly reviewed the literature on environmental impacts, noting that only mercury use in gold extraction and processing has received considerable attention over the years, which even translated into an international convention on reducing mercury use (Minamata Convention, UN 2017).

Mining activities by nature are extractive and impact the environment through deforestation and soil erosion (Gottesfeld et al., 2015). As a result of uncontrolled gold panning, natural arrangement of the soil layers is modified or lost (Haidobro, 2006). Mining leaves openings both on the surface and underground. As a result, fractures develop leading to the collapse of the ground. Environmental impacts are higher during the operation stage, during blasting and during the rainy season (Zimbabwe Environmental Lawyers Association, 2012). Ground water

abstractions for both domestic and industrial use can alter the level of the water table, leading to ground instability (Mashonaland West mining Commissioner, 2007). Surface water pollution from cyanide and mercury) has the potential to contaminate surface water, causing harm to wildlife, aquatic life and human beings.

2.3.6 Regulating the ASM sector

Several scholars analyse mining regulations and practices, an area of interest to this thesis. Most of these analyses demonstrate how most countries have struggled to regulate the sector. This growing scholarship on a range of perspectives on artisanal mining policies in Zimbabwe from the works of Hilson and Maponga (2004), Mawowa (2013) and (Dreschler, 2001) indicates the absence of clear, accepted rules and norms governing artisanal mining. The genesis of looking more closely at mining codes came in 1992, after the World Bank published its Strategy for African Mining, arguing that the endorsement of reformed mining codes could drive economic recovery (World Bank 1992, 2004). At this point, the direction of ASM research in sub-Saharan Africa changed fundamentally following the World Bank-hosted International Roundtable on Artisanal Mining in the USA in 1995. At the round table, the sector was discussed as a 'poverty-driven' activity for the first time (Barry, 1996).

A key insight in the ASGM literature is that the significant hindrance to controlling and regulating this sector lies in what Vangsnes (2017) interprets as a "double-bind". Here he means that mitigation of the hazards involved will reduce its potential to alleviate the poverty of marginalized groups while refraining from mitigation will also intensify environmental contamination. Hence, the rationale for formalisation is to bypass this double-bind to create a win-win situation in which hazards are mitigated through formalisation and technical

optimization while miners increase their profit. According to UNEP (2021), those that control the ASM policymaking space regard formalisation of the sector as a process that seeks to bring ASM into the formal economy. Most countries have struggled to regulate artisanal gold mining wrestled with how to tax it and encourage legal trade into formal channels. Consequently, intellectual discussion and development policy formulation regarding informality tends to be concerned with widening the tax base and extracting revenue from the sector.

The issue of regulation is provocative, with several scholars providing various reasons for the failure to move large numbers of miners into the formal economy. According to literature, plural rationalities, including the economy, culture, tradition and religion, shape the formation of norms that, in turn, "negotiate" the legal framework of the mining sector. Drawing on analysis from the literature and findings from research conducted in Ghana and Niger, Hilson argues that the legalist school (on informality) partly explains how governments across sub-Saharan Africa are 'creating' bureaucracies that are stifling the formalisation of ASM activities in the region. Noting that, despite the rhetoric which may suggest otherwise, calls to streamline the regulations for ASM have led to institutional changes that have impeded as opposed to facilitated formalisation.

Geenen (2012) notes that while bureaucratic processes are a significant hindrance to the process of formalisation, high costs for obtaining licenses, limited availability of land on which artisanal miners may work legally, and high investment costs are also vital. Parallels can be drawn between Geenen's study, and those studies undertaken in Zimbabwe on attempts at formalisation of artisanal mining. Similarities exist across case studies where miners view formalisation as a disturbance to existing dependencies, and reciprocal relationships, thereby exerting pressure on the power balance between themselves and Government (Geenen, 2012). There is a slight twist between her earlier works and her later analysis that views

"informalisation" as a systemic response to the global gold production system citing that it is increased reliance on cheap and flexible informal labour which allows the global gold production system to deal with rising gold mining cost pressures. Geneen case studies provide exciting frameworks for analysing the driving policy forces on regulation and formalisation. In a case study on Brazil, where gold mining has always been informal, Marjo de Theije argues that efforts on the part of the national Government to formalize gold mining have always been "half-hearted" with Government turning a blind eye to *garimpeiros (*common name of artisanal miners*)* operating in the Amazon Forest. The Government only became serious about regulating these *garimpeiro* when the Amazon Gold Rush intensified in the 1980s, although with limited success.

In another case study of Peru, Geenen and Verbrugge illustrate how the global gold production system flexibly responds to external pressures. In the case study, gold from artisanal mining activity was smuggled out of Peru on commercial flights, forcing the Government to execute more stringent airport controls in 2012. However, quelling the illegal activities only led to clandestine cross-border smuggling networks in the Andean region. Verbrugge describes the recent history of gold mining in the Philippines, exhibiting similarities with the Peru and Brazil case studies, noting that a structural crisis in industrial mining that started in the 1980s gave way to a massive expansion of artisanal gold mining. However, in this case, the decentralization of state structures enabled local government officials to strengthen their control over informalisation trajectory.

Nyamunda and Mukwambo (2012, p. 154) examine the nature of the state and its role in formalisation and regulation of ASM in early diamond exploitation in Zimbabwe. Their study

notes the lack of clear legislation to guide artisanal mining in the diamond sector and sees this lack of legislative frameworks contributing to the disorder in the sector. Nyamunda and Mukwambo's description of the situation in diamond mining is worth comparing with gold mining, especially concerning state power and the incentives for continued informal mineral resource exploration in Zimbabwe. Mawowa (2007) in his MA thesis, argues that 'illegal' or informal gold panning demonstrates a distinctive pattern of accumulation which characterised post-2000 Zimbabwe. Four aspects of this pattern are identified namely, (a) the link between coercion, chaos and disorder and wealth accumulation and political power retention, (b) the role of the state in this imbroglio its pervasiveness and centrality, (c) that this pattern was shaped by and has remodelled the acquisitive instincts of Zimbabwe's ruling elite, and (d) that a culture of 'strategic contradictions' within ruling elites abets this pattern of accumulation. Moore and Mawowa (2010) in their book chapter have argued that the Zimbabwe state had become engrossed in primitive capital accumulation as reflected through its violent mineral economy characterised by crisis, chaos and spiralling economic meltdown under the ruling ZANU-PF leadership. Pact's 2014 unpublished report on ASM gives prominence to institutions and their influence on policy development of ASM in gold mining in Zimbabwe. The report analyses the processes of different interest groups, political parties, governmental departments and civil society in the process and notes institutional roles in the process of ASM policy making.

While there is a plethora of literature on challenges and opportunities for formalizing ASM in gold, my research seeks evidence on the range of forces between institutions and public policy making that "affect both gatekeeping over the policy process and determination of which interests and objectives are likely to prevail in the substance of policy" (Booysen, 2006). In this regard, Hlongwane et al. (2021) suggest that institutions become deficient and disruptive

when politics and power relations overcrowd governance, arguing that mining operations in Zimbabwe are dominated by haphazard and chaotic operations, owing to politics and the absence of political will to formalize mining of artisanal gold mining, thus implementing appropriate governance frameworks.

2.4 **Informal economies**

An emerging theme from the reviewed literature is informal economies. The following sub-section, therefore, revisits the main explanations provided in the literature on the driving forces for informal economies by paying particular attention to *the logic of informality* for central and local state politics. These explanations have relevance for my study in providing explanations of power dynamics between different elites and how these could have shaped the resultant policies on informal gold mining during the period of interest for the study.

The informal economy or informal sector is usually identified as unregistered business activities and, therefore, unregulated by laws and regulations (Bruton, Ireland, & Ketchen, 2012; Godfrey, 2011; McGahan, 2012). Often focused on developed or transition countries, the informal sector is considered illegal or hidden production forbidden by law. According to Yussuf (2015)informal economies are subterranean, invisible, and non-official. They are also part of unregulated and competitive markets and outside social and fiscal legality resulting in reduced tax revenues. A simple yet powerful definition of informal economies comes from Wikipedia, describing them as "the diversified set of economic activities, enterprises, jobs, and workers that are not regulated or protected by the state". There are three related official statistical terms and definitions which used interchangeably:

> *The informal sector refers to the production and employment that takes place in unincorporated small or unregistered enterprises (1993 ICLS); informal employment*

refers to employment without legal and social protection—both inside and outside the informal sector (2003 ICLS); and the informal economy refers to all units, activities, and workers so defined and the output from them. Together, they form the broad base of the workforce and economy, both nationally and globally" – (Chen, 2012).

These definitions broadly constitute the understanding in this study of informal gold mining and are helpful for application in this study.

Since the turn of the century, developing countries have experienced exponential growth in the informal sector. For example, Yussuf (2015) estimates that the industry makes up 80% of Africa's labour market (Yussuf, 2015).

"While there are wide variations of the relative importance of the informal economy across pan-Africa, for all the countries it is greater than 25%, and for at least three countries – Zimbabwe (61.8%), Tanzania (56.4%), and Nigeria (56.2%) – it is more than 50%" -

A vast array of contemporary literature exists, broadly describing trends driving informal economies of several countries, particularly in Latin America. However, research on the informal economy started during the early 1970s has been conducted mainly by economists and sociologists, including Polanyi (1957) and Geertz (1963). The genesis of the informal economy can be traced to Hart (1973), a British anthropologist who coined the term "informal sector" in his 1971 study of low-income activities among unskilled migrants from Northern Ghana to the capital city, Accra. Although they faced external constraints and capitalist domination, Hart concluded that most internal migrants in Accra were engaged in informal activities with "autonomous capacity for generating incomes".

There are several challenges for informal economies, including small-scale gold mining. While the livelihood benefits of artisanal mining cannot be discounted since much of this production is informal and unregulated, the ASM sector is vulnerable to criminal infiltration and illicit financial flows (IFFs). According to the Global Initiative against Transactional organized crime (February 2016), there is a high risk of illegal gold flows intermingling with more dangerous flows, such as drugs and weapons, and the emergence of protection economies, resulting in increased violence and corruption.

Informal enterprises face several costs, which can be substantial at times. Non-compliance with regulations means that property for informal sector operators is not legally registered. While operators in the formal sector sometimes pay bribes, this is minimal compared to the informal sector. The informal sector does not enjoy the public services offered by the Government mainly because they are not registered, therefore, non-existent. The informal sector cannot access funds from financial institutions, leading to minimum growth in their activities. Artisanal and small-scale mining is usually categorized as informal. Therefore, the concept of formalisation concerning artisanal mining and its links to the informal economy is central to this research. Geenen (2012) defines formalisation as the provision of a standardized legal framework governed by a state system. Drawing her analysis from the Democratic Republic of Congo, Geenen argues that bureaucratic and technical measures are insufficient to formalize artisanal gold mining fully. She explains artisanal mining' informality due to conflict, poverty and state control of natural resources.

2.4.2 Informal economies and the state

Recent scholarship on informality focuses variously on the size and composition of the

informal economy, what drives or causes informality, what the consequences of informality are in terms of welfare or productivity, and what linkages exist between informality and formality, growth, poverty and inequality. A development that has received scholarly attention is the relationship between informal economic activity and the state. The term 'shadow states' is commonly applied in the literature, with an emerging characteristic of shadow states being the blurring of boundaries between formal and informal, legal and illegal institutions. According to the term, the state will still work through and around formal state representatives and institutions in informal economies. For Verbrugge, in the long run, this self-interested instrumentalization of the state will likely undermine the legitimacy of state institutions. Specifically, on informal mining, Verbrugge notes that fiscal sociologists would argue that the inability of the central state to extract revenues from small-scale mining weakens the state's financial capacity and hence its ability to deliver vital public services, thus undermining its authority and legitimacy. Verbrugge's example demonstrates the widespread rent-seeking often dominated by the local authorities in issuing permits and the implementation of mining policies in the Philippines.

Like Verbrugge, Nordstrom (2000, 2004) and Duffield (2001) contend that the formation of "shadow states" has been made possible by globalization and increasing global demand for illicit goods. This is combined with the availability of a transnational structure for trading these goods, allowing local actors to bypass formal structures and connect directly with transnational capital. State actors occupy critical positions in these shadow networks where they seek to maximize self-interest instead of state interest. Moreover, state institutions play an essential role in facilitating long-term processes of "informalisation" understood as an integral response of capitalism to a crisis of accumulation in the formal economy (Weiss, 1987; Meagher, 1995). According to Loayza (1996), an informal economy almost always results from excessive

government-imposed taxes and regulations that lack compliance and enforcement mechanisms. Drawing his conclusions from Latin America, Loayza's explanation of informal economies leans towards neoliberalism and structuralism. Nevertheless, the narrative put forward by Loayza admits the state's vital role in creating an informal sector. Agreeing with structural theorists, Loayza states, "If state officials, or interest groups related to them, profit in some way from the presence of the informal sector, they will create an environment that makes informality attractive or simply unavoidable. To the extent that a state creates excessive regulations to benefit particular interest groups and not society in general, the presence of the informal sector results from the failure of political institutions to protect and promote an efficient market economy" Loayza (1996, p.131).

Similarly, Hilson's argument revolves around legislation, policy frameworks, and donor agendas that have impeded the formalisation of ASM across sub-Saharan Africa (Ref). He revives and takes the neo-liberalism approach first put forward by De Soto on informal economies. Zvarivada (2014) explains that the lack of an enabling environment and stringent regulations are the main drivers of informality. His sentiments are like those of Hilson and Potter (2003), that legislative requirements are often unrealistic, compelling most small-scale miners not to seek the green light.

The frameworks across the countries have similar objectives of regulating and assisting ASM to improve the efficiency of their operations while ensuring the use of appropriate, safe and affordable techniques and upholding the law governing artisanal mining operations. However, even the most elaborate policies to formalize mining activities fail if a government lacks the will to implement these plans, if miners perceive licensing as a threat, or if miners cannot afford

the costs of joining a legal system. More literature on the broader idea of informal economies, given Zimbabwe's destruction of most of its formal economy, includes works that cover Chiadzwa diamond mining activities by Moore and Mawowa (2010), (Mukwambo, (2012), (Burgis, (2015), (Saunders & Nyamunda, (2016) to name a few.

Applying an informal economy analysis is critical, especially in examining global policy developments on artisanal gold mining. First, examining the literature on informal economies explores a few facets of the informal economy. The analysis of existing literature provides a lens on policies and driving forces for informal gold mining or ASM. The significance of the reality of informal economies is that it seeks to capture the large share of the global workforce that contributes significantly to the global economy while remaining outside the protection and regulation of the state, particularly the link to organised crime (Ponsaers, Shapland, & Williams, 2008). In terms of regulation, the nature of the informal economy depends upon place, time, social and ethnic context, and historical links and trade routes.

For this research, in Zimbabwe, there is no doubt renewed interest in the informal economy worldwide as an increasingly large share of the global workforce and economy is informal, and the informal economy is growing in many contexts and appearing in new places and guises. This renewed interest also stems from recognizing the links between informality and growth on the one hand and between informality, poverty, and inequality on the other. As observed by (Chen, 2012), much of the informal economy is integral to the formal economy, contributing to the overall economy and a critical pathway to reducing poverty and inequality.

2.5 **Human security**

Secondly, another angle for reviewing the literature is the implications of these policy choices

on human security. The concept of human security, an emerging paradigm, challenges the notion of national traditional security, arguing that the proper referent for security should be more at the human rather than the national level and involving a number of fields including development studies international relations.

Applying this lens on human insecurities in this literature review delves into the governance of extractive resources and its risks to human development and sustainable peace in gold-producing countries where artisanal mining is practiced. As expanded by the UN Commission on Human Security, a definition of human security is "freedom from fear, freedom from want and freedom to take action on one's behalf." According to Galtung, human insecurity is caused by violence, which can be direct or indirect. (Galtung & Fischer, 2013) This literature review, therefore, delves into detecting everyday insecurities in the lives of individuals and communities involved in and affected by natural resource extraction. The human security discourse emerged from a convergence of factors at the end of the cold war, challenging the dominance of the neorealist paradigm's focus on states, "mutually assured destruction" to the emergence of a wider concept of security. Several events aided in shaping these concepts including the rapid pace of globalization and the rise in democratic practices and human rights norms.

A number of criticisms have been levelled on human security, with (Jolly & Ray, 2006) suggesting that it does not have definite boundaries and hence everything could be considered a risk to security. This makes the task of policy formulation nearly impossible and complicating the processes for reaching decisions or taking actions. A combination of informal gold mining with the field of human security is an exciting dimension, unravelling the insecurities arising from gold mining. A shift in mining policy and law that is likely to address the human security impacts currently unravelling in ASM communities, should be preceded by a grounded, cost-

benefit analysis, in order to determine the potential winners and losers, and to inform more sustainable design and implementation (Maconachie & Conteh, Artisanal mining and the rationalisation of informality: critical reflections from Liberia, 2019). The literature, however, focuses predominantly on environmental and health insecurities and less on economic, food, and community insecurities. In addition, the proliferation of security studies and responsible mining initiatives has placed the problem of labour, conflict, and environmental damage centre stage. In this regard, human security offers an appropriate lens to address these concerns, even if it overlooks power dynamics and political struggles inherent in mining communities and the broader society.

2.6 **Political power and artisanal mining**

Third, the political power theme is a lens into the political system of policy development and implementation in informal gold mining. Here the section pays attention to contemporary global and country-specific politically nuanced factors shaping artisanal gold mining policies and regulation perspectives. Mineral resource governance is the unstable product of complex interactions between state- and non-state governance (Geenen 2015; Verbrugge and Adam 2016; Garrett et al. 2009). The reviewed scholarship on indicates that most attention has gone to the relations between mining corporations and national governments or, to a lesser extent, between ASGM and governments. Therefore, this study applies the notion of institutions to political parties, interest groups, and government departments to examine how these influence systems and policies of informal gold mining.

As in Peru, in both Niger and Ghana, all signs point to state bureaucracies 'creating' an informal economy. Verbrugge (2015) legitimizes the notion of joint institutions of extraction within the

extractives sector, claiming that the mutual entanglement between local state politics and the informal mining economy has not been a deformation of the Philippine state where he undertook his study. On the contrary, he argues that expanding informal mining does not undermine state power but consolidates state rule, stating that this is an intricate product of a long-standing tradition of decentralized state-building.

Institutional power in mineral production networks[9] is situated in various organizations at the local, national, and international levels, with selected studies arguing that dominant political parties and state institutions are the primary sources of policymaking in many African countries. Nevertheless, international institutions, including the World Bank and ethical regulators such as the Extractive Industries Transparency Initiative or the London Bullion Market Association, have influenced national policies on artisanal gold mining. Hatcher (2016) explores the politics of artisanal and small-scale mining in Mongolia, shedding light on the existence of relations of power. In these relations, external actors play a central role in driving policy that informs the conditions by which ASM becomes integral to the country's economy. In this study, Hatcher questions the actors involved in promoting an 'investment-led model' which has privileged large-scale activities. Such context sheds light on the marginalization of ASM activities in Mongolia, a sector which, despite being illegal until 2010, has continued to support 20 per cent of Mongolia's rural workforce. As part of naming the influential actors driving mining policy in Mongolia, Hatcher highlights the World Bank's overarching influence over the liberalization and deregulation of the mining sector following the 1997 Mining Law, which decidedly twined the fate of the country's economy to the industrial sector, while completely ignoring the very existence of ASM commonly referred to as Ninjas.

[9] The term network broadens the analysis to include multiple actors at different scales, even those not directly involved in the production chain

In a similar study, Ofori et al. (2021) offer deep insights into the seemingly mundane micropolitics that underlies the implementation of formalisation processes. Using an ethnographic approach in their study, Ofori et al. argue that despite the state's repetitive enactment of the ASM formalisation discourse, informality within ASM persists because of the actions of politicians, state actors and military officials with a range of political and economic objectives. Artisanal mining regulation and formalisation thus generate messy political outcomes beyond its technical agenda. They focus on deploying security forces commonly referred to as Operation Vanguard and later Operation Galamstop between 2000 and 2008 to ASM Regions to curb small-scale mining and river pollution. Between 2017 and 2018, Vanguard became a household name in ASM communities, "gaining both popularity and notoriety". Ofori et al. conclude that:

> *"formalisation is inherently a political process: an opportunity for the state to exhibit superficially that it is working; government officials and politicians to amass wealth and power instead of fulfilling official obligations, and "illegal" miners to carry on with their work undisturbed through the solicitation of favours from state officials".*

Closer to the location of this study, Mawowa (2013) provides a history of small-scale mining and trends in Zimbabwe before and after the country's independence in 1980, noting a remarkable shift towards a pattern of resource accumulation. In the context of Zimbabwe's crisis decade, Mawowa argues that resource accumulation is driven mainly by the state's centrality, primarily shaped by Zimbabwe's ruling elite. Mawowa's thesis considers the impacts, opportunities, and constraints of Zimbabwe's political and economic crisis on mining activities in a particular geographical area in Zimbabwe, in the context of expanding ASM and shrinking large-scale mining on one the other hand.

Amid the emerging literature on different aspects of Chiadzwa diamond mines - identified as *musango*, *kumunda* (the field) - and the activities of informal artisanal diamond miners, (Nyamunda & Mukwambo, 2012). focus on the physical dimensions operating within that landscape and how this was informed by shifting political, economic and social conditions. Different state arms such as corporations, state enterprises (created to exploit mining opportunities), law enforcement agents and security forces expressed contesting interests at different levels. However, official policy (not on formalisation of *magweja*) was expressed through the initial ambivalence of the central state whose concern for Chiadzwa only increased after the March 2008 elections (Nyamunda & Mukwambo, 2012).

Bureaucratic hurdles have been raised over elite capture of the formalisation process, which often benefits those with the necessary financial capital and political connections. Mawowa's conclusion demonstrates the state's selective enforcement and legislation restraining accumulation by the ruling elite. He reveals the "intersection between patronage, politics, economic crisis, survivalism, and elite accumulation." The evidence provided by Mawowa demonstrates what he calls crisis accumulation networks with successful accumulation by those that belonged to robust political networks. His findings on resource accumulation patterns are crucial to this study regarding legislative choices on artisanal gold mining. There, however, are methodological differences between this thesis and Mawowa's. While the horizontal and vertical networks mapped by Mawowa are helpful for this study, this thesis goes beyond to look at a later political period (between 2013 and 2017).

Spiegel's study carried out in the Zimbabwe districts of Insiza, Shamva and Kadoma examines

policy shifts by the Government on ASM formalisation. His study of the impacts of Operation Chikorokoza Chapera shows how the state applied physical violence to artisanal miners, resulting in the arrests of more than 25,000 miners and traders between 2006 and 2009 and more than 9,000 still imprisoned in 2013. In this regard, Spiegel situates the crackdown in the context of evolving political and economic interests while contributing to an understanding of the agency of artisanal miners' associations in resisting coercive policies and rebuilding livelihoods in the aftermath of Operation Chikorokoza Chapera.

The findings are demonstrative of bureaucratic power in policy development. His focus on both decentralization and centralization of bureaucratic decision-making powers demonstrates state decentralization and its impact on the formalisation of ASM. He draws three conclusions: an assertion that decentralized policies should guide future policy decision-making, a recommendation for further research on the role of decentralized state institutions in policymaking for ASM formalisation, and the politicization of artisanal mining by powerful political parties.

> *"The Zimbabwean state, meanwhile, has directly and indirectly facilitated the expansion of ASGM, by providing financial and political support to selected ASGM-operators, and through its controversial land reform program, which 'liberated' gold bearing land" Mkodzongi, 2018.*

Previous research in some African and South American countries shows, to some extent, the evolving relationships between central and local institutions regarding regulating informal gold mining. There is, however, a paucity of information on emerging unusual institutional arrangements between state and political parties and their role in formulating and reformulating policy on artisanal gold mining in Zimbabwe. Therefore, this thesis delves into these

continuously changing relationships between decision-making institutions between 2005 and 2017.

2.7 Zimbabwe's post 2000 crisis

The following section provides a broad context of the literature on the Zimbabwe crisis post-2000. To put this research into perspective, the peculiarity and complexity of the context are essential. The narrative of Zimbabwe's economic decline is generally known, with several scholars often terming post-2000 as a crisis period for Zimbabwe. This section attempts to explain scholars' views on this crisis, predominantly driven by politics of the day and an ailing economy, manifesting with different intensities.

In illustrating Zimbabwe's political economy context which had a bearing on the policy choices and outcomes for small scale miners, the chapter focuses on three pertinent issues for this thesis: i. the country's general economic crisis particular regarding an informal economy, ii. its political crisis post-2000 and iii. the political economy of small-scale gold mining. The three are somewhat very intertwined. This broad economic and political context, including the causes, character and consequences of the Zimbabwe crisis, provides a lens for examining the impact, opportunities and constraints that influenced policies on artisanal gold mining in Zimbabwe between 2005 and 2017. It is no wonder that the resultant policies were driven by the interplay of contextual processes of structural political and social change at the time.

For those less critical scholars, post-2000, the Zimbabwe situation was synonymous with economic and social chaos rather than a crisis. There were also those that disagreed with the term crisis for describing events in Zimbabwe post 2000, with those in disagreement insisting that any other form of crisis, specifically political and economic crises, appears only in the

fantasizing minds of the main political opposition" (Helliker and Mazarire, 2020). They note that on several occasions ZANU (PF) leaders have insisted that a description of Zimbabwe as a country in crisis only appears in "*the fantasizing minds of the main political opposition party*"

Ndlovu-Gatsheni (2003) prefers to base the crisis on dominant nationalist position of ZANU (PF), stating that the crisis resulted from a "blocked democratic transition" at the turn of the century. He quotes Kondowe that one of the concepts driving the crisis is Regime security concerning the ruling party's welfare safety and protection and its cronies. His earlier writings, before the economic upheavals may have been justified as his crisis was mainly premised on the land question that arose at the turn of the century.

For Jones, the disorder witnessed post 2000 arose from what has become known as kukiya-kiya[10] or "*making do*." Jones explains the term to mean that '*Straight' transactions carried out by enduring, jointly-held rules and morals have given way to 'zigzag' 'deals' seen to be limited to a particular time and place and directed at individual 'survival'.".* Jones describes operations in such an economy as reoriented to short-term measures, thereby suspending "proper' solutions. Jones says this kukiya kiya economy is tantamount to an informal economy. An exploration of Zimbabwe's economic crisis indicates a growing and thriving informal economy, which besides informal currency trading, prevalent at the time, also included informal small-scale gold mining. According to Hart (1973), Portes et al. (1989), an informal economy constitutes irregular work, outside legal sanction, and outside the state's regulation.

[10] The vernacular Shona dictionary defines kukiya-kiya as resorting to strenuous or difficult activity with an eye to fulfilling basic needs.

2.7.1 Zimbabwe's economic crisis

Though Zimbabwe's economic decline became more evident post-2000, events in the late 1990s contributed to fuelling the decline. Several scholars have attempted to explain factors that contributed to Zimbabwe's economic crisis. While the effects were only felt later, the crisis had strong links to the payment of unbudgeted gratuities and pensions in 1997 of ZW$50 000 to each war veteran. and a Z$2,000 monthly life pension for each ex-combatant, free education and health services for ex-combatants and their dependents, funds for business projects, funeral expenses, and twenty percent of future land resettlement plots[11]. The objective of this move was the ruling party's attempts to accommodate the powerful veterans' demands. The Government buckled to pressure after war veterans had held a series of protests demanding these gratuities. Despite concerns by the then Minister of Finance Herbert Murerwa that the spending would bankrupt the economy, the government paid the gratuities. President Robert Mugabe was quoted as saying:

> *"There is a greater readiness than there has ever been to assist you .... We will find the money for this, and we can even borrow if we need to. Have you ever heard of a country that has collapsed because of borrowing[12]?"*

Overnight, the currency crashed, losing more than 70 percent of its value against the US dollar as investors pulled out of the stock market. At the same time, there continued to be fiscal indiscipline following news of foreign reserve depletion to just a month's worth of imports. Speculation of a worse situation resulted in socking up the US dollar, and the government reacted by injecting $15 million to try and prop up the economy. By 14 November 1997 (also known as Black Friday), the Zimbabwe dollar had plunged by 72%, with the stock market

[11] These benefits were provided under the War Veterans Act in terms of Statutory Instrument 281 of 1997. Zimbabwe Government Gazette, Dec. 12, 1997. Veterans' pensions could be inherited by their spouses and children up until 18 years.

[12] Mugabe Bows to Ex-Combatants' Demands, Order... Huge Payout for ExFighters. Veterans to Get $50,000 Lump Sums, Free Education, Health, FIN. GAZETTE (Zimb.), Aug. 28, 1997.

crashing 46%. After that, to contain the slide of the Zimbabwe dollar, the Government ordered companies to shut down their foreign currency accounts. This, however, had an undesired effect – investor confidence plunged even further.

By January 1998, Zimbabwe was experiencing nationwide riots following a steep rise in the price of basic goods by up to 50% (The Economist, 1998). This rise was blamed on the collapse of the Zimbabwe Dollar. As a stop-gap measure, the government introduced price controls and a range of import tariffs. The war in the DRC only fuelled the decline in the economy following Zimbabwe's entry into the way in August 1998[13]. In some estimates, the country spent US$1 million daily for the 13 000 troops deployed in the DRC, further weakening the local currency (Moore and Mawowa, 2013).

By 1999 Zimbabwe had run out of forex and defaulted on most of its foreign debt, forcing the International Monetary Fund to withdraw its funding. Equally the same, other multilateral institutions, notably the World Bank and the African Development Bank (AfDB) and traditional creditors from the Paris Club, also suspended disbursements of existing loan facilities, declaring the country ineligible for new loans. As a result, the total public and publicly guaranteed (PPG) debt to GDP significantly escalated during the crisis period 2000-2008 before stabilising between 2009 and 2017[14]. This move led to further exchange controls, and Government fixed the Zimbabwe dollar to $38 to the US, which was way above its value. By August 1, 2000, the Zimbabwe dollar had further devalued to $55 to the US dollar.

[13] The War broke out in 1998 between the government of the Democratic Republic of Congo (DRC) and rebels backed by Rwanda and Uganda, and eventually drew in eight countries. Zimbabwe's army supported the DRC government and was described by the UN as "a major guarantor of the security of the [DRC] government" (United Nations, 2003).

[14] The country's external payment arrears continually increased from US$109 million in 1999 to US$5.4 billion in 2017. The external payment arrears are a combination of both unsettled interest payments, penalty charges and principal payments.

After 2000, Zimbabwe had the fastest shrinking economy of a country not at war (Games in Besada, 2011). A currency collapse, record-breaking inflation, government price controls, foreign currency and cash shortages, prolonged power cuts, and health and water services breakdown signified the extent of the economic crisis. By 2003, to counter the pressure, the Reserve Bank of Zimbabwe began printing money, thereby introducing bearer checks in denominations ranging from $5000 to $20000. In 2006 Operation Sunrise replaced the dual exchange rate system, with transactions now at the InterBank rate. The RBZ removed three zeros from the currency in August of the same year.

Figure 3: inflation



Source: IMF World Economic Outlook, October 2014

Figure 1 shows the Consumer Price Index (CPI)[15] inflation from 2001 to 2014.

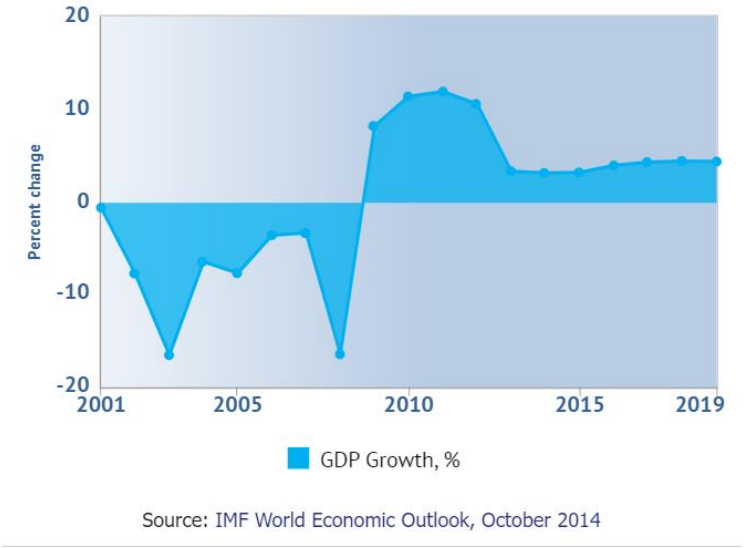
In 2002, the newly appointed Minister of Finance, Simba Makoni, was fired after pleading with Mugabe to devalue the Zimbabwe dollar further. The then President had this to say:

[15]CPI is measure of the average change over time in the prices paid by urban consumers for a market basket of consumer goods and services

"Devaluation *is sinister and can only be advocated for by our saboteurs and enemies of this Government*" (Daily News, 24 July 2002).

In 2005, Zimbabwe's GDP was already contracting, at a low of -5. 711%. By 2008, the country's GPD had fallen by 57 percent to approximately US$3 billion, a record low of -17.699%. Unsurprisingly, Zimbabwe experienced its highest inflation of seven sextillion percent (McIndoe-Calder et al., 2019). With such high inflation figures, the country's budget deficit burgeoned to more than 200 percent of GDP[16].

Figure 4: GDP growth

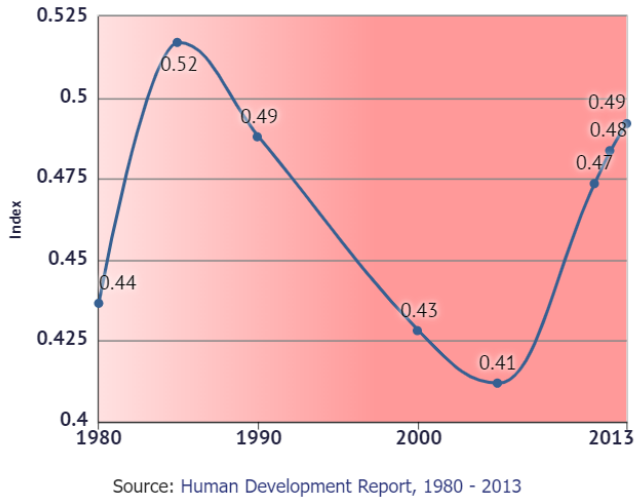


Human indicators also told the story of Zimbabwe's decline. The country now had the most rapidly falling standard of living globally, notwithstanding its falling life expectancy, to 44 for males and 43 for females in 2005. As a result of a major economic recession in 2008, by 2009, a combination of severe food shortages, rising food prices, and swiftly eroding wage levels

[16] GDP per capita is the sum of gross value added by all resident producers in the economy plus any product taxes (World Bank)

meant that nearly half of the population needed food aid. In addition, the failure of the government to provide essential services in cities and its neglect of urban infrastructure resulted in a cholera outbreak which left 4000 people dead.

Figure 5: Human development



2.7.2 A rising informal economy

The result of the economic crisis was a rising informal economy. While Jones (2008) acknowledges that the informal economy was already in existence prior to the turn of the century, he notes that the events described above only led to more people now depending on the informal economy. For Jones, the factors leading to the economic downturn were a combination of Government's involvement in the war in the DRC, unbudgeted handouts and pensions for war veterans and the destruction of the commercial farming sector. And then according to most urban residents, Operation Murambatsvina in 2005 destroyed home industries in all cities and towns, but rather than eradicate the informal economy, it morphed into one that was embroiled in illicit and illegal activities (Jones, 2008). In this instance, Jones describes people as being *"more 'busy' than ever: busy thinking up plots and acting out*

schemes, busy feeding and housing themselves and their families, busy 'surviving."

The economic crisis during this period was that unemployment rose by more than 90 percent by 2009 (Games in Besada, 2011). While the number of people that left the country is contested, possibly between three million and four million professionals and blue-collar workers migrated to other parts of the world, primarily the United Kingdom (UK) and South Africa where they were often engaged in unskilled labour, petty commerce, criminal activity, or cross-border trade. Many of those who stayed, including skilled and well-qualified workers, were forced by the economic climate into the informal sector, as Zimbabwe became a burgeoning informal economy to sustain many livelihoods. According to Jones (2010) this informal culture of "getting by" allowed for evasion of the state, the bureaucracy, and the law. It also allowed for the evasion of cultural norms and hierarchies while fuelling corrupt activities.

Rising inflation led to a thriving informal market as commodities became less available. The black market became very lucrative, particularly in foreign currency dealing, fuel, and essential foodstuffs from South Africa and Botswana. Chagonda aptly describes this link between informal activities and a precarious economy: "Hyperinflation *will always provide a fertile ground for all sorts of corrupt and criminal activities that will in most cases compromise the moral scruples of a society*". However, Chagonda (2015) argues that it was not all doom and gloom as parts of the population benefited materially from Zimbabwe's corrupt and criminal 'black market'. This 'dealer moment' proved that the Zimbabwean situation also created opportunities for those with the requisite social and economic capital (Chagonda, 2015).

2.7.3 A political crisis

The following section examines the complex roots of the political crisis, fitting into three distinct eras; 2000-2008; 2009-2013, and 2013-2017.

Zimbabwe was presided over by President Robert Mugabe and the ZANU-PF party since independence in 1980. Several scholars' accounts of the period 2000-2008 are grim and converge on the fact that Zimbabwe rapidly descended into an abyss of a political crisis. Raftopoulous offers three most plausible causes for Zimbabwe's political turmoil:

> "a *pan-African and Third-World solidarity in the face of renewed imperialist aggression; the breakdown of the liberation struggle consensus; and the limitations of postcolonial development in the context of Globalisation".*

To illustrate these causes, a few events that occurred during this period are worth noting. First, the Government was defeated in a referendum in 2000 over a proposed new constitution. This gave rise to mass political opposition from the MDC and resistance from the white farmers purportedly supported by the West (Raftopolous, 2004). According to ZANU (PF), this was a vote against the provision in the government's proposed constitution that the British government should pay for land appropriated by the state.

Following the referendum, the Government led in the land occupations, explained by Marongwe (2011) as having politically motivated intentions rather than social/moral and economic considerations. However, the land reform programme, benefitting government supporters with minimal farming experience, had limited success in transforming the economy. Several development scholars have argued that Zimbabwe's Fast Track Reform Programme (FTLRP) in 2000 led to inequitable outcomes while reshaping rural labour relations (Laurie,2016; Rutherford, 2017). Neither were the new farmers guaranteed access to vital

services, including credit and infrastructure. Therefore, it is no surprise that the economy suffered a decline, reflected by a feeble growth rate and a cumulative annual decline of 54,8 percent between 1998 and 2008 (ZimStats, 2010).

Some of the significant consequences of the FTLRP lie in allowing the new farmers that had been resettled, to access mineral resources enjoyed by white farmers during colonialism. As the agrarian scholar Sam Moyo explained, land redistribution in the 2000s created powerful possibilities for envisioning new ways of "belonging" in rural territories and led to new informal mining activities and farming changes. For example, Moyo described interviewees around Kwekwe who saw the proliferation of artisanal gold mining as reflecting the 'liberation of mineral resources hidden under the large monopolistic scale commercial farms' (Moyo, 2011, p.501).

The biggest losers of this land reform were the farm workers. By November 2002, employment levels had declined by 70 per cent in the Midlands province (Moyo, 2011). Most of these resorted to artisanal gold mining to sustain their livelihoods. Mkodzongi (2013) notes how agrarian structure changes in many of Zimbabwe's districts led to increased mobility across formerly inaccessible large-scale commercial farms. One noteworthy, albeit understudied feature of this mobility is the upsurge of artisanal and small-scale gold mining by rural peasants and unemployed people across Zimbabwe. As a result, small-scale gold mining became an increasingly widespread economic activity undertaken by socially differentiated groups with a wide range of education levels and financial backgrounds (Mabhena, 2012; Mpofu and Mpofu, 2017).

Fast forward, 2005 was a critical juncture in Zimbabwe's history, signified by political

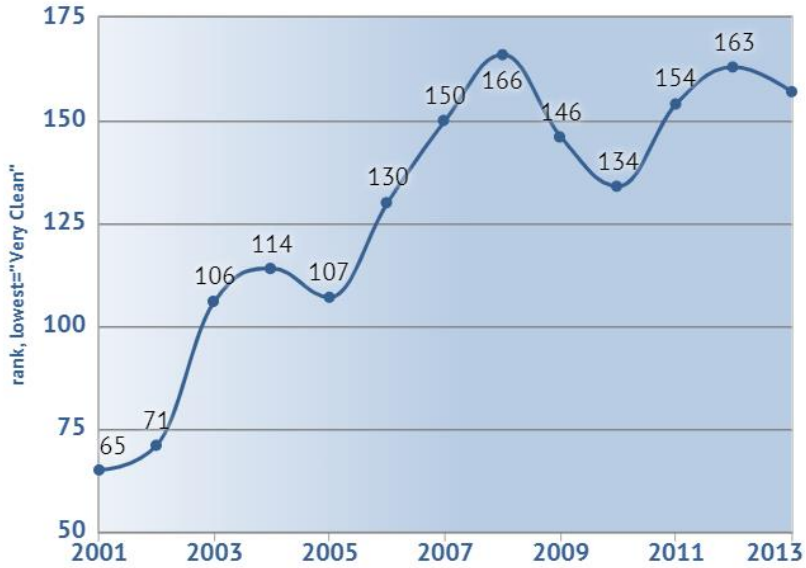
patronage, violence and the emergence of politics of opposition and patronage economies (Mcgregor, 2013). Previously, debates of patronage economies for Zimbabwe had been irrelevant, and corruption had not been a defining feature. These new debates then gave way for looking at new ways to transform the state institutions and the growing informality in the economy, with ZANU (PF)'s powers often conveyed through informality metaphors.

By 2008, it was clear that neither the domestic political elites nor the quiet diplomacy of the African states could quell the conflict between the warring ZANU (PF) and the MDC (Zondi in Besada, 2011). Only when the run-up to the elections led to political strife did SADC intensify diplomatic moves to get the Movement for Democratic Change (MDC) and the Zimbabwe National African Union to a political settlement. Raftopoulous (2011) account is the different Political parties' strategies under the Global Political Agreement and interventions at regional and international levels whose resultant effect was economic instability, leading to a proliferation of informal economic activity, including artisanal gold mining. During the Government of National Unity, Zimbabwe still experienced waves of instability. The reforms the SADC encouraged were intended to promote political tolerance and move the normative framework toward dialogue and human rights. However, scholars contend that the leader of ZANU (PF) spoiled these efforts by resisting fundamental change (Besada, 2011).

Following an uneasy era of the Government of National Unity, the 2013 elections marked a re-emergence of ZANU (PF) as the leading political party, explained by Raftopoulos (2013, p.216) as emanating from the party's authoritarian nature as well as the changes in reconstitution of the political terrain. According to Raftopolous, constitutional reforms post elections in 2008 retained executive powers' concentration and limited devolution powers. This

move ushered in what he calls a transformed political economy. Some fundamental changes included the overwhelming politicization of the security sector and a growing state-security-business nexus, which the ZANU-PF then mastered to subdue opposition supporters, containing the MDC (Besada, 2011). Second, there was an increasing base of ZANU (PF) in a rapidly growing informal mining sector, which ZANU (PF) had not widely cultivated in the 1990s. This was a shift in gears of ZANU (PF) constructing its social base through mining and agriculture.

Figure 6: Corruption perception



The analysis above provides a basis for understanding how the state, political formations and socio-economic factors influenced policy choices during the development and implementation of artisanal gold mining policies in Zimbabwe between 2005 and 2017.

It details how post-2000, there was a radical re-orientation of the economy. Emerging from that was despite the socio-political challenges people who had been impacted nevertheless devised

ways to survive the state's intricate economic crisis. This situation gave rise to an informal culture referred to by Jones (2008) as *kukiya-kiya*. This culture of kukiya kiya would become a new way of engaging in economic activity in Zimbabwe. This approach to business no doubt created prescriptions of survival and momentary necessity – thus paving the course of policy development, more for informal economic activity, including artisanal and small-scale mining.

The commentary on the domestic political terrain in Zimbabwe post-2000 denotes a history of conflict and mutual distrust between competing political elites. This included internal factionalism within ZANU (PF), but also politics of opposition that emerged with the formation of the Movement for Democratic Change. This historical account of Zimbabwe's politics demonstrates increasingly authoritarian politics with far-reaching re-organisation of the state institutions (Raftopoulous, 2004), including far-reaching influences on policymaking. Accordingly, this socio- economic history had a bearing on how the elites ultimately influenced any policies and legislation for informal gold mining in Zimbabwe. Undoubtedly, Zimbabwe's economic decline was driven by a government bent on political survival.

2.8 The growth of artisanal mining in Zimbabwe

Zimbabwe's top minerals include gold, platinum group metals (PGM), chrome, coal, diamonds, and lithium. While the country boasts of the highest presence of gold per square kilometre in the world (over 4000 gold deposits located in ancient workings), Gold mining is the most popular type of mining in Zimbabwe (Mugumbate, 2012). This type of mining has attracted many unemployed Zimbabweans to mine for gold in largely informal operations.

A critique of the historical circumstances serves the objective of explaining the events leading to the phenomenal growth of small-scale gold mining in Zimbabwe from the pre-colonial

period (before 1890), the colonial period (1890 to 1979) and the postcolonial period (after 1980). It does so from the angles of economic significance and government support and legislation. Historically, gold production was carried out from the early twentieth century onwards to manage foreign influence, particularly the Portuguese. According to Miller (2000), gold mining provided a new means of capital accumulation during the pre-colonial period. In pre-colonial times, mining was focused mainly on iron and gold and vested in traditional rulers (Masiya et al., 2012). The Mutapa Empire collected gold from chiefs as part of taxes and as tribute. Again, the rulers traded the gold to pay for imports of beads, bracelets, ceramics, cloth, guns and gunpowder. According to Mawowa (2013), Gold was mined mainly out given the limited technology and may have been of little importance after the 17th century when Mutapa ended, making trade less significant.

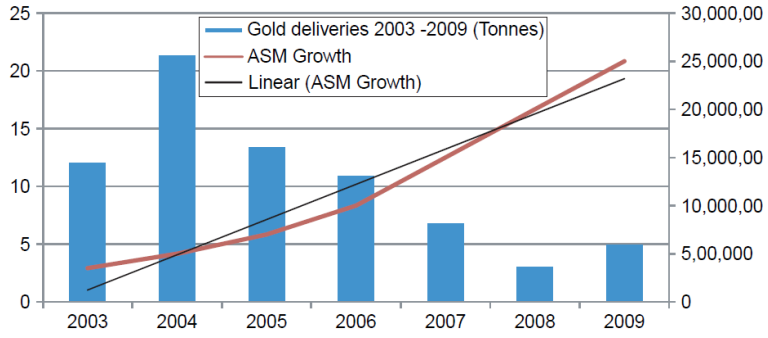
Later following the era of the Mutapa Empire, from 1903, mineral concessions were granted (by the BSAC administration) to the hitherto unrecognised category of small-scale miners. Africans were generally not given mining licenses, preventing small-scale miners from competing with white miners (Musemwa, 2009). Thus, for example, Abrahamson of the Rhodesia Mining Federation stressed the need for an amendment of the Mining Law or Ordinance 'to prevent licenses to natives [Africans in colonial parlance] (Musemwa, 2009). Thus, as Mason (1958, p. 253) pointed out: 'In Southern Rhodesia, … the farmers and miners who meant to make the country their home believed that the social gap between themselves and the African ought to be maintained; they might wish to be kind masters … but social equality of any kind was something too remote to consider'.

Throughout the colonial period (up to 1979), Zimbabwe had a long history of informal small-

scale gold mining, including the vertical movement of many mining operations from small-scale to medium- and large-scale mining. However, while the small-scale gold mining sector was trying to keep afloat, the colonial anti-native legislation considerably curled its growth. As a result, the subsector grew remarkably with the advent of independence when it increasingly became a significant part of the mining sector.

During the colonial period, artisanal gold mining by indigenous Africans was conducted throughout the country but was highly restricted (Mawowa, 2013). Scattered deposits during colonialism made the colonial powers agree to minimum small-scale gold mining, financial support, and tax exemptions. However, there was a colonial bias towards large-scale mining companies. After 1980 when Zimbabwe gained its independence, the growth of artisanal gold mining was straightforward and somehow simplistic. There was more participation by blacks, with claims increasing from 1000 in 1983 to 10 000 by 1990. This kind of mining was foremost for poverty alleviation and rural development, widely acknowledged (Hentschel et al., 2002). As a result, several small-scale miners registered claims with the Ministry of Mines and the Zimbabwe Mining Development Cooperation. There was also a shift in the reorganization– from cooperatives to individual participation in mining.

Figure 7: Growth of artisanal gold mining in Zimbabwe



source; UNIDO

Development scholars have widely argued that Zimbabwe's Fast Track Reform Programme (FTLRP) in 2000 led to inequitable outcomes while reshaping rural labour relations (Laurie,2016; Rutherford, 2017). Some of the significant consequences of the FTLRP lie in how it allowed newly resettled peasant farmers access to natural resources that were previously enclosed and enjoyed by a minority of white farmers under the dualistic agrarian structure inherited from colonialism.

Changes in agrarian structure led to increased mobility across formerly inaccessible large-scale commercial farms (Mkodzongi, 2013). One significant, albeit understudied feature of this mobility, was the upsurge of artisanal and small-scale gold mining by rural peasants and unemployed people from across Zimbabwe. As the late agrarian scholar Sam Moyo explained in his writings, land redistribution in the 2000s created powerful possibilities for envisioning new ways of "belonging" in rural territories and led to new artisanal mining activities with changes in farming. For example, Moyo described interviewees in the Kwekwe district of Zimbabwe who saw the proliferation of artisanal gold mining as reflecting the 'liberation of mineral resources hidden under the large monopolistic scale commercial farms' (Moyo, 2011, p.501). As a result, small-scale gold mining has become an increasingly widespread economic activity undertaken by socially differentiated groups with a wide range of education levels and economic backgrounds (Mabhena, 2012; Mpofu and Mpofu, 2017).

The introduction of liberal reforms following the Economic Adjustment Structural Program (ESAP) also contributed to the increase of black people involved in small-scale gold mining.

In 1991, the Government promulgated Statutory Instrument 275 (1991, Regulations on Alluvial Gold Panning in Public Streams giving Rural District Councils the mandate to issue gold panning licenses, independent of the Ministry of Mines, to control the impact of mining within the districts. Statutory Instrument 275/1991 focused on environmental protection by regulating the extraction of gold from public streams at the local levels and gold trading of the panned gold, without much consideration for production.

In the post-1990 period, several socio-economic and political changes occurred in Zimbabwe, negatively impacting mining and the economy because of the Economic Structural Adjustment Programme (ESAP). The effect of economic liberalisation on the mining sector was enormous. The small-scale artisanal miners were affected. The government had become so incapacitated by global monetary demands that prospects for spearheading a thriving gold mining industry were almost non-existent. The state had drastically curtailed mining and other sectors, including agriculture and manufacturing (e.g., textiles), which were dominant during UDI (1965-1979).

Over the years, gold output from artisanal mining has grown globally, including in Zimbabwe. This growth is evident in the figures showing that by 2016, small-scale miners controlled up to 65 per cent of active gold deposits in the country (Evidence Chenjerai, 2017). Large companies produced 11,759 tonnes against 9,680 tonnes by small operations (Pact, 2017). As a result, gold mining emerged as a fundamental source of livelihood for a substantial population in Zimbabwe, with more than one million people engaged (Mawowa, 2013). However, such a significant contribution to GDP occurred even though most operations remained outside state regulation. This domination by the ASM sector is because, firstly, the small ore bodies are not

favourable to industrial mining. Secondly, the poor investment climate in Zimbabwe does not encourage large scale and long-term investments (Zimbabwe Environmental Law Association, 2022).

A significant contribution to the Zimbabwe economy from artisanal gold mining is traceable to the early 2000s. This period marked a defined shift in interest away from agricultural activity by many people to small-scale gold mining (Hilson and Mcquilken, 2014; Zwane et al., 2006). The land seizures that came to a head in 2000 forced several commercial farm workers from their employ in agriculture to turn to gold panning. Farm workers in this new sector required little expertise or capital investment.

The gold mining sector competed with the robust formal economy and commercial entities for labour. Informal mining was sustained because of illegal trading that allowed traders to escape stringent tax laws by exporting gold illegally out of the country (Mawowa 2013, p. 145). Several people moved into mining after successfully establishing agriculture production following the 2002 land takeovers. These included those previously employed in the formal mines. The push to gold panning was also a combination of unreliable rainfall, poor prices for cotton, and a lack of inputs for the new farmers. This takeover led to crisis-induced emigration. This period was signified by changes in the form, structure and organization of informal gold mining and described by Moore and Mawowa as like “capitalism’s teething years”, thereby strengthening the neoliberal case (Moore and Mawowa in Padayachee, 2011, p 332).

The Zimbabwe crisis after 2000 produced a distinctive pattern of accumulation and prohibition by the political elite of informal small-scale gold mining. The exclusion of artisanal miners

and their subordination to the state was thus not desirable to the small-scale miners working in an industry representing a significant part of Zimbabwe's informal economy where most indigenous Africans depend for survival. With a failing economy, the price of gold soared particularly in 2020, and in turn, the ranks of artisanal miners may have risen to around 1.5 million. The increase in gold prices meant more mining sites were opening legally and illegally in all gold-rich areas, thus making the actual numbers hard to ascertain.

After independence in 1980, there were no serious efforts to formalise small-scale gold mining. Instead, the state relied on a colonially inherited centralised structure, preferring to prioritise large-scale gold mining (LSGM), dominated by foreign capital. Due to the industry's foreign ownership, most transnational mining houses or multi-national corporations (MNCs) provide the capital (Saunders, Contestation and resource bargaining in Zimbabwe:, 2017).The volume of capital required and the absence of a solid technical, knowledge and skills base precluded significant private domestic participation in all but the medium- and small-scale sectors (Saunders, Contestation and resource bargaining in Zimbabwe:, 2017). After 1990, the Zimbabwe government made efforts to formalise and decentralise the artisanal mining sector. At that time, the inherited economy from the colonial period was still relatively stable. This sector prominently emerged in the early 1990s because of the economic structural adjustment program (ESAP), which resulted in the massive retrenchment of labour by the Government to satisfy conditionalities imposed by the IMF and World Bank. Some retrenched workers turned to artisanal gold mining (Centre for Natural Resource Governance, 2021).

However, from 2000, there was a noticeable shift in policy. The Government adopted strict measures to curb informal old mining and resorted to countrywide crackdowns, including

violence by the army and police. For example, in December 2006, Operation *Chikorokoza Chapera* ('End illegal mining) saw more than 30,000 panners and legally registered small-scale miners detained for lengthy periods. In addition, the state fined several miners and seized their gold inventory and equipment (Saunders, Contestation and resource bargaining in Zimbabwe:, 2017).The clampdown on artisanal miners led to struggles or conflict between the state and a growing number of small-scale miners throughout the country, with deleterious but differing impacts across the sector.

2.9 Conclusion

This Chapter has examined the existing literature for consideration in this study. It has detailed the global perspectives on artisanal gold mining, briefly discussing the growth of artisanal mining and its opportunities and challenges. While acknowledging the vast emerging perspectives, the Chapter has limited the literature review to issues relevant to my thesis. In this regard, it has outlined the literature on artisanal gold mining concerning ASM growth, women and ASM, livelihoods and the formalisation of discourse. In addition, it has briefly discussed the environmental impacts, an area strongly intersecting with regulation.

To further put the study into context, Chapter two has discussed the emerging themes as informed by reviewing relevant literature for the thesis – informal economies, human security and political power. The analysis of existing literature on these themes provides conceptual framing for the chapters that discuss the study findings. The peculiar features of informal economies are pertinent for my research, providing the motivations for the logic of informal economies, particularly how the informal economy is functionally integrated into the global capitalist economy (Phillips 2011).

The reviewed literature on artisanal gold mining reveals that policies are generally systems that co-evolve with their systemic social, political, economic, and cultural environments and engage in non-linear, fluid, and fragmented relations with many other systems (Morcol, 2005). While the general challenges of policy inconsistencies and failure to fully regularize artisanal gold mining globally is canvassed in the literature, with policy processes akin to "*a chaos of purposes and accidents*" (Juma and Clark, 1995), there is, however, a paucity of information on the role of elite actors in the formulation and reformulation of policy on artisanal gold mining in Zimbabwe.

Examining previous research shows an evolving relationship between institutions and public policy and how institutions have determined the course of policymaking in formalisation of ASM gold mining activities. The reviewed literature has discussed the emergence of "shadow networks" composed of various state and non-state actors that amalgamate around informal mining (Duffy 2007; Verbrugge and Adam 2016). This also explains why even in cases where ASGM is purportedly "illegal," state actors often implicitly or explicitly condone its presence and may even engage in regulatory acts that legitimise it.

CHAPTER THREE: THEORETICAL FRAMEWORK

3.1 Introduction

Chapter Three outlines the theoretical framework employed in this study, whose purpose was to investigate and understand the complex reality of policymaking for informal (artisanal) gold mining in Zimbabwe. The theoretical-analytical framework on informal economies aids in making sense of the motivations for policy choices on artisanal gold mining in Zimbabwe post-2005. The period of the policy making of interest to the study from 2005 to 2017 presents a unique socio-economic context in which the informal economy pas paramount. Through the theoretical framework, the investigation explored possible explanations of policy development on ASM gold through the lenses of power dynamics between different elites, including probable elucidations of politics and patronage in post-colonial times – and how these could have shaped the resultant policies on informal gold mining during the period under study. More specifically, the theories help answer the questions on the fusion between political elites and bureaucratic policy-making institutions regarding informal gold mining policies in Zimbabwe and the implications of policy choices for human security.

In Chapter three, I discuss three fundamental theories - institutional, street-level bureaucracy, and informal economy- as relevant in interpreting and explaining the research findings discussed in the following chapters. Reviewing these dominant theories contributes to a more nuanced understanding of empirical realities in policymaking in this largely informal sector. Finally, to help examine the complexity of relations between networked actors in the policymaking field of informal gold mining in Zimbabwe, I discuss the thesis' conceptual framework to explore the study's research questions.

3.2 Theoretical framework

This section unpacks key concepts and theories applied in the thesis. First, the section explores a range of theoretical issues explaining the nature of policy systems, the actors, their relationships, interactions and contradictions. Then, beginning with a reflection on concepts and theories that provide possible theoretical explanations, the study employs perspectives from institutionalism and informal economy theories as key theoretical frameworks while interrogating the relevance of these theories to specific policy development on artisanal gold mining.

The theories on informal economies explain the driving forces for informal economies and the role of the state in the informal economy, particularly the value choices behind policy development. In addition, institutional approaches draw attention to the generation of policy ideas on the formalisation of artisanal gold mining and its implementation. These debates are essential in drawing theoretically informed conclusions about governance systems in this growing sector between 2005 and 2017 in Zimbabwe.

Policy development is commonly studied through the lens of decision-making, typically focusing on the choice made by a political actor or actors among alternatives presented to them. The choice is typically explained by reference to the goals of the actors. However, case studies of decision-making are often criticized for failing to provide cumulative evidence to support generalizations about decision-making behaviour. A critical factor in decision-making frameworks for policy development is that actors have no goal concerning a specific issue or problem. A change in Government, in the context, constantly produces new situations requiring a public decision, but of which there are no decision-making precedents. According

to Bauer (1997), decision-making concepts imply a neat sequence of events with a definite termination point.

The third theory applied is street-level bureaucracy, whose key characteristics are related to the work situation and characteristics that offer a sense of the bases of organizational and policymaking power. Street-level bureaucracies, in a sense applied here include the police, and the army and other bureaucrats whose workers interact with and have broad discretion over the dispensation over allocation of sanctions or benefits (Lipsky, 2010).

3.1.1 Institutional theories

The research highlights institutional theories to draw attention to policy development regarding artisanal gold mining. While various theories can explain policy development for artisanal gold miners, the section's focus on theorisation takes institutions and institutional theories as principal determinants of decision-making in the policy development process. The use of institutional theories also helps assess policy choices and alternatives that networked policy actors have pursued. Klijn and Koppenjan (2006) assert that institutions form the social infrastructure. They also claim that institutions codify power relations among policy actors. Several studies (Spiegel, 2009; Hilson, 2010) on ASM support Klijn and Koppenjan's assertion, emphasising the institutional significance and function in policy generation in so far as ASM policy development is concerned.

March and Olsen (1984, p. 738) explain the importance of an institutional approach, stating that the design of institutions, including the bureaucratic agency, the legislative committees and the appellant courts, are instrumental in defining and determining interests. Hall (1986, p.

19 25 in Hill, 2005, p. 81) argues that policymaking organisations affect the degree of power actors have over policy outcomes. At the same time, an organisation's position also influences an actor's definition of his interests by establishing his institutional responsibilities and relations with other actors. The theoretical explanations here are useful for mapping out the actors that were involved in the policy-making process and in defining their interests in the policy outcomes.

Drawing from arguments and interpretations of significant variants of the institutional theory put forward by Ham and Hill (2005), Thoenig (2002), and Hall and Taylor (1996), some of these theories are the starting point for further discussion. The first is that the context is an essential factor. Therefore, the resultant institutional reform does not happen in isolation, but the overall political context may lead to the manipulation of agendas (Moe, 1994). So, for instance, institutional failure, including poor politico-regulatory environment and unfavourable climate, have sanctioned artisanal miners to engage in unsafe livelihood support activity, which degrades the environment.

The second assumption by Ham (1986) and Hill (2005) is that institutional actors define their interests by establishing institutional responsibilities suiting them. Another hypothesis emphasises formal and legal aspects of government because rules and procedures, including legal powers, may empower or obstruct political interests (Kraft and Furlong, 2004). It follows then those rules and regulations have consequences for decisions and may make specific outcomes more likely than others. In the case of policy development for artisanal mining, the institutional framework governing mining was sensitive only to formal mining operations but blind to rapidly-expanding informal artisanal and small-scale mining.

Advanced institutional theories combine elite and group theories, accepting that individual elite in their institutional settings are powerful policy actors (March and Olsen, 1984, p. 739). The elite theory views power as concentrated within individuals within the institutions. The theory highlights the importance of bureaucratic administration, allowing government institutions to carry out control functions, and hence policy process is characterised by conservatism and incrementalism.

New institutionalism emerged in the 1980s in economic and public management spheres and was associated with the realism of political power and political processes within government and political institutions (March and Olsen, 1984). Hall and Taylor (1996) provide a brief account of the genesis of new institutionalism. Their focus is on each approach's strengths and weaknesses, the relationship between institutions and behaviour, and the process of institutional origin and change.

Hill (2005) argues that historical institutionalism has roots in sociological analysis, giving prominence to political institutions as structuring the behaviour of bureaucrats, elected officials and interest groups. For Thoenig (2002) the conceptual glue for historical institutionalism involves administrative structures, official structures and a public sector that is homogeneous with individuals deeply embedded in the world of institutions. The state, in this instance, is not neutral in brokering competing interests (Hill, 2005). Historical institutionalism is criticised for paying little attention to developing a sophisticated understanding of how institutions affect behaviour.

Sociological institutionalism deals with how participants are constrained by the outside social

context (Thoenig, 2002; Hill, 2005). Here institutions are more than just rules and procedures, but also culturally specific practices assimilated into organisations. 'To institutionalise is to infuse with values beyond technical requirements of the task at hand', writes Selznick (1957, p. 17). Hill prefers this sociological determination of institutions where human actions are structurally determined. The sociological perspective interprets institutions as adaptive social structures where individuals within the system bring their unique problems and purposes. In doing so, the sociological perspective is not concerned about how public policy develops but how organisations work.

While many new institutionalisms exist, this study finds great use in the advanced institutional theory that combines aspects of political systems theories and the so-called integrated stream approach. The ***integrated stream approach*** offers that 'streams' of action combine to deliver actions for policymaking and implementation (Booysen, 2006). This approach is characterised by new actors and influences joining the policy process as particular issues evolve, affecting the policy's outcomes. According to Booysen (2006), draft policies evolve along many stages and through the involvement of a multiplicity of policy actors, such as political parties and community forums.

The institutional theories discussed above are helpful in the analysis of the nature and variety of institutional rules that guide the behaviour of actors. But, more importantly, these theories help analyse the fusion and overlap between political and traditional bureaucratic institutions and emerging institutions and networked actors in policy development for ASM. they highlight, therefore, the influence on decision-making regarding rules and regulations, as is evident in the numerous legislative arrangements and policy pronouncements on artisanal gold

mining in Zimbabwe.

A suggestion by Klijn and Koppenjan (2006), that applying an institutional approach provides a way of understanding policy processes will guide this research as it takes a closer look at formal and informal rules (that are at the heart of institutions). This is anticipated to help reveal, for example, how actors within the institutions have made decisions on the resultant policies in the informal gold mining sector. Broadly while the new institutionalisms accept that institutions are powerful policy actors, the study will investigate the contributions of new practices explained through dynamic and complex interrelationships that reach far beyond these institutionalisms. Here the study refers to network societies which are governed by the notion of governance through open-ended and ad-hoc arrangements. Policy institutions are a significant force in shaping the direction and content of public policy, even if they are directed simultaneously by broader societal forces. Considering the institutional theories begins a process of identifying the influential organisations and institutions that impact the development of artisanal mining formalisation policies.

3.1.2 Street-level bureaucracy

Initially published in 1980 by Michael Lipsky, Street-Level Bureaucracy concerns a distinctive claim, that the exercise of discretion is a critical dimension for public workers in their interaction with the citizens in the course of their job. Street Level Bureaucracy (SLB) is rooted in the global north and is characterised by complex and ambiguous working environments requiring bureaucrats to exercise discretion, including bending rules to perform their daily tasks (Hupe and Hill, 2015). In this institutional context, SLBs tend to be seen as "bureaucrats"—whether public sector employees or subcontracted workers. The bureaucrats use their discretion

to adapt general rules (i.e., existing legislation and policy directives) to the specific situations they encounter in their interactions with people who demand public services and support. They manage their jobs by developing routines of practices that ultimately have profound implications on policy outcomes. Bureaucracy implies a set of rules, while street-level means distance from the centre where authority resides (Lipsky, 2010).

The theory has consequences for the study of policy processes. The position of street level - bureaucracy allows them to make policy because of their relative autonomy from the organizational authority – e.g., police officers decide whom to arrest and whom to overlook. For artisanal mining, illegal mining operations and their negative environmental consequences, such as water pollution and land degradation, are rampant. Findings from several studies on the sector suggest that implementing the laws faces formidable obstacles. Law enforcement includes street level bureaucrats (the police, the army, and local authorities).

As this body of knowledge has evolved, scholars gained a better understanding of these adaptation processes and their repercussions across different agencies, as well as countries. These advances led to the conclusion that different institutional environments have important impacts on the tactics and ways by which street-level bureaucrats use discretion and affect policy and their public (Maynard-Moody & Portillo, 2010). Street-level bureaucracies dominate political controversies for two reasons: their scope on proper function and their impact on people's lives. They provide conflict over the scope and substance of public service through socializing citizenry on government expectations while also having a place in the political community.

Bureaucrats' conflict over interactions with citizens is often focus of public controversy, as they must make on the spot decisions while determining eligibility for benefits (Lipsky, 2010).

Consequently, application of SLB in developing countries differs from the North, on the political, and institutional contexts. When such levels of contextual variation are introduced, important questions arise in respect to the constitutive relations between institutional contexts and SLB roles, practices, and their repercussions. In other words, taking SLB theory to the developing world requires an additional effort of recontextualization. It demands interpreting observed SLB action as embedded into institutional environments that may radically differ from those seen in North America or Europe.

3.1.3 Informal economy theories

This thesis applies the notion of informal economies as those economic units that do not comply with government-imposed taxes and regulations (De Soto, 1989). As stated by Portes et al. (1989, p. 12) "The informal economy is...a process of income-generation characterised by one central feature: it is unregulated by the institutions of society, in a legal and social environment in which similar activities are regulated." Theoretical models have often presented underdevelopment as one of the leading causes of informal economies. This reflects the inability of a modern urban formal sector to absorb rural migrants during the urbanization process (Harris and Todaro, 1970; Fields, 1975; Loayza, 2016). Limited jobs in the formal urban sector (mainly in the manufacturing sector) also fuel informality. Loayza (2016) mentions that rural-urban migration may lead to a rise in informality when there are insufficient jobs in the urban formal sector (mainly manufacturing jobs) to absorb rural migrant workers. Recent scholarship on informality focuses variously on the size and composition of the informal economy, what drives or causes informality, what the consequences of informality

are in terms of welfare or productivity, and what linkages exist between informality and formality, growth, poverty and inequality.

Historical debates have seen the informal economy crystalizing into four dominant schools of thought, with each school subscribing to a different causal theory of what gives rise to the informal economy. These leading informal economy theories include modernisation, dependency, neoliberalism and structuralism. For the dualist school, the informal sector comprises marginal activities disengaged from the formal sector and providing income for the poor (Hart 1973; ILO 1972). The approach views the informal economy as a detached economic activity for those excluded from formal employment, assuming that the informal economy is counter-cyclical- contracting when the formal economy expands and vice versa in times of crisis when the formal economy contracts.

From a Eurocentric perspective, Rostow (1960), (cited in Offiong 1980) described underdevelopment in third world state being cause by socio-economic systems that were backwards and that these countries needed to acquire modern values aimed at modern capitalist economies, usually synonymous with western values. Therefor the challenge of informality was not a result of being exploited through capitalism, but rather that these countries were yet to be incorporated into the modern world. Proponents of modernization theory saw the informal sector as a remnant of traditional, precapitalist modes of production and subsistence strategies common to isolated rural peoples (Yusuff, 2011). In this regard, the informal sector was viewed as a challenge that required to be solved and not a development strategy to be encouraged.

However, a second school, the legalist perspective, see the informal sector as micro-entrepreneurs who operate to avoid formal registration costs, time and effort (de Soto 1989). De Soto claims that elites with state powers intentionally introduced these legal barriers to safeguard their privileges in many developing countries. The perspective states that to reduce the informal economy, the Government should simplify procedures and encourage firms to register their activities. The dualist and legalist approaches have been criticized for treating the informal economy as a sphere of marginal activity and failing to draw possible linkages between the formal and the informal economy.

In contrast, the structuralist school, which Moser advances (1978) and Portes (1989), views the informal economy as a movement driven by capitalist growth. The perspective draws attention to the role and position of informal labour in the capitalist production system, connecting the informal to the formal economy and highlighting the state's role in enabling processes of informalisation. In this case, firms use cheap, flexible, and informal labour. Meagher (1995: 265) sums this up well - "*ambiguous and inconsistent policy, and policy that is difficult to enforce, represent an implicit encouragement of informalisation*."

Lastly, the voluntarist school developed by Maloney (2004) also focuses on informal entrepreneurs who deliberately seek to avoid regulations and taxation but do not blame the cumbersome registration procedures, unlike the legalist school. Management and organizational research on the informal economy have been linked to institutional theory, explaining the peculiarities of the informal economy while building on the concept of legitimacy. Scholarship on this categorizes entrepreneurial activities in terms of legality in terms of laws, regulations and legitimacy as determined by norms, values and beliefs. Galdino

et al., 2018.

Keith Hart, whose work focused on income-generating activities of informal enterprises, found that informal activities were not just subsistence activities but that participants in these unregulated activities would not just end up being poor (Hart, 1973). However, other scholars working within the dependency tradition have all too often made the mistake of characterizing informal workers as universally poor and emphasized the sector's supposed marginal position vis-à-vis the modern capitalist sector. Neo liberalism is an ideology favouring economic policies that minimize the role of the state while maximizing the private business sector. Hernando De Soto (1989) asserts that the informal sector is a response to excessive state regulations. He subscribes to the notion that the informal sector is comprised of 'plucky' micro-entrepreneurs who choose to operate informally to avoid the costs, time and effort of formal registration.

Similarly, Loayza (1996) posits that the informal economy arises when a government applies several stringent regulations it cannot enforce. As a result, the informal sector operates as it does to avoid the costs, time and effort of formal registration processes (De Soto, 1989). Scholars credit De Soto for bringing the informality debate out of academic discourse into the public domain by arguing that the masses have united as micro-legal entrepreneurs against a bureaucratic state. Past theoretical works have also shown heavy-handed regulations and poor governance as the leading causes of informality, making formal economy unattractive. In addition, several institutions, including the World Bank and the IMF, are in favour of this theory that an informal sector has revolutionary potential. However, Meagher et al. (1978) question the neoliberal ideology that the necessary conditions for the development of

informality are not a feature of an industry or economic sector but specific socio-economic features.

Structuralism forms part of the logic that drives informality in the context of a crisis. Scholars explain this logic based on cheap labour strategies for employers and survival strategies for workers. In the final analysis, there is a fundamental conflict between pressures to cheapen labour and 'get the state out of the economy' and the requirements of dynamic informality. Structuralism theory is closest to explaining arguments put forward in this thesis – that informality is created by the state and other organized beneficiaries for their benefit. As noted, this is Yusuff' (2015) trend of thought that the state's role is vital in perpetuating an informal economy. The shortcoming of structuralism is that while industrial subcontracting is a central feature of informal activity in Latin America, the common feature of African informality is what Capeechi refers to as the informal subsistence economy, which occupies economic actors on informal means of income generation (Capeechi, 1989). In this case, for formalisation, which depends on getting the state into the economy in support of the small-scale response to a crisis, neither the state nor the informal sector can develop the technical capacity, innovativeness and relative autonomy necessary for the development of informal economies of growth (Portes et al, 1989). To a large extent, Yussuf's explanation that the failure of many African states to provide institutional support to informal economies is not merely the result of policy mistakes or insufficient information is plausible.

According to Yusuff (2011), the differences in the theories arise from historical circumstances in which informality in economies has emerged. These include variances between labour, informal social networks, linkages with the formal sector, and the state's role in the informal

sector. Yusuff argues that, given the structural and historical differences on the emergence of informality between developed, Latin American and developing countries, caution needs to be taken in applying these theories that heavily developed from Latin American experiences to African informal economy. Relevant literature is canvassed on informality and the search for explanations. Recognizing the need for more nuanced explanations of ASM's persistent informality, there are scholarly attempts to engage with the ideas underpinning the various 'schools' of informality, discussed earlier in this chapter[17]. Hillson however cautions that these should not be applied wholesome to the more complex 'brand' of informality that characterises ASM, given that the ideas underpinning each were informed by sets of circumstances very different to those facing ASM operators today.

3.1.4 Human insecurities and artisanal mining

The Human security concept has gained traction in scholarly literature, including policy professionals and policy advocates, and occasionally in the popular media since the end of the cold war (Henk, 2005). The end of the Cold War set free a growing debate provoked by scholars and practitioners who had been increasingly dissatisfied with traditional conceptions of security. Earlier approaches had tended to limit human security to "the threat, use, and control of military force" in the context of state-centred international competition. An early milestone in the success of the new approaches occurred in 1993 when the United Nations Development Program (UNDP) published its annual Human Development Report, which introduced the term "human security" (UNDP, 1994). Previously, economic security in terms of access to financial resources and markets to sustain welfare and state power had taken centre

[17] (1) the dualists, who see the informal sector as being comprised of marginal activities that provide a safety net for the poor and are distinct from the formal economy; (2) the structuralists, who see the former as being subordinate to the latter; and (3) the legalists, who view unregistered businesses as a response by individuals to bureaucracy.

stage. In contrast, the United Nations people-centered definition recognizes that human insecurities cannot be addressed in isolation but that a comprehensive and integrated approach is needed to improve people's lives.

However, while praised for being people-centred, the concept of human security has also been criticized for its analytical vagueness (Henk, 2005; Buzan, 2004).

> *"But despite its increasing usage, the new concept rarely is defined for the lay reader and seems to carry a slippery range of alternative definitions. For some, the association of "human security" with the United Nations Development Program (UNDP) either commends its value or undermines its validity, regardless of the content."* (Henk, 2005).

Human security has, however, seldom been applied to natural resource governance, with a few examples interpreting human security narrowly as access to natural resources and livelihood security and hardly on personal and political insecurities that the policies could address (Calvao et al., 2021).

Emerging literature re-examines the human security concept's usefulness as a resource policy tool. For instance, Conteh and Maconachie (2021) argue that laws and regulatory policies have not kept pace with the increased use of heavy machinery and other mechanical means of mineral extraction. Furthermore, they suggest that elites' mechanization negatively impacts local miners' livelihoods. A few examples typify a securitization discourse towards artisanal gold mining across Africa. Bond and Kirsch (2015) identify mining-related violence as a response to higher mineral prices, including gold. It, therefore, becomes possible to anticipate heightened violence for vulnerable populations at any given time when the prices of minerals

go up. A growing body of literature places Ghana as having multiple human insecurities in artisanal gold mining called *galamsey*. The country struggles to balance creating employment, alleviating rural poverty, and exchange rate generation on the one hand and dealing with the multiple adverse effects of mining.

Inspired by the human securities approach, Calvao et al.'s (2021) study demonstrates that the imposition of formalisation on the cobalt mining sector in DRC, while aiming to support miners' livelihoods and offer a legal pathway to the sector, ends up reinforcing the exclusion and vulnerability of these miners. This occurs through the outsourcing of responsibility, which shifts the risks and responsibilities away from corporate actors onto miners themselves. Furthermore, the authors suggest that the human security framework highlights the blurred distinction between formal and informal mining that stems from the "responsible" integration of ASM sources in formalisation schemes.

In an attempt to move away from just 'good governance' assumptions about how change happens, the thesis applies a human security analysis of navigating inclusion, focusing on underlying politics, power and institutional arrangements. The added advantage of a good governance lens to policy making unravels how the underlying distribution of power can be compatible with different efforts to promote positive reforms in Zimbabwe's artisanal gold mining sector, including policies toward formalising gold mining operations in Zimbabwe. The 'rules of the game' underpinning human insecurity incorporate both formal and informal institutions and arrangements. The interaction between formal and informal institutions can be a decisive factor in understanding governance's nature and quality at the different levels and the complex realities on the ground (Coning, 2016) and hybridity (MacGinty, 2011). A critical

implication of all this work is that simply focusing on the development and capacity of formal institutions is far from sufficient to bring about change (Khan, 2010).

3.2 Applying a conceptual framework to policy development

The study's conceptual framework discussed here, is a representation of the relationship between characteristics of regulating the ASM gold sector in Zimbabwe including safe and environmental considerations for gold extraction, but legal trade of gold into formal channels. I consider theories and concepts on informality, street level bureaucracy institutionalism as well as human securities discussed earlier in this chapter, In addition, the literature review finding in chapter two are reflected in the conceptual framework. As earlier noted, formalisation of artisanal mining constitutes a standardised framework registered and governed by a central state system relating to legalisation, compliance, institutional arrangements and trading. The institutional arrangements would to some extent determine formalisation by defining roles and rules and sanctions and encouragement (Williams, 2006, p. 2008).

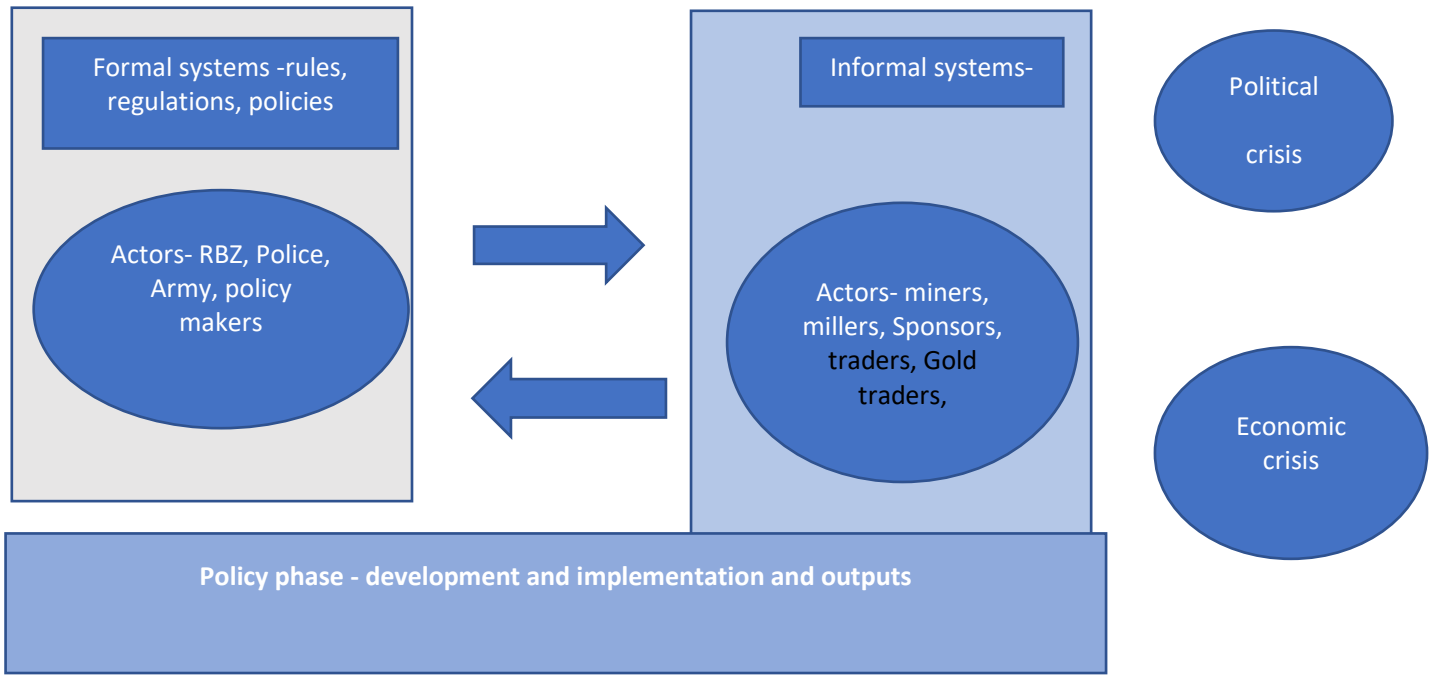
The conceptual framework for this study considers the formal rules or codified laws, policies, and standards enforced through enforcement agencies (or what I refer to as street bureaucrats). The framework also encapsulates the informal rules or norms that govern ASM actors along the value chain, from the mining site to external sites where gold is traded. The relationship between formal and informal rules is intimate, as formal rules codify informal norms.

Considering the state officials and interest groups profit somehow from the informal sector's presence (ASM in this case), they will create an environment that makes informality attractive or un-avoidable to the extent that a state produces excessive regulations to benefit particular interest groups and not society in general, the informal sector's presence results from the failure

of political institutions to protect and promote an efficient market economy.

Using the informal sector lens in ASM gold production and trading, the conceptual framework depicts an informal sector that is functioning as part of the formal economy, producing legal goods but not complying with government regulations. Incentives for formalizing the economy include potential to increase compliance with labor and environmental standards.

Figure 8:Conceptual framework



The study's conceptual framework's foundation is how actors across the ASM gold chain operate to determine policy and the driving factors behind the policies on ASM, particularly formalisation process of artisanal gold mining. The study investigates the role of politics, policy institutions and state institutions and the unusual changing institutional landscape in institutional choices regarding formalisation and the political economy relations that underpin these institutions and their operations.

3.3 Conclusion

This chapter discussed the theoretical framework for the study, reflecting on theories that provide possible explanations on politics, power and institutional dynamics and how these influenced trajectories of ASM policy in Zimbabwe between 2005 and 2017. In addition, the chapter discussed the conceptual framework to be applied in the study. I conclude that the discussion on theoretical developments in institutionalism is pertinent as it interrogates the relevance of this notion to policy development of artisanal mining formalisation in Zimbabwe. Despite criticisms on the limited application of institutional theories, different variants of institutionalism help one to deconstruct institutional influences as infrastructures of responsibility in defining rules, regulations and roles that shaped formalisation during the study period. The theories on informality are critical as they come close to explaining the phenomena of the study. Artisanal mining is considered as largely informal and hence can be situated within these theories on informality. The explanations provided regarding the driving forces and incentives for informality are key explaining the findings in later chapters of this thesis.

CHAPTER FOUR: METHODOLOGY

4.1 Introduction

Chapter Four discusses the methodological considerations, including the research strategy, procedures, and methods employed to address the research problem and questions outlined in Chapter One. Here, I outline what I did to collect, analyse and process the data from a national and local case study. The findings presented in later chapters were grounded in the qualitative empirical research from data collected through a review of academic and non-academic literature, and interviews with a range of participants involved in some way in artisanal gold mining. In addition, the research also employed insights from my participation, informal conversations, and other personal experiences.

Beginning with examining the philosophical and theoretical perspectives, the Chapter focuses on specific strategies of enquiry and detailed procedures chosen for this research. These three dimensions (philosophical, strategies of enquiry, and methodology) are well canvassed in the literature, particularly the historical and contextual perspectives which are referenced later in the section. The advantages and disadvantages of proposed research approaches, limitations and ethical issues for consideration are also covered in this section.

4.2 Philosophical and theoretical perspectives

It is essential to acknowledge that assumptions created by a research philosophy provide the basis and justification of the philosophical orientation of research and how it will be undertaken (Flick, 2011). In this regard, the suggestions made by Creswell (2002) and Neuman (2014) that a knowledge claim is derived from a researcher's philosophical assumptions are valid. These epistemic and ontological imperatives recognise the existence of multiple realities, including

those of the people being researched, the researcher, and the audience interpreting a study (Merriam, 2002). In my research, I took heed of Mouton's (1998) argument that social reality differs for different categories of individual miners, gold traders and state and party institutions that formed part of the study. The reality of miners being investigated was often bound to differ from the reality of those making policies on ASM, including political actors and bureaucrats leading in agenda setting as well as policy formulation of ASM. The chosen methodology, therefore, considered these multiple realities.

The epistemic imperative describes how it is possible to know about the world and social reality through substantiated knowledge (Mouton, 1998, p. 17). The imperative determines the research methods and reasons for selecting these to reach the 'truth'. Mouton states that epistemology is made visible in the participant-researcher relationship, research quality measures, form, voice, and representation. To illustrate the point, this research considered the possibilities of the participant – researcher relationship, whereby respondents could shy away from the truth arising from most respondents' involvement in unregulated gold mining activities. Noting the possibility of such constraints in any study, I took heed of Mouton's caution (1998) that while attaining the truth is ideal, a researcher may have to settle for results closest to the truth.

To address some of these philosophical dimensions, I considered applying inductive knowledge that takes a bottom-up approach, as proposed by Ritchie and Lewis (2003). This meant building knowledge from artisanal gold miners to policy-making institutions on dissecting underlying politics, power and institutional dynamics and how these influenced trajectories of change through ASM policy in Zimbabwe. My epistemological position from

the study's beginning was that data would be found within the perspectives of institutions and people involved with artisanal and small-scale mining activity. Key were the institutions with the role of enforcing policy and legislation, miners, gold traders, policy actors, and non-state actors. As a result, I engaged with a range of these participants in data collection.

4.3 Research design

As noted earlier, the research purpose and objectives outlined in Chapter One guided my research. My interest lay in examining the complex realities of policy development in artisanal gold mining in Zimbabwe between 2005 and 2017. The research zeroed in on four main focus areas: the policy trajectories on informal gold mining in Zimbabwe between 2005-2017; the fusion between political elites and bureaucratic policy institutions regarding informal gold mining policies; the influence of networked actors, including the ruling elites and other powerful actors on policy; leverage of citizens concerning their political elites, in promoting policies for democratic accountability and curbing corruption, conflict and violence; rules of the game underpinning political settlements which were necessary for informal gold mining development.

Of the various research designs, a case study approach was the most appropriate for this in-depth study. There were several reasons for applying a case study approach. First, Neuman provides a clear motive: "The study of cases tends to produce complex explanations or interpretations in the form of an unfolding plot or narrative story about people or specific events" (Neuman, 2014;11). Described as multi-perspectival analyses, firstly, with a case study, I could consider the perspectives and voices of the actors and the interaction between the breath of the ASM actors, a suggestion made by Lincoln and Guba, 1985 and Yin, 2002.

Secondly, there is general agreement among writers on the ability of case studies to capture complexity as a significant strength of the design (Neuman, 2014; Yin, 2003; Stake, 1995; Tellis, 1997). Finally, I chose a case study approach to help explain causal links in real life for interventions otherwise considered complex. Noting that the research questions posed were on the 'why' and 'how', this merited a case study approach and the degree of focus on contemporary as opposed to historical events.

I employed an approach to assess two units of analysis. One case study examined the policy-making arena at the national level to establish the policy actors, policy features and draw generalizations on contending institutional choices, incentives, and resultant institutional outcomes. The top-end case study, a relatively grand scale of policy development regarding artisanal gold mining, investigated the political economy - state actors or the political ruling elites' influence on policy changes and decisions in a complex institutional environment during the crisis regarding the formalisation of artisanal gold mining. Meanwhile, the second discrete case study focused on the Chegutu district, known for ASM activities in Zimbabwe. The case study, focusing on a group of ASM actors for a long time, examined the gold mining and trading operations in light of policies on informal gold mining and the interaction of policy actors, including what I refer to as street-level bureaucrats. Thus, while described as two case studies, with findings presented separately as two chapters, there is an interaction between the two.

Table 2: A two case study approach

Spatial levels	Case study A -Local level
	Case study B- National level

4.4 Study approach and Research methods

The data needs emanating from the research questions informed my chosen qualitative methods. A historical qualitative research perspective places it in the broader social research evolution context. For example, Yin (2003) proposes several features of qualitative research. These include studying the meaning of people's lives in real-world conditions and representing participants' opinions while contributing to insights and concepts that help explain human behaviour. This research, focusing on constructions and interpretations vis-à-vis the policy-making and implementation process for formalisation of artisanal gold mining in Zimbabwe, examined how the economic, social and political aspects shaped value policy choices of different institutions in this policy process. As this study concerned bringing together insights from other personal and institutional standpoints into subjective meanings of the social world, it naturally leaned towards what is termed interpretivism (Mouton, 1998). This approach assumes that social reality does not possess concrete forms and is a product of intersubjective concepts (Creswell, 2002). Applying qualitative enquiry to my research provided opportunity to derive multiple interpretations from research participants, which would fuse with my own meanings as a researcher an idea suggested by Yin (2010).

The appropriateness of a qualitative research approach lies in its ability to offer the researcher

an opportunity to do an in-depth examination of policymaking in the chosen field with a relatively small number of participants. Using a qualitative approach allowed mapping of a range of actors along the gold commodity chain. The fact that various respondents in this research would hold different understandings of how policy evolved was no surprise, particularly for the local case study. These multiple realities relied on the informants' voices and interpretations through quotations and multiple statements. By applying a qualitative approach, it was possible to make sense of the varied interests and values in determining the nature of policy regarding artisanal mining in Zimbabwe since 2005.

Using a qualitative approach, I was able to map the range of actors and institutions involved in the policy process for ASM (for example, agenda setting and policy formulation). It was therefore expected that respondents in this research, including actors in NGOs, government, individuals in political parties, and small-scale and artisanal miners, would hold different understandings of how policy evolved and how the determination of other interests prevailed throughout this policy-making process. Therefore, I relied on the informants' voices and interpretations through quotations and multiple statements from the varied participants.

However, applying a qualitative process to this research had its limitations. One of the main criticisms levelled by Yin (2010) on using a qualitative approach is that the descriptive process will not necessarily capture the entire social reality. Yin suggests that one way to overcome this hurdle is for the researcher to present multiple realities, not overshadowing the researcher's interpretations (Yin, 2010). Therefore, the numerous realities meant I employed various data collection methods, including in-depth interviews, focus group discussions (FGDs), Single Question to Induce Narrative (SQUIN), participatory observation, and document analysis.

Once collected, these different understandings were categorised using an analytical framework introduced later in this Chapter.

4.4 Sampling and Choice of methodology

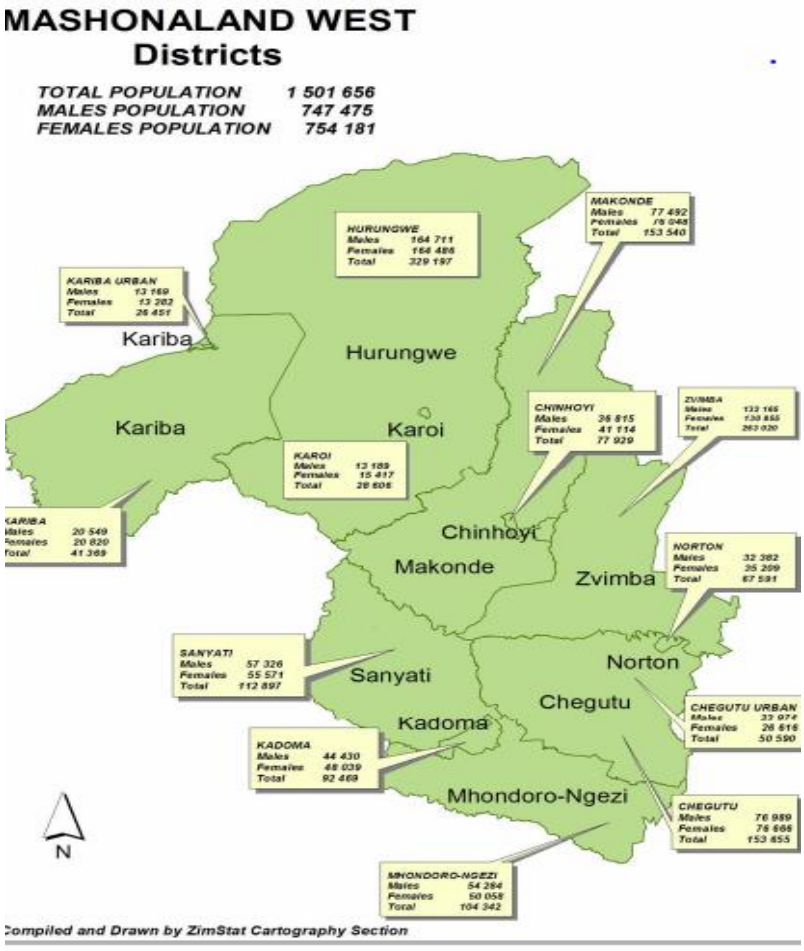
In both case studies (Chegutu and national), I based the selection of individual respondents on what Patton (2001) refers to as "information-rich cases". In case study A (local case study), I targeted subjects in two ASM gold mining sites in the Chegutu district. These included artisanal gold miners, millers and those involved in gold trading. As this was a qualitative research, non-probability sampling was done by first delineating the unit of analysis, defined as the level at which information is abstracted and issues of variability identified and examined (Alasuutari, Bickman, & Brannen, 2008). As suggested by Neuman, I opted for convenient sampling, a criterion for selecting easy-to-reach and readily available respondents. Then, in choosing the sample, I considered categories of social entities that made up the units of analysis.

In the same case study, A, I used snowball sampling, where each respondent related to the other. This is whereby a random sample of individuals is drawn from a given finite population (Goodman, 2011). Case study B interviewees (the national case) included key informants from policy institutions (government bureaucrats, political parties, NGOs, private sector companies and associations). I was introduced to some key informants through other students undertaking mining studies.

4.4.1 Study location: Chegutu District

As part of the analysis, the thesis included a distinct case study in the Chegutu District of Mashonaland West Province, where artisanal gold mining had assumed phenomenal proportions over time.

Map 2: Map of Mashonaland West Province



Map 3 shows Mashonaland West Province with Chegutu as one of the districts. The population in Mashonaland West Province was relatively young, with 41 per cent aged below 15 years and about 4 per cent aged 65 years and above. However, in the post-2000 period, the town experienced considerable urban expansion. The population of urban Chegutu, which stood at 22 726 as of 2002 (Zimstat, 2004), more than doubled to 49 842 as of 2012 (Zimstat, 2012). Meanwhile, the Chegutu rural and urban population combined increased from about 100 000 to 149 025 over the same period (Mawowa, 2013). According to the 2012 census, 88% of the population numerated in Chegutu usually resided in Chegutu, meaning that they had not migrated into the district. Meanwhile, only five percent came from other districts in the same province, while six percent were from other provinces, with Midlands province being the main

contributor.

With this approach, for the Chegutu case, and as way of entry, I purposefully identified a respondent from Berks mine, situated about four km off the Harare Bulawayo highway. The subject was a medium-scale gold miner and an owner of a gold mill. A work colleague had informed me that this miner could assist me in gaining entry into the mining sites as he was well-known in the area and had been mining gold for several years. I had been informed that entry into cooperative mines was challenging. During the first conversation with him, I noted that the identified subject was familiar with the miners working in surrounding mines and, therefore, could assist with access to mining sites. In hindsight, I would not have been able to gain entrance to the mine run by a cooperative of mainly youths with close ties to the ruling elite. I hoped that I could still enter the mining site for further interviews on successive field visits after the initial one.

The subject pointed us to a second site, Gadzema or Giant mine, in ward 22 (15 km from Chegutu town), where I could identify other respondents. At this site, a cooperative consisting of 3000 artisanal miners, primarily young men between the ages of 16 and 35, had been granted mining claims by the ruling political party, ZANU (PF). Again, the third site, the Elvington mine, was suggested by the respondents from Gazema. This site was less than 5 km from the second site.

4.4.2 In-depth interviews

Interviewing is a fundamental process of constructing knowledge about the social world (Bryman, 2012). Seidman (2006) suggests that using semi-structured interviews reveals

unanticipated themes, thus enabling a better understanding of the interviewees' social realities. To appreciate the key actors' roles and the intersection of their activities with the regulatory and policy frameworks regarding ASM, I carried out interviews through semi-structured guides. For the Chegutu case study, I carried out three phases of interviews between October 2018 and December 2020. In the first phase of interviews (October 2018), I used the SQUIN (single question aimed at inducing a narrative) on ten people drawn from the first two Chegutu sites (Berks mine and Gazema Cooperative). In the second phase (May 2019), I carried out another ten individual interviews on the second site with different participants from the initial interviews. These semi-structured guides allowed for the adaptation of the research instrument should the need arise to accommodate additional insights from the respondent. There was also the added benefit of helping to build rapport between myself and the respondents. Moser and Kalton (in Bell, 1997, p. 135) define interviews as 'a conversation between interviewer and respondent to elicit specific information from the respondent'. In the third data collection phase (December 2020), I conducted five additional interviews with key informants, including sponsors and gold buyers.

In carrying out these interviews, I sought to understand how networked actors, including the political elites and bureaucrats (army and police included), influence resultant policies and enforce existing policies and legislation from the mining sites to external markets. I also collected information on networks in the gold commodity chain. These interviews also sought to elicit local interpretations and perceptions on formalisation and, more broadly, focus on the gold actors' interaction and relationship with the networked actors. For case study B, I conducted 20 semi-structured interviews with individuals mainly from key policy institutions. The individuals were working within key ministries, including the Ministry of Mines, State Owned enterprises and NGOs working in the sector. I also had conversations with Think tanks

and colleagues from the World Bank. Thus, the sampling process started with mapping influential organisations and institutions that impacted the development of the formalisation policies on artisanal gold mining.

The selected NGOs formed part of the respondents, advocating for a new Mines and Minerals Bill. Through these interviews, I investigated kind of ASM policy levers (legislative, administrative, regulatory, etc.) implementation modalities, including enforcement and the involvement of the key ASM actors. In addition, through interviews, I investigated the leverage of citizens to their political elites in promoting policies to formalize ASM while at the same time increasing democratic accountability and curbing corruption, conflict, and violence often found as part of informal gold mining development. Interviewing these subjects also provided answers that helped map the political networks in the gold commodity chain. These interviews also sought to elicit local interpretations and perceptions on formalisation and, more broadly, focus on the gold actors' interaction and relationship with the networked actors.

I noted several benefits of using semi-structured interview schedules. First, these interviews proved very interactive, allowing the interviewee to respond and elaborate their story, influencing how they wanted to be understood. Secondly, by the time I met with the different participants for a second interview, a positive rapport had been established in most instances, and the participants were relaxed during the conversation. Finally, I collected more data in the second interview than in the first interview for these reasons.

4.4.2 Focus group discussions

In addition to the interviews for case study A, I conducted two Focus Group Discussions

(FDGs) during the third data collection phase in Chegutu in December 2020. This time, the respondents were casual miners at the Elvington mine. The first FDG consisted of fifteen women who were part of about 100 people waiting to access the disused ZMDC gold mine owned by the Government of Zimbabwe. Upon approaching them, there was initial reluctance, mistrust, and fear of being caught talking to outsiders about their activities. I sat down at their level and offered to change location to not get them into trouble with the security from the mine. In so doing, some of them changed their minds once I had explained the objective of the visit and that this was the second one, the earlier one that had happened at DDYMC. I got collective consent and informed the women they had a right to opt out of the study. I also held a second focus group discussion with cooperative members to understand the interface between the cooperative members and the ruling political party.

4.4.3 Observations

Another source of evidence for the case study was to observe artisanal miners at work, which allowed for the identification of individuals for in-depth interviews at later stages. Observing a description of the mining scene and the artisanal miners' characteristics provided initial insights into the nature of conflicts arising at the operational level between the legislative provisions and actual implementation or non-implementation. Observation also allowed me to pick up upon nuances in how the miners were organized, enabling me to draw insights into individual and institutional interests at work, notably of the law enforcement agencies (the police and the military) and their roles in influencing the implementation of formalisation policy.

4.4.4 Document analysis

To better understand the fusion between political elites and bureaucratic policy institutions regarding informal gold mining policies in Zimbabwe, I critiqued political economy literature on Zimbabwe's mineral production. In doing so, I reflected on policy instruments, the constitution, and procedures, including documents, speeches, and policy statements relating to ASM formalisation. Added to these analyses, I also reviewed legal documents, press statements, ministerial speeches, and Government policy documents, including the Short-Term Recovery Programme I and II (STERP), Mid-term Plan (MTP 2011- 2015), Zimbabwe Agenda for Sustainable Socio-Economic Transformation (ZIM ASSET), the Economic Empowerment and Indigenization policy, and the Draft Mines and Minerals Policy (2014) and the Mines and Minerals Bill (2016).

A review of documents (sometimes through an online search) was helpful because it revealed how the gold miners were interfacing with the law. I used data from Central Intelligence Department (CID) minerals, Flora and Fauna unit. I also accessed the Chegutu court documents on statistics of artisanal mining cases. Secondary documentation helped analyse bureaucratic institutions' role in reaching decisions that influenced policy decisions, including the provisions in the draft Mines and Minerals Bill of 2016. Institutional arrangements were explored through documents from the Bill's consultation processes, particularly between the parliamentary portfolio committee on Mines and the citizens. The review also focused on parliamentary portfolio committee meetings and various individuals' interests in policy-making processes. The secondary data review also analysed NGOs' "key asks" documents regarding the Draft Mines and Minerals Bill on legislative and institutional arrangements.

Initially, I had been naïve to think I could access a list of respondents involved in gold mining

activity from the Chegutu District Council's administrative records, particularly the cooperative members. However, from the first visit to the mining sites, it turned out that this information would not be available at the district offices. These were not designed for this study, so they would most likely not contain this information. Therefore, I had to contend with the snowballing method to identify the participants in the study. Simultaneously, observing miners in operation areas helped identify artisanal miners as unregistered actors – either the miners, millers or gold traders. Thus, the blurred lines between legal and illegal mining activity were real, while artisanal miners' migratory nature was expected.

4.4.5 Archival Research

Most of the information providing a historical perspective on artisanal gold mining is found in archives. An archive is an institution storing records that fulfil three conditions: generated within the professional (not private) activities of a juridical or natural person, not necessarily about current affairs; they are of permanent value (Bosi & Reiter, 2014: 119). Therefore, the study employed archival research focusing on pre-independence laws, regulations, policies and reports, accessed at the National Archives of Zimbabwe.

4.5 Data analysis and interpretation

Once data had been collected through interviews, observation and document analysis discussed in the previous section, the analysis took place. Neuman (2014) described this data analysis process to systematically organise, integrate, and examine data to search for patterns and relationships. Merriam (2002), however, cautions against waiting to complete data collection before analysis as one may lose the opportunity to gather more reliable and valid data.

Wolcott's (1994) and LeCompte's (2000) guidance helped structure and analyse qualitative

data. The first step involved tidying up the data by making copies of all the data and filing it concerning the study's research questions. Once data had been organised this way, step two involved sifting and sorting the emerging items based on frequency, intensity and contextual positioning with which they appear and sometimes omitting (non-appearance of some themes). The process of analysis was sensitive to veiled meanings and obfuscation. Upon identifying items, data were organised into groups or categories for patterns to emerge. Once these patterns emerged, the analysis was done based on articulated theories and findings presented as rich and dense descriptions and interpretations.

4.6 Validity and reliability

This section considers strategies for treating internal and external validity and reliability in the study during data collection and analysis. Patton (1990) states that validity and reliability concern a researcher in the research design process. Reliability refers to whether the results are consistent with the collected data (Merriam, 2002). Some standard validity procedures in qualitative research have been identified (Lincoln and Guba, 1985; Creswell and Miller, 2000). These authors suggest that researchers routinely employ member checks, triangulation, dense description, peer reviews and external audits to ensure validity. One way is to use the researcher's lens by determining how long to stay in the field or whether data are saturated enough to establish good themes and categories. Another involves checking how accurately participants' realities are captured by actively involving them. Besides, the critical perspective holds that the researchers should uncover their hidden assumptions (Merriam, 2002; Creswell and Miller, 2000).

In dealing with validity issues, I applied a framework for determining appropriate procedures

in this research. In the first instance, using different research techniques to triangulate data was useful to avoid researcher bias stemming from epistemological assumptions discussed earlier. The interviewing process aided in checking the accuracy of capturing participants' realities through their active involvement for trustworthiness and credibility. The framework ensuring data saturation was included, allowing me to establish themes and categories for data analysis. Merriam (2002) recommends that researchers provide enough detail for their conclusion to make sense. While Merriam's proposal sounds valid, an argument arose regarding what would make sufficient detail. Merriam proposes presenting raw data in quotes from people interviewed and references from documents consulted during the process around this hurdle. At the same time, uncovering my hidden assumptions on the subject matter was an essential strategy for dealing with validity issues (as proposed by Merriam, 2002; Creswell and Miller, 2000).

In applying the treatments suggested for reliability, I dealt with several issues. Firstly, I had to deal with my previously held assumptions and biases on what constitutes reality. Alvesson and Skoldberg (2000) suggest that applying reflexive methodology through creative and extensive reading can help to mitigate against previously held assumptions. The measure for external validity is gauged by how well the data collected can be generalised and be applicable beyond the research circumstances (Merriam, 2002). A key issue was whether case study A's findings could be generalised beyond the Chegutu case to other parts of Zimbabwe where artisanal gold mining happens. This qualitative research study leaned toward what Patton (1990, p. 41) describes as "context-bound extrapolations rather than generalizations". Rather than where study findings may be generalised to other settings or contexts (see Ritchie *et al.*, 2013), the study aimed for theoretical generalizations on the historical context of artisanal gold mining and the link between networks of accumulation at the local level and policymaking at a grand

scale.

4.6 Ethical considerations and research limitations

Ethical considerations are a growing interest in postmodern, participatory and critical research (Merriam, 2002; Neuman, 2014, p. 145). Researchers have moral and professional obligations to be ethical in research and therefore need to consider the balance between pursuing scientific knowledge while upholding the rights of those being studied. However, Neuman (2014) cautions that ethical research takes longer to complete and is costly. In addition, informed consent, which ranks high as an ethical issue, must first comprehend and agree voluntarily to the nature of their research and their role within it (Merriam, 2002). Other ethical considerations include confidentiality, anonymity and bias disclosure.

The research involved soliciting information from individuals and institutional respondents some of whom were unwilling to provide information. The reluctance to share information was for a range of reasons. These included mining actors' possible illegal status; suspicion as to why they were being interviewed, reluctance to disclose personal information to strangers or to let others know about what they might have that is worth stealing; and fear of increased taxation or reprisals. However, the study recognised the need to get informed consent from the respondents and entirely disclose the research. Hence, Neuman (2014, p. 151) suggests that the researcher examines previously held assumptions about the context, participants, data, and the research process to overcome some of these ethical issues.

As past researchers indicated, the informal and opaque nature of artisanal gold mining in Zimbabwe made the research sensitive (Mawowa, 2013; Maponga and Ngorima, 2003).

Engaging artisanal miners could cause embarrassment and loss of privacy, noting that most artisanal gold miners are illegal because they have not met the legal requirements such as licensing. In addition, Nyamunda and Mukwambo (2012) note gold and diamond artisanal and small-scale miners were victims of state violence between 2006 and 2013. As Ritchie and Lewis (2003) suggested, such in-depth investigations required finely-tuned questions responsive to the individual's circumstances.

There were limitations to the study. Firstly, data collection took place during an election year. This affected data collection, causing delays, especially in the mining town of Chegutu, a political hotbed for contending political parties. To overcome this limitation, I collected data before or in the months after the elections scheduled for July-August 2018. Another limitation was a possible failure to access critical and sensitive data from government and district authorities. Learning from previous research on diamond mining in the Marange district, where researchers found it difficult to obtain such information, this was possible for the current study. A few individuals were reluctant to engage in interviews, primarily because of fear that state security agents would intercept the conversation. Therefore, they declined to participate or committed to a meeting when it was safe. In this instance, I identified strategic gatekeepers to assist with gaining the relevant information for the study.

The table below details the data collection methods for each of the research questions that were investigated.

Table 3: Research matrix for this study

Research questions /objectives	Method for data collection
Key research question: How did politics, power and institutional dynamics influence policy trajectories on artisanal gold mining in Zimbabwe between 2005 and 2017?	Individual interviews Reports
RQ1 What were the policy trajectories of informal gold mining in Zimbabwe between 2005-2017?	Semi-structured interviews, organisational reports, documentary analysis
RQ ii. What was the fusion between political elites and bureaucratic policy institutions regarding informal gold mining policies in Zimbabwe?	Semi-structured interviews, Parliamentary portfolio reports, political debates
RQ iii. How did the networked actors, including the ruling elites and other powerful actors, influence informal gold mining policies from mining sites to external markets?	Semi-structured interviews, policy analysis
RQ iv. What were the implications of these policy choices for human security? What was the leverage of citizens to their political elites in promoting policies for democratic accountability and curbing corruption, conflict, and violence necessary for informal gold mining development?	

Research questions /objectives	Method for data collection

4.7 Conclusion

This chapter has discussed the research methodology used to investigate and understand the nexus between politics and policymaking concerning informal (artisanal) gold mining. The methodology discussed how I used the case of Chegutu to derive information on the emergence of informal artisanal small-scale gold mining. The empirical research of the two cases provided the link between mining policies and processes of resource accumulation by elite political figures. This approach helped illustrate the many threads and networks of power and accumulation, leading to the formation and reformation of policy on artisanal gold mining in Zimbabwe. In addition, the Chapter discussed methods for assessing political and state institutions' role in shaping decision-making processes regarding the formalisation/ or non-formalisation of artisanal gold mining in Zimbabwe. Finally, I explained the focus issues and data sources based on the research questions.

CHAPTER FIVE: FUSION BETWEEN POLICIES AND BUREAUCRATIC INSTITUTIONS

5.1 Introduction

The main aim of this Chapter is to analyse Zimbabwe's public policy-making infrastructure between 2005 and 2017, a period of interest for this study. This chapter instead seeks to understand the unfolding policy developments and outcomes for informal gold mining in Zimbabwe at the time. It aims to do so for the period when Zimbabwe experienced several changes in legislative and policy arrangements governing the sector at the time. This chapter attempts to explain these changes in the policy and legal frameworks that had far-reaching impacts on the governance of artisanal gold mining. The chapter also seeks to understand these changes' complex interactions with bureaucratic institutions. Specifically, the Chapter aims to answer the following research question: What was the fusion between political elites and bureaucratic policy institutions regarding informal gold mining policies in Zimbabwe?

As discussed in earlier Chapters, a policy is considered a deliberate system of guidelines to guide decisions and achieve rational outcomes. De Coning's (2006) definition of policy as a statement of intent is applicable d to the following discussions on ASM. Other scholars describe it as a course of action targeted at problem-solving backed by a set of beliefs (Hill, 2005; Smith, 1976; Anderson, 1997). As emphasised by Jenkins (1995), the implementation and action components define public policy as a set of decisions taken by political actors regarding selecting goals and ways of achieving those goals.

A policy is a statement of intent implemented as a procedure or protocol. Although, at the same time, various conceptions of public policy emerged in literature over the years (see Anderson,

2005; Pal, 1989; Dye, 2002), definitions generally locate the source of public policy in government institutions. There were several statements of intent by political elites and policy makers on ASM, and these statements were largely taken as guiding policy. Examining the legislative arrangements and policies in the period of interest for the thesis points to the nature of the government of the day and its direct bearing on resultant policies regarding artisanal gold mining. Hence this thesis takes the approach by Dye (p: 12) that "a policy does not become a public policy until some government institution adopts it." With this in mind, this chapter is an in-depth analysis of Zimbabwe's bureaucratic organizations, legislative provisions, and policies regarding artisanal gold mining between 2005 and 2017.

Therefore, the chapter begins with a reflection on Zimbabwe's artisanal gold mining legislative and policy arrangements and provisions regarding artisanal gold mining that either came into effect or were amended during the period under study. Next, I examine the critical policy institutions' makeup, their evolution, and to the extent possible, their actions and strategies, and how and why these were instrumental in eventually shaping policies on informal gold mining post-2000. Changes in policies discussed in this chapter are best described with the concept of personal rules, formal and informal rules. According to Acemoglu et al. (2003), personal rule places trust in individuals rather than institutions, with policies serving the needs of the gatekeepers. I view institutions as "… consisting of cognitive, normative, and regulative structures and activities that provide stability and meaning to social behaviour." Scott (1995:33). This chapter argues that several events contributed to making up the policymaking infrastructure for the mining sector in Zimbabwe. Key events such as Operation *Murambatsvina* (Operation Restore Order) of 2005 as well as the promulgation of economic policies on artisanal gold mining operations like the Indigenisation Policy and the Environmental Management Act (EMA) inform the interface between the state and

policymaking chains or the political forces that shape policymaking on artisanal gold mining in Zimbabwe.

5.2 Changes in policies and Legislation

Before discussing the changes to the policy and bureaucratic frameworks as they pertained to artisanal gold mining, I briefly look at a historical overview of Zimbabwe's policy making regarding the bureaucratic and institutional arrangements. Due to Zimbabwe's late decolonization, the country inherited the standard features of a colonial state, and the new government's features were similar to the settler-colonial Government (Mcgregor, 2013). It is, therefore, not surprising that Zimbabwe's powerful state bureaucracies seemed to mark it as an 'exception' to the experience of those African countries in West and Central Africa that had often provided the empirical basis for theories of state 'failure' and social and political disorder.

> *"Zimbabwe's powerful state bureaucracies, its liberation struggle history, its substantial formal sector and its strong post-independence history of service provision had all seemed to mark it out as different from, if not an 'exception' to, the experience of those African countries in West and Central Africa that had often provided the empirical basis for theories of state 'failure' and social and political disorder." (*Mcgregor *2012).*

However, post-independence, the liberation struggle had brought to a head the contradictions of settler rule. In doing so, it placed claims to authority on both the terrains of law and bureaucracy and on a revolutionary 'people's power' that combined populist, redistributive agendas with commandist, secretive and intolerant practices. According to Alexander and Mcgregor, (2012), several scholars regarded government rule as too technocratic and too

centralised, not disrupting the old order sufficiently (Mcgregor, 2002). Despite this criticism, civil servants were highly committed to a professional ethic central to the ruling party's legitimacy. The government had tenets of a functioning bureaucracy, with corruption, for example, not being a defining feature of governance up to the late 1990s, and where it had come to light, it had caused scandal and outrage.

Zimbabwe's historical legacy seems to have been a critical determining factor in shaping the state's institutional capacity in policy development that ensured post-independence. The following section directs attention to the era before 1980 when the country gained its independence from colonial rule. This review of the past provides a better understanding of Zimbabwe's contemporary crisis and the critical determinants of outcome policies in the informal extractive sector. Several authors have described Zimbabwe as having a powerful and centralised state bureaucracy, notable for its repression and developmental ambition before its independence (Alexander and Mcgregor, 2013; Lodge, 1998). For example, Bratton (1980) stresses this point as he writes, "*The capacity of the Rhodesian public service was such that, virtually throughout the colonial period, it executed the public policies of settler governments effectively and efficiently."*

Bratton (1980) considers the criticality of the central government, which reserved the right for economic development and state security. In this setup, legitimate statehood hinged centrally on the law and expertise of this strong state. Local governments formed the backbone of the colonial administration and enjoyed extensive discretion, for example, to arrest or punish according to security laws or emergency regulations. While most powers were vested in the central Government, local authorities were also in charge of limited social welfare responsibility (Bratton, 1980).

Additionally, the British state "tolerated rather than destroyed" indigenous institutions, including chiefs and village headmen. Public support was divided between the indigenous and colonial institutions; because the British allowed the old institutions to remain, the inactive "state culture" remained.

Other scholarly views contrast, claiming that Zimbabwe's pre-colonial culture rejected an involved state. According to this view, the British colonial state had been selective, mainly employing only a few natives trained as bureaucrats, rendering an inexperienced post-colonial government (Lieck, 2016). While critics of the ZANU (PF) Led Government have sometimes underestimated the influences of colonial rule on the state after independence, ZANU(PF) has too quickly drawn on this anticolonial image to dismiss its delinquencies of policy (Raftopolous, 2003).

Another angle worth pursuing is Zimbabwe's constitution, which was born out of the 1979 Lancaster House Agreement[18]. The process toward a new constitution gained momentum during the Government of National unity between 2008 and 2013. As a result, a draft constitution produced through the Parliamentary Select Committee process (COPAC) in July 2012 was finally accepted by all parties following disagreements on the concentration of power on the presidency, accountability of security and judiciary services. As a result, the constitution of Zimbabwe amendment (No 20) of 2013 was gazetted as law on 22 May 2013. Since 1980, the Ruling ZANU (PF) party has used the constitution to concentrate political power on the presidency while at the same time reconstructing its relations with the opposition politics (Raftopolous, 2013). In parallel, opposition politics rallied behind the doctrine of

[18] The Lancaster House Agreement, signed on 21 December 1979, declared a ceasefire, ending the Rhodesian Bush War; and directly led to Rhodesia achieving internationally recognised independence as Zimbabwe.

constitutionalism in Zimbabwe to restrict what the ZANU (PF) state could do regarding economic change and democratic politics. Other actors representing a critique of ZANU (PF)'s stance on constitutional reforms included churches and the National Constitutional Assembly, constituted in late 1990.

A constitution can only be effective if legislative and executive statutes comply. Its core values include the constitution's supremacy, observance of the rule of law, respect for human rights, separation of powers, independence of the judiciary, and judicial review. While the constitutional issues were broad, this thesis considers one issue on the governance of natural resources at the local level. Devolution, a key component of the 2013 Constitution of Zimbabwe, is recognized as one of the Founding Values and Principles of the Constitution. The devolution angle in this writing is primed in the Chapter's preamble, especially paragraph (c), which reads:

> *"the equitable allocation of national resources and the participation of local communities in the determination of development priorities within their areas; there must be devolution of power and responsibilities to lower tiers of government in Zimbabwe"*

From this paragraph, tiers of the government (the provincial and local government tiers) are (as per the Constitution) required to undertake social and economic development in their respective jurisdictions. Their roles are not limited to planning and implementing social and economic development activities but extend to planning and implementing measures for the conservation, improvement and management of natural resources.

Turning back to policies on ASM gold during the mid-nineties, it is unsurprising that several analysts describe Zimbabwe as among the top countries boasting global acclaim for its leading role in introducing best practice policies. These included internationally praised policies in the 1990s to standardize frameworks for artisanal and Small-Scale Mining (ASM) activities. The policies combined district-administered and nationally administered licensing and capacity-building measures to formalize the artisanal and small-scale mining sector.

One frequently quoted example is the introduction of Statutory Instrument 275 (1991). The regulation of alluvial gold panning in public streams (thus allowing gold panning) had been historic, marking an epoch where the government openly supported ASM gold activity. The then Mines Minister, Chris Anderson, had encouraged the Government to recognize gold panners as part of the informal sector. Instead of hunting the panners down, the Minister had said they should be encouraged to sell their gold to the Reserve Bank of Zimbabwe. He even suggested paying the small-scale miners a higher price than the market rate to prevent them from selling to the black market. As a result, prospective gold panners could apply for permits to exploit the gold deposits from their respective councils.

There is a common belief among scholars that the government encouraged small-scale gold mining and panning, which mainly took place on commercial farms. Several reasons have been put forward, including to control the informal sector but also as a means of intimidating white farmers and precipitating conflicts with the farmers who later suffered under the violent seizure of land from commercial farmers and land reform instituted in 2000 (Mawowa, 2013).

The SI 275 regulations aimed to reduce the environmental impacts as panning entails massive damage to river systems, including digging up river channels and flood plains (Zwane et al.,

2006). The rules also allowed Rural District Councils to allocate mining blocks to organized ASM in consultation with the mining commissioner. Their introduction saw an increase in artisanal miners to about 100 000 by 1992. With this regulation, Rural District Councils could control and administer gold mining activities while managing ASM environmental impacts. Furthermore, the same Statutory Instrument 275 opened new spaces for international partners to support ASM through funding and education (Spiegel, 2015).

Another example of optimism to support ASM gold came through the Harare Guidelines on Small-Scale Mining presented at the UN Interregional seminar in February 1993 (Franks et al., 2020; Spiegel, 2009). These guidelines were viewed as a helpful model globally and referenced in literature on ASM across Africa (Jennings 1999; Sinding 2005). The guidelines promoted the legalization of ASM, recognizing it as a poverty-alleviation activity and giving powers to decentralized district structures (Spiegel, 2009; Mawowa, 2013). At the time, policies empowered district authorities with decision-making roles on gold exploration and extraction within their districts, a move that improved the ease of doing business for the artisanal miners who could rely on decentralized regulation of activities (Spiegel, 2009). To this end, the German and Swedish donor organisations started to fund local development projects to encourage more sustainable ASM in the 1990s (Ahere, 2021; Conrad, Reyes & Stewart, 2021).

PACT and ZELA, two NGOs that have closely examined the legal frameworks during the period of interest for this thesis, provide helpful analysis of the driving forces for the pro-ASM policies. They note that pre-2000, the government applied pro-poverty interventions by legalizing small-scale gold panning while stabilizing the gold price. At the time, the government viewed ASM as part of the solution to the unemployment problem.

Fast forward, as Zimbabwe's economic crisis[19], which began in the 1990s, deepened in the 2000s, there was a dramatic shift in state artisanal mining policy. One author notes: *"In the 2000s, the relationship changed into a cat and mouse game between the government regulating authorities and the miners".* By December 2006, the Government reversed earlier pro-ASM policies, enforcing nationwide crackdowns against artisanal miners by repealing SI 275/1991.

The government's response to the worsening economic situation was to institute price controls, fix foreign exchange, pegging the gold price and mandatory surrender of foreign currency, among other things. In the same year, the government directed that all gold miners sell their gold to Fidelity Printers and Refiners at a fraction of the gold price in other markets. The government increased barriers to formally licensed small-scale primary ore mining while revoking the power of Rural District Councils to regulate riverbed alluvial gold panning. In its place, recentralisation into a national government of ASM governance occurred. In justifying the criminalization of riverbed panning, the Minister of Environment stated:

> *''As the government, we have banned [gold] panning activities because we have collectively concluded that the environmental costs emanating from the panning activities far outweigh the benefits accruing to the panners'' (quoted in Mambondiyani 2008).*

The central government officials in the Ministry of Mines did not inform the district government of this legal reform until several weeks after the government had repealed the law. Spiegel writes that an Insiza District officer who had been responsible for overseeing gold panning was, in an interview, disappointed to hear of this legal change, even asking: *''Does*

[19] Inflation was roughly 150,000% at the end of 2007 (Mugari 2008).

this mean that my job is finished?" Spiegel (2015) suggests that control of artisanal mining activity at the district level by central government institutions resulted in the introduction of excessively complicated and blurred regulations, all of which have a bearing on the socio-economic outcomes of artisanal gold mining delivery.

For the Government, recentralization meant securing complete control of the gold market as the government responded to increased illegal gold mining activities, with the Reserve Bank arguing that artisanal mining caused chaos and environmental degradation. The gap in production left by the near collapse of formal mining was replaced by the precious metal from the informal sector, with the Reserve Bank buying much of its gold from illegal panners. Sokwanele is highly critical of Government's move to control the gold market. Believing that the political elite stood to lose when the sale of gold no longer all passed through the Reserve Bank, the Government was bound to reclaim its control. He contends that:

> *" It is common knowledge that the chefs had access to forex, buying it at the controlled rate, and then selling it in the market at the much higher parallel rate; alternatively, they would buy fuel with it, and make a killing by selling their fuel at market rates".*

As a result of recentralization, the state arrested more than 30,000 panners and legally registered small-scale miners or seized their gold and mining inventory (Saunders, 2017). Through its Carslone Corporation subsidiary, the RBZ took stockpiles of ore from ASM operators and created mills to process the gold. The government never compensated the miners for the recovered gold (Pact, 2015). That policy had the effect of pushing artisanal gold miners back to the black market.

A plausible explanation is that the crackdowns were part of evolving political developments, with significant roles played by leading figures in government. When the election loomed over the 2006-2008 horizon, informal miners were encouraged to mine in alluvial diamond fields. However, upon clearing that hurdle, the army (a formal state entity) and the police (another state instrument) allegedly went into a crackdown on the informal-artisanal miners (Nyamunda et al., 2012).

For a critical industry such as this, state measures-imposed mining prohibitions for the informal artisanal carried out Operation *Chikorokoza Chapera* ('End illegal mining). The operation proved to be unpopular with other institutions within the government. For instance, in September 2007, then Minister of Mines and Minerals Development, the Hon. Amos Midzi distanced himself from Operation Chikorokoza Chapera:

> "*The issue of makorokoza lies on the RBZ because, at the end of the day, it has the responsibility to determine prices.... Illegal gold panners will not stop, and we cannot stop illegal gold mining.*"

Following the Government of National Unity in 2009, Tendai Biti, the then Minister of Finance from the MDC party, tried to relax the trade in gold from the informal gold sector by issuing gold trading licenses to private entities, including banks and individuals, while imposing taxes on the gold. In all this, the Minister did not give a gold-buying license to FPR, limiting its functions to gold refining and export. Nevertheless, his strategy resulted in formal gold trading from small-scale miners increasing from 0.9 tons in 2009 to 3 tons in 2013.

It was only in 2012 that the Government lifted the ban on gold panning. Spiegel (2009, p. 222) describes this action as representing technocratic decision-making by the Reserve Bank Governor, who cited non-compliance to environmental standards by ASM. In December 2013, the Minister of Finance proclaimed that artisanal mining would be decriminalised and reintroduced riverbed mining, requesting EMA to regulate the activity that had previously been outlawed under statutory instrument 92. However, this policy statement was not backed by any legislation. On the ground, arrests of artisanal miners ceased, but the number of security officials at major mining sites and all milling sites increased in July 2014. The Reserve Bank Governor, John Mangudya, supported the move, saying that this would help to reduce smuggling and encourage the sale of more gold to Fidelity (Herald, 11 April 2016).

However, in 2014, the Government reversed this, banning alluvial mining through EMA, stating that alluvial mining would not occur within 200 metres of the highest level of any body of water conserved naturally from artificially constructed water storage. Subsequently, a cabinet directive issued in 2015 stated that alluvial mining would be the government's prerogative through a special-purpose vehicle.

5.3 Mining policies and related legislation

The previous section gave a brief on the shifting policy on ASM gold. Of the 40 acts of parliament regulating mining operations, ASM is directly affected by 24 of these acts and the statutory instruments under them. Zimbabwe’s mining laws which have favoured large-scale mining activity, have not changed much since the enactment of the Mines and Minerals Act of 1961.

The following section examines the status of the regulatory regime governing artisanal and small-scale gold mining in Zimbabwe, focusing on the key pieces of legislation (drawn from the table below). This discussion serves as a backdrop to policy and legislation change in Zimbabwe's artisanal mining industry over the years and how these have altered the relative power of the sector over time.

Table 4: Mining policies and legislation

ACT	**ASPECTS COVERED**	**CONTROLLING BODY**
Mines and Minerals Act Chapter 21:05 (1961)	Prospecting Working, health and safety Abandonment Issue of mining certificates	Ministry of Mines and Mining Development
(Mines and Minerals (Custom Milling Plants) Regulations SI 239 of 2002	Inspection of workplace Site plan work, site mapping	Ministry of Mines and Mining Development
Forest Act Chapter 19:05	Protection of forests and trees Protection of endangered species	Forestry Commission
Atmospheric Pollution Prevention Act Chapter 20:03(1971)	Prevention and control of noxious or offensive gases, dust, smoke and internal combustion engines	Ministry of Health and Child Welfare

ACT	ASPECTS COVERED	CONTROLLING BODY
Value Added Tax Act Chapter23:12) Income Tax Act Chapter 23:06 Capital Gains Tax Act Chapter 23:01	Servicing rendered Revenue generated per month/Q/4 /annum	Ministry of Finance and Economic Development
Water Act (1976) Zimbabwe National Water Authority Act Chapter 20:25	Water rights Prevention of water pollution and the preservation of water resources	Ministry of Water Resources and Water Development,
Hazardous Substances and Articles Control Act (1971)	Use and dumping of industrial poison, pesticides and other dangerous substances and wastes	Ministry of Health and Child Welfare
Environmental Management Act Chapter 20:27	To provide for the sustainable management of natural resources and protection of the environment; the prevention of pollution and environmental degradation	Ministry of Environment, Water and Climate
Revenue Authorities Act Chapter 23:11)	Water and sanitation	Ministry of finance and Economic Development
Explosives act (1961) Explosives Regulations	Acquisition, purchase, manufacturing and storage of all types of explosives, including use of diesel fuels	Ministry of Mines and Mining Development, Ministry of defence

ACT	ASPECTS COVERED	CONTROLLING BODY
The Gold Trade Act [Chapter 21:09]	Commercial activities involving gold, gold-bearing materials Health, safety and standards	FPR (MOF)
Small Enterprise Development Act (1997) [Chapter 24:12]	All affairs governing the small to medium-scale enterprises of the economy	Ministry of Small to Medium Scale Enterprises, Ministry of Youth Development and Employment Creation
Finance Act Chapter 23:04	All labour-related issues	Ministry of Finance & economic development.
Health Act (1971)	Water and sanitation	Ministry of Health and child Welfare
Natural Resources Act (1944)	Conservation of land Declaration of intensive conservation areas	Natural Resources Board
Parks and Wildlife Act (1975)	Preservation of plants and animals Preservation of specially protected animals and indigenous plants	Department of National Parks and Wildlife

Source: PACT (2015)

5.3.1 Mines and Minerals Act (MMA) [Chapter 21:05] of 1961, reintroduced as the Mines and Minerals Act (1996)

Since its promulgation, the 1961 Mines and Minerals Act has been the primary legislation regulating mining activities in Zimbabwe, hence forming the country's central part of the 'Mining code'. The legislation permits any individual to apply for a mining license provided they are a "permanent resident of Zimbabwe" and contains regulations for prospecting, working, health and safety, abandonment and issues of quittance.

Noting its centrality in the debates on artisanal gold mining in this thesis, it becomes appropriate for a historical account of the Act, including tracing the development of the 1961 Act and singling out changes to the legislation over the years.

> *"Zimbabwe's legal and policy framework for mining is generally burdensome, with more than 40 acts of parliament regulating mining operations. Artisanal mining is directly affected by 24 of these acts and by the statutory instruments that fall under them*."[xxi] The report continues: "*The Mines and Minerals Act is old and it has become difficult to marry it with policies meant to stimulate growth within the mining industry and advance the nation socioeconomically*."- PACT (2015).

A criticism of the Act is the extensive powers vested in the Country's President, giving him the dominium of all country's mineral endowments, including natural oils and gas. Therefore, granting all concessions for exploration and mining to individuals and consortia could only be exercised within the ambit of the president:

> *The dominium in and the right of searching and mining for and disposing of all minerals, mineral oils and natural gases, notwithstanding the dominium or right which any person may possess in and to the soil on or under which such minerals, mineral*

oils and natural gases are found or situated, is vested in the President, subject to this Act -. Mines and Minerals Act (MMA) [Chapter 21:05] of 1961, reintroduced as the Mines and Minerals Act (1996).

When the Mines and Minerals Act (Ch 21:05) was drafted, artisanal mining was not common because of low unemployment rates at the time. Pact (2014) notes that from its promulgation in 1961, the Mines and Minerals Act (Chapter 21:05) and subsequent amendments have been indiscriminate regarding the level or scale of a mining operation. In addition, formal governance mechanisms adopted during colonial times created mining property rights (both for small- and large-scale mining) that were only suited to the white minority class. The Zimbabwe Miners' Federation CEO noted that ASM were not covered in the Mining act:

"The sidelining of artisanal and small-scale mining in both the 1963 Mines and Minerals Act and the current Mines and Minerals Bill is worrisome considering that we have about one million people employed under that sector,"- Mr Takavarasha, Zimbabwe Miners Federation Chief Executive officer.

The major criticism against the Act was that it disadvantaged small-scale gold miners in several ways. First, it had no specific provision governing artisanal mining, as it encompassed procedures for registering all mining activities. Small-scale gold miners generally had a legal mining title registered with the MOMMD and were expected to work within the Mines and Minerals Act, the Environmental Management Act (2002; chapter 20:27), and various other mining and environmental regulations. While the law was recognized as an all-encompassing legislation for large and small scale, it was criticized for impeding formalisation and co-existence between small and large scale mining activities because it failed to differentiate between the two operations. Both operations were subject to the same payment of licenses,

taxes, membership fees, authorizations, and contributions, ignoring that large-scale operators had access to substantial capital investments. In contrast, small-scale operators lacked the capital base to obtain large tracts of land for prospecting, yet the government expected them to register their concessions or claims like any large-scale mining operators. In its form, the law criminalized possession of gold, thereby making the activities of small-scale miners (Makorokoza) illegal.

Part XXIII of the Mines and Minerals Act deals exclusively with expropriating unutilized mining locations. While the Act did not explicitly state the term, "use it, or lose it" the Government has adopted it to explain the circumstances in which mining locations may be taken from their lawful holders. For companies and individuals holding onto large tracts of mineral claims which had not been utilized for long periods, the double allocation of claims, as well as the Mines and Minerals Amendment Bill, provided for enforcing the "use it or lose it" principle. This would curb speculative hoarding of claims and make mineral deposits available to serious miners, including local entrepreneurs. The Bill also sought to empower the Minister responsible for Mines to revoke a license if a miner had not been using a mining location within a reasonable time.

An analysis of the "Use It or Lose it Policy' as outlined in the Act notes that the policy aimed to free up vast tracts of mining locations held for speculative purposes and to increase mining operations in these locations. In this regard, Section 320 empowered any person who believed that a registered mining location was unutilized to submit a written report to the Mining Commissioner. In addition, Section 321 of the Act mandates the Mining Affairs Board to inquire into the history of the mining location and investigate the mining activities conducted

there to ascertain the adequacy of the utilization of the mining location. However, an analysis of section 327 revealed that the sale process was open to abuse and manipulation. While the policy could benefit from its provisions to expropriate utilised mining locations, there were issues of transparency and accountability, as well as the need to ensure that small-scale miners of expropriated land received fair compensation. There is debate on the degree to which postcolonial mining laws, policies, and governance apparatuses provide opportunities for ASM licensing (Chatiza et al., 2015)

Despite not having made significant amendments to the Act, Government's policy position shifted several times. The Mines and Minerals Amendment Bill of 2015 had wide-ranging recommendations to align mines and minerals legislation with the country's economic development needs. To address environmental concerns, the Bill also sought to ban riverbed mining by individuals and give a mandate to Government through its special-purpose vehicles. The other primary provision of the bill was introducing a modern computerised cadastre title management system, offering ease of application and registration of mining titles to investors. This would transition from the system whereby processing applications for mining permits and licenses was made using manual paper-based systems operated through spreadsheets. The cadaster would capture all mining claims by standard form coordinates, ensuring that there would be no double allocation of claims and enforcing the first-come, first-served principle. With the use of a cadaster system, the exclusivity of mining titles would be reinforced to ensure the security of tenure, more efficiency and transparency in the management of mining titles by reducing human error and corruption. Modernization of the mining title management would align with regional and international best practices. In an interview with the then Secretary for the Ministry of Mines, Professor Gudyanga, Bill's provisions were meant to create a conducive

environment for local and foreign entrepreneurs while at the same time curtailing prejudice against the fiscus.

In 2018, the incumbent President returned the bill to parliament for further scrutiny on broad-ranging issues, including seeking to formalize the work of small-scale artisanal miners. However, several criticisms, mainly from NGOs, were levelled toward the Mines and Minerals Amendment Bill. For instance, the Centre for Natural Resource Governance argued that the process by which the Mines and Minerals bill was promulgated was non-consultative (mainly providing views of the senior officials within the Ministry of Mines) and, as a result, eliminated checks and balances from the other stakeholders.

There are several critiques of the amendments. For instance, PACT, an international NGO working on ASM, considered amendments to the Bill undermining other state institutions and regulatory bodies. For example, the Bill gave too much power to the Minister and Permanent Secretary in the Ministry of Mines. According to Section 275B, the Minister of Mines would retain exclusive jurisdiction over mining in Zimbabwe while determining the best mining methods in rivers, on any surface and underground. In addition, once passed, the Bill would usurp the powers of the Environmental Management Agency.

Another criticism was that this legislation was a barrier to optimum economic development in its shape and form. It supported high licensing fees, thus deterring ASM from registering claims in gold-rich deposit areas (Dhliwayo, 2014; Pact, 2014). Yet another criticism was the limited public participation regarding the amendment to the Act and mineral governance. While participation could be undertaken through public hearing meetings, national budget

consultative meetings and alternative mining indaba, Chikova and Chilunjika, 2021 note that the level of the involvement was within the range of *"non-participation and lower tokenism"*.

5.3.2 The Gold Trade Act

Other legislation pertinent to ASM is the Gold Trade Act 21:03 and Precious Stones Trade Act 21:06. The Gold Trade Act promulgated in 1940, deals with commercial activities involving gold, gold-bearing materials, health, safety and standards. The Act distinguishes three types of licenses: gold dealing, recovery, and assaying. The Act has many prohibitions that impact artisanal miners and actors. It criminalises gold possession by unauthorised persons while regulating the buying, selling, bartering, pledging, exchanging, giving or receiving of gold. According to the Act, no person shall, either as principal or agent, deal in or possess gold unless he is a licence or permit holder, a tributor, or an employee. The Act also states that miners may only deal in and possess gold acquired from their locations where they have mining rights. One can only sell gold to licensed gold dealers. Every holder of a gold recovery works permit is required, not later than the 10th of every month, to deliver all gold he recovered during the previous month to the holder of a gold dealing licence.

The Gold Trade Act provides a maximum 5-year sentence for illegal possession of gold; however, the "no-questions-asked" adopted by the government relaxed this legal requirement in practice. Compared to the risks of punishment for engaging in wildlife trafficking with a mandatory nine-year jail sentence or illegal diamond mining, the risks associated with artisanal mining and the accompanying illicit gold trade were minimal. Miners interviewed confirmed that because of the provisions of this Act, there were always arrests of artisanal miners found in possession of gold or making illegal gold trade.

5.3.3 The Precious Stones Trade Act

This Act regulates the possession and dealing of rough diamonds and other special stones. Under this act, selling precious stones without a licence, if not a mining claim holder, is an offence. The Precious Trade Act, which had been in place since 1903, was too narrow to regulate unfolding dynamics in the gold industry because it was restricted to trade issues. Again, it is silent on licensing, security, exploration, social responsibility to local communities, value addition and beneficiation.

5.3.4 The Minamata Convention on Mercury

Zimbabwe signed the Minamata convention[20] in October 2013. The convention entered into force on 16 August 2017 and aimed to control the mercury supply and trade, reduce the use, emission and release of mercury, raise public awareness, and build the necessary institutional capacity of countries. The convention's significant highlights included banning new mercury mines, phasing out existing ones, and cutting down on mercury use in several products and processes. For example, according to the provisions, mercury would be allowed in artisanal and small-scale gold mining to separate gold from rocks and sediment. In addition, the treaty encourages countries to reduce or phase out its use, but no targets or dates were included.

5.3.5 Indigenization Act 14:33

The Mines and Minerals Act has interacted with the Indigenisation and Economic Empowerment Act Chapter 14:33. The birth of an indigenization framework had already been mooted in 1998 by pressure groups, including the Affirmative Action Group, Indigenous

[20] The Minamata convention is named after the bay in Japan where, in the mid-20th century, mercury-tainted industrial wastewater poisoned thousands of people, leading to severe health damage that became known as the "Minamata disease."

Businesswomen Organisation and the Indigenous Business Development Centre. The government planned to indigenize the economy through increasing indigenous productive investment in the economy, industrialisation, skills development, land redistribution and mobilisation of financial resources.

The indigenization Act followed the framework in 2007. The Government took the indigenization issue as its central political and economic project (Raftopolous, 2004). The Act prescribed that all companies above a set threshold, initially US$500 000.00, should relinquish 51% of their business share within a stipulated period to indigenous Zimbabweans. For purposes of the Act, indigenous Zimbabweans were defined as individuals previously disadvantaged because of their race before Zimbabwe's independence in 1980.

Without considering its effectiveness on the ground, ideally, indigenization seemed to have a better package for empowering resource-affluent communities through Community Share Ownership Trusts (CSOTs). Mining companies were required to cede 10% equity to communities around mining areas. On close examination, the indigenization Act in 2007 overlapped with campaigns for the 2007 national general elections. Having exhausted “the land reform agenda, one can say that the only available populist gimmick for the ZANU-PF party was to promise the forced transfer of the country’s business and mines to the black majority. While the 1998 policy framework included poverty eradication, increasing productivity, industrialisation and skills development, the Indigenization Act emphasised a transfer of ownership.

5.3.6 Rural District Councils Act 29:13

At the local level, artisanal mining is governed by the Rural District Councils Act (chapter 29:13), which authorises the council to enforce levies on landowners, including miners in their influence.

5.3.7 Environmental Management Act

The Environmental Management Act was passed into law in 2006, reversing the mining regulations that had been passed in 1990. These included making riverbed mining illegal. All artisanal miners had to comply with environmental regulations, including complying with Environmental Impact Assessments requirements which cost US$4000 (PACT, 2015). In addition, the regulations banned the Rural District Councils from issuing mining permits to artisanal miners.

While many miners were willing to become registered, the new conditions were barriers to entry to ASM. In this regard, Mawowa (2013) argues that though this legislation was welcome in that it would deal with negative environmental effects of artisanal mining. However enforcing it created challenges for the ASM.

5.4 Policies

Operation Murambatsvina[21] was one of the key policies where the state bureaucracy played a prominent role in an urban "clean-up" operation. According to Bratton and Masunungure

[21] Operation Murambatsvina was a clean-up operation of its cities launched in May 2005 by the Government of Zimbabwe. It was described as a programme to enforce bylaws to stop all forms of alleged "illegal activities in areas such as vending, illegal structures, illegal cultivation" among others in its cities across the country." - "Report of the Fact-Finding Mission to Zimbabwe to Assess the Scope and Impact of Operation Murambatsvina by the UN Special Envoy on Human Settlements Issues in Zimbabwe Mrs. Anna Kajumulo Tibaijuka." United Nations. http://ww2.unhabitat .org/documents/ZimbabweReport"

(2007), the operation stifled people's independent economic and political activity in urban areas. The local government planning system was at the forefront of the process, together with the security and law enforcement agencies. Many gold panners had been informal traders whose livelihoods had been affected by Operation Murambatsvina in 2005.

5.5 Institutional mechanisms for policymaking in the mining sector

The state – civic and industrial interests in the informal gold mining sector seem to have co-existed. The role of party-state institutions in facilitating policy management processes and their interrelationships was complex. Networks of power and the state intertwined with informal artisanal mining activities and significantly impacted emerging policy institutions.

During the study period, constant formations, including bureaucratic arrangements and legislative provisions, took place. The extractives sector was an already crowded space, characterised by an intimidatingly complex array of political and economic interests. For instance, by 2014, the mining sector comprised a network of government ministries, NGOs, aid organisations, parastatals, traditional leadership, a parliamentary oversight committee and investors (Pact, 2014). More than six state ministries and agencies had a formal role in regulating, supporting or promoting mining in the country and still more claimed an informal or more targeted position in the sector. According to PACT's assessment, the Ministry of Mines and Mining Development (MMMD) had the oversight role over five other ministries: Finance and Economic Development (MoFED), Environment, Water and Climate (MEWC), Health and Child Welfare (MHCW), Defence (MOD), and Local Government (MOLG).

Following the end of the Government of National Unity, 2014 saw the establishment of eight provincial mining offices that replaced the former mining district offices. Previously the administration of the mining industry was divided into five mining districts- Harare, Kadoma, Masvingo, Matabeleland and Midlands. In an interview with the then Permanent Secretary of the Ministry of Mines, the Government meant this decentralization to bring technical service closer to the miners to ensure higher mineral production. Furthermore, according to Government's rationale, these changes would ease access while improving mining services.

The dominant regulators of the Zimbabwe ASGM sector were the MMMD, the RBZ via the FPR, and the ZRP. Other regulators included the Environmental Management Agency (EMA), Rural District Councils, National Social Security Authority (NSSA), and the Zimbabwe National Water Authority (ZINWA), among others. In addition, while traditional leaders do not regulate mining, they played an important role. In 2001, the Government introduced the Gold Mining and Minerals Development Trust (GMMDT) to improve gold delivery to the Reserve Bank[22] of Zimbabwe. GMMDT had been granted gold-buying concessions that allowed them to buy gold and deliver it to Fidelity Printers, which had increased gold delivery from ASM while curbing smuggling. Introducing the trust meant it would provide miners loans while promoting environmentally friendly mining. In an interview with Singo, the then Regional Manager for the Gold Mining and Minerals Trust, he argued that the institution was designed to collect gold for foreign exchange to repay an outstanding International Monetary Fund (IMF) loan. However, Gideon Gono dissolved the Trust when he became the Governor of the Reserve Bank of Zimbabwe in 2004, citing a lack of funds to fund its activities.

[22] Fidelity Printers and Refinery (FPR), a subsidiary of the Reserve Bank of Zimbabwe is mandated to buy all gold..

In 2003 and 2005, the police, Zimbabwe Small-Scale Miners' Federation, Zimbabwe Small-Scale Buyers' Association (ZIMSSBA), the Ministry of Mines, and Local Government authorities came together to find ways of curbing smuggling and environmental degradation. At this time, the government promised to 'empower the historically disadvantaged small-scale miners' and regulate illegal gold mining and trade.

Another development was that the Government, through the Reserve Bank of Zimbabwe, established Gold Centres, hoping that these would reduce gold leakages by providing central processing and encouraging the local leaders to manage the process. The centres would also restrict the illicit movement of gold while ensuring optimal delivery of gold ore to the Reserve Bank of Zimbabwe. As part of capacitating these centres, miners received access to equipment and transportation. The Reserve Bank approached large-scale miners to contribute to these facilities. However, according to one former Permanent Secretary in the Ministry of Mines, this plan did not go very far owing to the conflicts that began taking place at the local level. At the national level, the study noted ongoing institutional rivalry between the Zimbabwe Artisanal & Small Scale for Sustainable Mining Council[23] (ZASMC) and the Zimbabwe Miners Federation[24] (ZMF). This rivalry persisted when the ZASMC CEO moved to head the ZMF. ZASMC had taken the technical role in supporting ASM while ZMF, remained the umbrella organization, politically representing the sector. There were still concerns that support for any policy reform was tied to advancing the two organizations' institutional interests.

[23] ZASMC is a registered trust whose objectives are to represent and contribute to development, growth and empowerment of the artisanal and small scale by bringing them into the mainstream economy.
[24] ZFM is the brainchild of the Ministry of Mines and Mining Development whose birth was marked to represent and contribute to the development and growth of small-scale miners.

The other key actor for artisanal old mining operations was the Reserve Bank of Zimbabwe (RBZ). The Government's dependence on gold for foreign currency reserves made the RBZ Exchange Control Office the most important government agency in the gold mining sector. Their interest lay in facilitating increased gold trade through formal channels and acting as the champions for the 'no questions asked' policy and issuance of Artisanal Mining Permits to allow traders to sell directly to Fidelity printers.

While artisanal mining was regarded as illegal, contravening the Mines and Minerals Act (Chapter 21:05), which did not recognize artisanal mining, in 2016, the Reserve Bank announced a policy of buying gold from artisanal miners. This would be done on a "no questions asked" to boost gold deliveries and expand the Government's revenue basket.

The fact that mining sector was regulated by over 18 different taxes, charges, and levies by different government departments – including royalties, customs duty, pay as you earn, Capital gains tax, and fees. This resulted in the Minister of Mines indicating plans to rationalize the taxation system, in line with promoting the ease of doing business and towards formalisation of artisanal mining. Reduced royalty on gold from 3% to 1 %. However, changes are not enough incentive for miners to formalise their operations.

While the institutional setup described above demonstrates a relatively coherent and functional state superstructure, closer scrutiny during the study shows that having multiple actors in the mining industry without clear delineation of roles between the key actors has been problematic in attempts to formalise the process of artisanal mining activities in Zimbabwe fully.

Under the Unity Government, judiciary institutions were reshaped *"for greater compliance*" with ruling ZANU (PF), mainly on land distribution modalities. In the process, as Feltoe writes, 'the integrity of the legal system has been compromised in various ways' (Raftopolous, 2011). These included pressure on independent judges to resign from the High Court and the Supreme Court. There were also threats against judges and magistrates who gave rulings against ruling-party interests. For informal gold mining, there was the issuing of amnesties and pardons to persons who had perpetrated acts of violence on behalf of the ruling party.

5.6 Conclusion

Chapter Five began with an examination of the patterns of policy and legislative changes for ASM between 2005 and 2017 in Zimbabwe. The puzzle at the heart of this chapter is the paradoxical pattern of policy development, be described as " reform without change and change without reform". I argue that one can see that these changes dithered on extremes – from a government supporting the activities of ASM gold actors to a total shutdown of their actions.

However, while the legislative changes were at best slightly tinkered with, they did not produce much in the way of dramatic upheavals in the legislation, particularly the main guiding Act-The Mines and Minerals Act of 1961. Instead, the legislative and policy institutions were political actors in their own right, as they left the room to tinker with the legislative arrangements through statutory instruments[25] that had a bearing on ASM gold actors.

I argue in this chapter that the policy and legislative context was much more complex and multifaceted than what appeared on the surface. The factors that shaped and influenced policies

[25]Statutory instruments are a government or executive order of subordinate legislation.

that had a bearing on artisanal gold mining seemed complex, invariably resembling “wicked problems” that were resistant to change. While acknowledging these intricacies, the chapter has painted a situation of the inadequacy of the legislative and regulatory frameworks. Many have described the policy and legal terrain at the time as fragmented in nature. The findings revealed how despite available legislation, there is a strong sense that regulating ASM tended to be half-hearted on the part of the Government while also inconsistent with mining legislation.

A detailed account of the most prominent Act demonstrates that even with different amendments, legislative provisions remained detrimental to artisanal and small-scale gold mines through deterrent licensing fees and registration requirements. Several events show the uncertainty on the policy and legal fronts. Some legal frameworks that were created served to suppress the ASM sector while supporting Large Scale Gold Mining even though a significant portion of gold production was from ASM. For instance, the bureaucratic machinery allowed for policy uncertainty and dissonance, with the main action being to criminalize artisanal gold mining by repealing SI 275/1991 in December 2006. Between 2006 and 2009, as part of the country's political developments, there was a crackdown on artisanal miners backed by legislation.

The chapter also examined the bureaucratic institutions, noting the presence of both formal and informal institutions non- neutrality of state institutions, distributing advantages to some and disadvantages to some. While formal state institutions continued to matter despite the proliferation of what Christian Lund calls ‘twilight institutions’, the evidence points to a transition and reshaping of Zimbabwe's state institutions post-2000. These institutions were

characterised by an overlap between political elites and bureaucratic policy institutions, including the Reserve Bank of Zimbabwe and the Ministry of Mines. Chapter Seven delves deeper into political elites and how they seemed to have captured the sector with influential individuals with political connections tightly controlling artisanal gold mining at district and provincial levels. ‘‘reconfiguring state power’’ in Zimbabwe. McGregor (2009).

One might say that the policies and legislative provisions outlined in section 5.4 were election driven, meaning that these tended to shift during the election period in 2005, 2008 and 2013. Again, one might argue that the political contestation and conflicts that manifested between key political parties had a significant impact on the formation of specific institutions, as well as the regulatory and legal frameworks, which on occasion resulted in highly prescriptive policy statements and statutory instruments indicated by Spiegel (2015).

The case of Zimbabwe’s ASM sector highlights how, in times of economic instability, ‘‘formalisation’’ policies can become important in new ways, used by political elites to consolidate power rather than to distribute ‘‘development’’ opportunities in rural districts. There was a transformation of state institutions post-2000. For instance, Spiegel (2015) argues that the recentralisation of natural resource governance to the central government contributed to a governance crisis for artisanal mining, influencing policy outcomes on artisanal gold mining in Zimbabwe.

A critical implication of all this work is that there was less attention on how formal institutions could work in a largely informal sector of artisanal and small-scale gold mining. Simply

focusing on the development and capacity of formal institutions is far from sufficient to bring about change (Khan, 2010).

CHAPTER SIX: NETWORKED ACTORS: THE ROLE OF THE STATE, ELITES AND THEIR INFLUENCE ON POLICIES

"Whoever controls the gold will control and rule Zimbabwe."- Crisis Group, 2020

6.1 Introduction

Chapter Six examines power dynamics at the national level that were at play in shaping informal gold mining policies and the legal environment in Zimbabwe from 2005 to 2017. Formalisation of artisanal mining is central to this study as this notion attempts to explain how the many threads and networks drove any policy developments and subsequent implementation or, rather the non-implementation of these same policies. Drawing evidence from a national-level case study, the chapter captures the role of influential institutions and political elites in shaping ASM policy outcomes, including enforcing laws and policies for ASM that align with those discussed in Chapter Five. The chapter builds on Chapter Five, detailing findings and analysis of the regulatory frameworks and institutional arrangements defining the formal distribution of authority in the gold mining sector. It deals with applying these rules to the informal economy of ASM.

The findings from this top-end case study are of a political economy[26] of networked actors' influence mainly involving s both state and non-state actors. State actors refer to those acting on the government's behalf, including the military and the police. Non-state actors were mainly the politicians and those in the business sector who interacted with the ASM policy

[26] Political economy refers to the interrelationships among individuals, governments, and public policy.

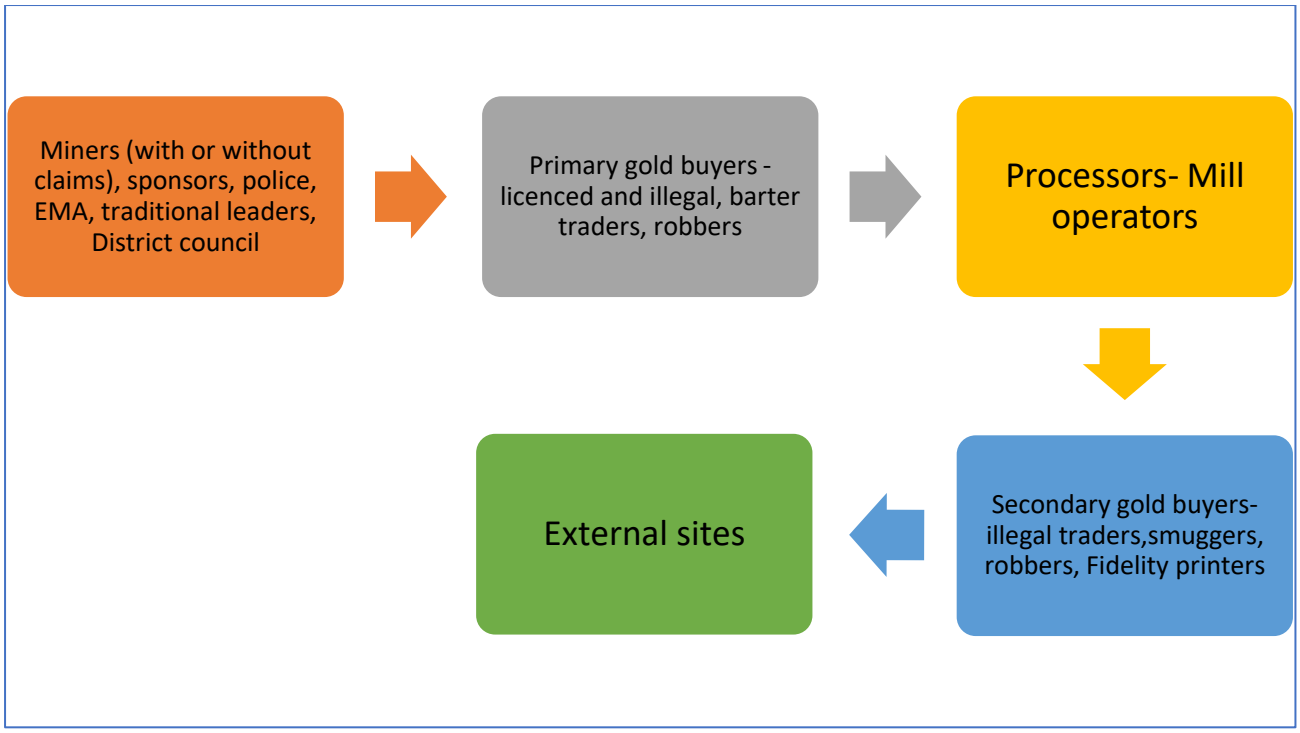
environment, from the mining field to the eventual gold trading. The findings address the research question: How did the networked actors, including the ruling elites and other powerful actors, influence informal gold mining policies from mining sites to external markets with what consequences?

As discussed extensively in Chapter Four, the situation in the country between 2005 and 2008 was characterised by a hyperinflation business environment, a volatile currency, power shortages, and brain drain as hordes of people left the country in search of better economic opportunities (Raftopoulous, 2011). This was followed by a window of relative stability in 2009, provided by Zimbabwe's regionally negotiated Global Political Agreement (GPA) and the subsequent establishment of the 'Inclusive government[27]. However, throughout the period of interest to the study, from 2005 to 2017, the country experienced high levels of informality. The World Bank (2022) explains that the limited economic development and an unfriendly business climate incentivized workers to move to the informal sector while reducing the benefits of joining the formal sector. Hence ASM continued to increase, remaining one of the few real avenues for the survival of many Zimbabweans.

Within the context of an ailing economy and an uneasy political space, Chapter Six discusses the ASM policy outcomes that resulted in the politics of controlling gold trade, and the heavy policing of ASM activities along the gold chain.

[27] This GNU arrangement brought the opposition Movement for Democratic Change (MDC) parties into government alongside the Zimbabwe African National Union (Patriotic Front) (ZANU (PF)), the liberation movement that had ruled Zimbabwe since independence

Figure 9: Value chain of ASM



Source: Author's own depiction

The figure above maps out the ASM value chain for ASM actors, from the mining field to the external sites where gold is finally sold. While most ASM worked on licensed claims, the operations started as exclusively informal/ illegal, with miners using rudimentary tools. Then along the supply chain, the gold would be sold to a formal channel Fidelity Life Printers, and informally to a parallel market, sometimes ending up in formal global markets.

Related to this informal economy in which ASM participated along the value chain, the findings point to the political nuances and complex political processes perpetuating unregulated gold mining activities. The results further demonstrate the lack of drive or, more strongly worded, a deliberate approach against policies to fully regulate gold mining as an outcome of complex strategy and contestation political processes. Full regulation would entail the state dealing with thousands of individuals flocking to an area because of gold rushes, sometimes

making it difficult to regulate the miners. However, greed intentions remain a strong reason why no efforts are being made to regulate the sector. The full regulation is akin to Hernando De Soto's theory of 'extra legality' to define formalisation as bringing existing customary practices by miners into the mainstream of a country's legal frameworks. The full regulation is akin to Hernando De Soto's theory of 'extra legality' to define formalisation as bringing existing customary practices by miners into the mainstream of a country's legal frameworks.

On the one hand, the state adopted initiatives to encourage informal activities by artisanal and small-scale gold mining at the mining sites, enabling miners to continue their work undisturbed by soliciting favours from state officials. While on the other hand, the state introduced policies of a reactive nature, such as arresting miners and increasing penalties for various violations in the gold rush areas. There were a few signs of government offices having helped local small-scale workers access licensing systems. However, this was done without an adequate environmental and legislative framework for ASM operations.

Specific policies, though necessary, were not regarded as a priority at certain stages of the value chain within the increasingly dominant political power struggle between the networked elites, often including party and military dominance of politicians, cartels, military figures, external forces, and interest groups. These actors often held different economic persuasions and were prone to involving themselves in violence, smuggling and increased informal gold mining activities. The works of Chabal and Daloz (1999) come close to explaining some of the findings discussed in this chapter when they contend that it is an illusion to believe that opposition parties or civil society advocating for better governance can even undermine the viability of neopatrimonialism in Africa.

"As African leaders adapt to restrictions imposed by structural adjustment and declining law and order, they find ways to translate social disorder into patronage resources that shore up the loyalty of their client networks". - Chabal and Daloz (1999).

6.2 Consequences of policies and legislation aimed at gold production, marketing and export

The following section discusses the complex policy environment for ASM in Zimbabwe between 2005 and 2017. The environment characterised by a close relationship between the Government and the political elite seems to have co-evolved with the policies regarding these largely ASM informal economies.

6.2.1 "Survival strategies"

A key area of policy interest in the ASM value chain was what became of the gold from the mining sites. The Mines and Minerals Act, the overarching law governing the Mining industry, anchored its other decisions on the gold trade and the Precious Stone Trade Act. Specifically, the Gold Act criminalizes gold possession by unauthorized persons, stipulating that no person shall, either as principal or agent, deal in, or possess gold unless he is the holder of a licence or permit, a tributer, or an employee. According to the Act, one could be arrested for having ore or gold without the abovementioned requirements. Then also by law, all gold producers in Zimbabwe, whether artisanal, small-scale or industrial, must by law sell to the Reserve Bank of Zimbabwe via its subsidiary gold buyer, Fidelity Printers and Refiners (FPR), a gold monopsony controlled by the Reserve Bank of Zimbabwe (RBZ). So practically, one could get nabbed by the police on the way to Fidelity. However, once one entered Fidelity's doors, they could freely trade their gold officially, even if it had been acquired illegally.

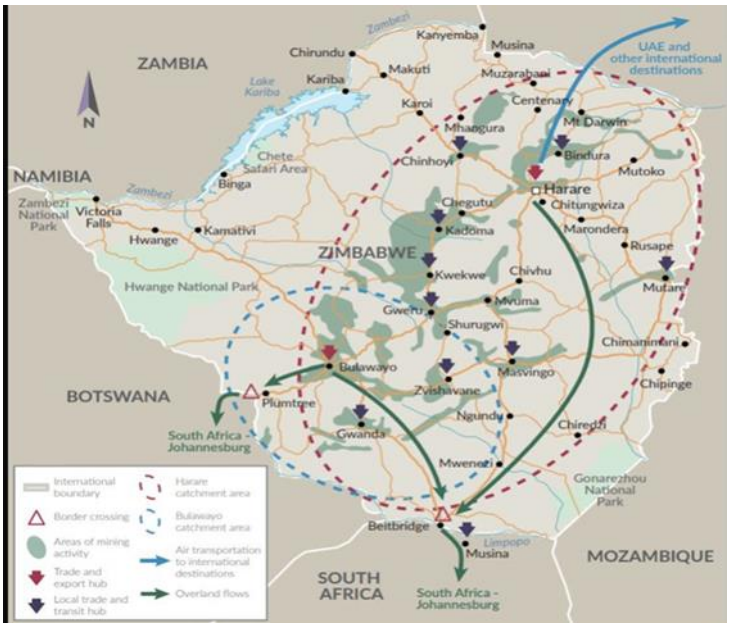
Gold from ASM extraction sites seldom made it to the formal RBZ Exchange Control Office, which is evidence of gold smuggling deals (Pact, 2013; ZELA, 2012). Several media houses also reported that a substantial amount of gold from ASM operations was being diverted from reaching the Reserve Bank by ASM actors ranging from miners, millers and gold buyers along the gold chain. The same sentiments were made by interviewees from the Ministry of Mines, custodians of the Mines and Minerals Act, and other government officials, some of whom noted that the magnitude of gold smuggling had reached massive levels.

With the Government's reliance on gold to generate foreign currency reserves, the Reserve Bank Governor in the media decried that gold smuggled out of the country since 2002 averaged 15 tonnes/year, worth over US$400 million yearly. For the Governor, this was a considerable amount for the government to *lose, particularly* in the face of Zimbabwe's post-2000 economic headwinds. Similarly, a former Permanent Secretary in one Ministry decried that illegal dealers were shipping at least US$1,5 billion worth of gold outside the country annually.

In 2014 government decriminalized ASM operations in 2014, eight years after its criminalization in 2006. While this was seen as a fundamental turning point for ASM actors in Zimbabwe towards formal ASM operations, ASM operations continued to be synonymous with anonymous gold trading through informal channels. Despite RBZ's "no questions asked" to anyone selling gold to Fidelity introduced in 2016, the trend of circumventing gold sales to Fidelity continued.

I interviewed a political analysis on this shift in policy by the government to decriminalize ASM operations. He indicated that the gold deals of unprecedented levels still happened after the decriminalization through ASM and syndicates and cartels with sophisticated shareholder arrangements and opaque ownership. Moreover, the deals often involved organized syndicates and cartels, comprising politically connected individuals that sponsored the artisanal miners while simultaneously manipulating security channels.

Map 3: Gold smuggling routes



The above map shows smuggling routes out of Zimbabwe. According to the Global Institute Against Transnational Organised Crime, most smuggled gold passes from Zimbabwe through South Africa, sometimes Mozambique and Zambia, eventually finding its way to international gold markets, mainly Dubai being the biggest buyer of illegal gold. During one visit to Dubai in 2012, I was asked where I was from while shopping. Upon informing the shop owner that I was from Zimbabwe, he immediately asked if I was selling any gold and that he could give a reasonable price.

With gold smuggling rife between 2005 and 2017, a similar smuggling pattern occurred with diamonds. In 2012, a watchdog claimed that diamonds worth at least $2 billion had been stolen by the ruling elite, international dealers, and criminals, in what the watch dog stated was “perhaps the biggest single plunder of diamonds the world has seen since Cecil Rhodes" (Partnership Africa Canada, 2012).

The magnitude of smuggling differed, from an occasional once-off event where one would have come across a nugget of gold, to unparalleled levels. Conversely, a Minister believed to be closely involved in gold smuggling was said to be running a parallel treasury. In a TV broadcast, the Former President of Zimbabwe, Mugabe, told the nation: “We have not received much from the diamond industry at all. I don’t think we have exceeded $2 billion, yet we think more than $15 billion has been earned,”. With this statement, the president implied that Zimbabwe had lost potential diamond revenue through smuggling and externalization. As a result, in 2018, the Parliamentary Portfolio could have been an overstatement by the President; there was never any disproof of the figure Global Witness report (2016). Few institutions were prepared to do complete investigations on these losses. The President Committee on Mines and Energy aborted the inquest into the diamond loss when the responsible government authorities refused to appear before the committee.

A question to be asked is why smuggling continued unabated despite the legislative arrangements. One easy explanation from most interviews was the ease with which gold could be transported once it had left the mining sites. In addition, the smugglers sometimes used very ingenious ways, including converting the gold into a paste and concealing it in body cavities like the rectum or ingesting capsules of gold paste that could be recovered by passing stool.

The fact that the miners and the dealers along the gold chain had discovered lucrative ways of disposing of there was a good enough reason why gold dealers, from the miners, right up to the highest bureaucrats preferred to deal with cartels[28] or those buying the gold at a higher price than those offered by the RBZ. Selling to Fidelity was not lucrative for many who felt government-imposed prices were inconsistent with those on the international market. The RBZ, aware that there were the buyers of last resort, introduced a system in 2014 of paying for the gold partly in United States Dollars and partially in amounts of Zimbabwe dollars determined by the official exchange rate. By doing this, the Central Bank still hoped to save foreign exchange to avoid further dwindling its scarce forex reserves. The challenge with this arrangement arose in the sense that in the open market, the Zimbabwe dollar was worth less than half its official value, creating a gap between the RBZ and the world gold price, denominated solely in U.S. dollars.

When asked why gold smuggling was prevalent, an official with Fidelity Printers indicated that besides a broken gold pricing system[29], the Reserve Bank of Zimbabwe's payment delays were crucial factors in gold smuggling. Zimbabwe's centralised gold buying scheme was said to be underpaying producers, a practice that encouraged smuggling. According to the official, payment to the ASM could take weeks, while the miners needed the money to buy consumables like explosives, fuel and detonators. This, therefore, encouraged the miners to smuggle the gold

[28] The term "Cartel" in Zimbabwe describes corrupt business practices with the conspiracy of political elites. According to the Daily Maverick (2021), the media, academia and civil society have used "cartel" to describe "crookedness by selfish individuals, social classes, or groups and institutions to fleece an already sorry population without caring too far about it".

[29] In July 2007 RBZ was buying at Z$1.2 million per gramme while the parallel-market buyers were paying Z$3 million per gramme -

to more lucrative buyers beyond Zimbabwe. A twitter post explained the possible reasons why gold smuggling was prevalent in Zimbabwe:

> *"No amount of anything than exactly what they get outside borders, will ever change that cataclysmic predicament. Find what it is they going after, bring it within borders. Trust me, you wont have to guard it ever again, its all home and trading within. Making laws tough or the red tape thicker and firmer will not give control over a people who have developed survival genes".*

The opinion expressed by this twitter post is mainly correct in that gold dealers were getting a better deal outside of the borders of Zimbabwe, hence the incentives for continuing to smuggle gold. During the early 1990s, the government policy kept gold prices for small-scale miners at favourable rates to minimize smuggling (Pact, 2015). However, the practicality of improving the payment arrangements for remitting gold to RBZ seemed almost impossible. Making the Reserve Bank a competitive gold-buying institution when the country was battling economic challenges would be a hard sell.

To reduce illicit gold market activities and as part of a 'decentralisation of gold buying' strategy in 2004, the Reserve Bank of Zimbabwe Bank issued special licenses to designated agents to buy gold from gold-rush sites. Again, in 2016, Government took a conciliatory stance with the miners when the Ministry of Mines announced plans to establish many gold-buying centres for the miners. There were also benefits for some ASM through these gold facilities made available by Fidelity Printers and Refiners under the Gold Development Initiative. These centres incorporated cyanidation tanks, stamp mills and hammer mills. The aim of the Ministry was that these gold hubs would streamline and support the legal and safe operations of artisanal

gold miners (Interview with a Former Permanent Secretary in The Ministry of Mines and Mining Development).

While most gold did not find its way to Fidelity, the incentives provided by the Government, such as "the no questions asked policy," met with limited success. Newspaper reports show that small-scale and artisanal miners boosted gold output through increased production.

Meanwhile, there were other threats arising from gold smuggling that ASM policies and legislation would have to deal with. In an interview with a high-ranking official in the Ministry of Mines, it was clear that gold leakages had become a security threat, thereby attracting criminals from beyond Zimbabwe's borders:

> *"Artisanal mining, which has become a major activity in Zimbabwe, is fuelling leakages of gold into a parallel system whose actors include those connected to the upper echelons of power attracting illicit actors to the gold sector, who exploit vulnerabilities in the system. Criminal and corrupt actors will use corruption, violence, and financial levers to profit from and control the trade."* - *Global Initiative against Transnational Organized Crime (2021).*

Several issues emerged from the above findings. First and foremost, it is clear that gold smuggling was now commonplace from the mining sight throughout the gold chain. While the authorities had information on the extent of smuggling, their response did not equate to the magnitude of gold smuggling. Another interesting finding was that most designated gold-buying agents were "runners" for senior ZANU(PF) officials. This, in effect, exposed the entanglement of politicians with the gold market. For example, a high-ranking policymaker had this to say:

"The system of gold leakages in Zimbabwe is linked to criminality within the ASM sector, which is, in turn, dominated by powerful political actors and senior officials within the security sector."

The analysis above is bolstered by perceptions of a high-ranking official during a Parliamentary Public Accounts Committee meeting on why Government was turning a blind eye to illegal gold dealings by the ASM. The official criticized the flawed centralised gold buying scheme, noting that:

"The regime turns a blind eye to the illegality in the quest for foreign currency. Artisanal miners are producing more gold than companies. They receive a greater incentive from the government. Many of the big miners are now going through them. There is so much corruption everywhere. As a Parliament, we are overwhelmed". (Cited by LSE Consulting 2019)

https://trade.ec.europa.eu/doclib/docs/2021/june/tradoc_159611.pdf

One theoretical explanation for the pervasive gold smuggling could be the structuralist school of thought by Moser (1978) and Portes (1989), viewing the informal economy as a movement driven by capitalist growth. The perspective draws attention to the role and position of informal labour in the capitalist production system, connecting the informal to the formal economy and highlighting the state's role in enabling processes of informalisation. In this case, the state was content to use artisanal miners' cheap labour to mine for gold to bolster their foreign currency reserve through the legislative arrangements contained in the Gold trade act.

6.2.2 Conflict and violence among ASM

A description of the forms of violence associated with ASM actors is useful when analysing the root causes of this violence. At first glance, the violence that occurred mainly in the mining sites seems to have been closely linked to Zimbabwe's legislative, and regulatory system, the centralized gold buying scheme described above, and an unfolding patronage-based economy.

While various forms of violence were recorded in gold rush areas, a significant act of violence came in the form of machete-wielding gangs. While driving between Harare and Gweru, I encountered ASM on the roadside several times. The miners were easily identifiable, with torches on their foreheads and some carrying machetes. These were always scary moments, as the media was awash with reports of brutal killings and robberies by these machete-wielding gangs in gold-rush areas. As Dodo et al. (2019) put it, the machete gangs were accused of random attacks in brazen demonstrations of criminality.

The gangs were often referred to by their notoriety and place of origin:

> *"The gangs, whose weapon of choice seemed to be the machete (mabhemba plural) gained notoriety in gold-rush areas along the Great Dyke and Mazoe area. The gangs have several monikers with the most common being MaBhudhi (Big brothers), MaShurugwi (gangs from Shurugwi district), Zvironde (gangs from Chironde), MaNdabambi (gangs from Ndabambi), MaMhondoro (gangs from Mhondoro), MaBhuru (Bulls), and Mbimbo (a feared and violent gang leader)".* Mwatwara et al, 2012.

At times, the media linked these gangs to criminal behaviours and political hooliganism while wreaking havoc across several localities in the country. The extremely violent nature of some gang activities and lack of police intervention led to claims in the media about who the violent gangs were and their relationship with political elites.

The presence or absence of the state's law enforcement agents, in this case, the army and the police in gold rush areas, was instrumental in colluding with gang violence. In other cases, gangs or their members were closely linked to well-known politicians. For example, in Kwekwe town, a group locally known as Al Shabaab was said to have strong connections to senior ruling party officials.

> *" A militia group, known as Al Shabaab, allegedly now led by State Security Minister Owen "Mudha" Ncube's nephew, Energy "Dhala" Ncube terrorised some ZANU (PF) members leaving many injured and others bruised at the party's InterDistrict meeting in Kwekwe over the weekend" – (Nehanda Radio, November 2021).*

According to the report, the State Security Minister, for a long time, was accused of running a terror gang, and his nephew "Dhala" later inherited the group to do the same job of terrorizing ASM. A Kwekwe resident who refused to be named said:

> *"Here in Kwekwe we are living in fear since the formation of this Alshabab group. The worst thing is that these people no matter what crime they commit including killing people, they are not arrested and if they are arrested the got released the same day. Everyone knows that this terror group is backed by Mudha (Owen Ncube)to protect mining claims for Mnangagwa."*

Another reporter based in Kwekwe also narrated how members from the same gang had demanded money from commuter bus owners claiming that their "Chefs" ordered them to do so at ZANU (PF). In the incident, a person was killed while others were severely injured. The gang was arrested but released by the police on the same day. When the journalist tried to follow the story, he was threatened and warned to stay away for his safety. In interviews with the miners and gold traders in Chegutu, other criminal gangs included groups such as *Mbimbos*, *Magombiro* and *Mabhudhi*, who were said to specialize in raiding gold ore and demanding payments from ASM using machetes and guns.

Other well-known gangs worth noting and causing the most known violence were the Mashurugwi, who hailed from the small mining town of Shurugwi. Within this grouping, the *MaBhudhi* became the most feared group of MaShurugwis. The Matabeleland North Provincial Affairs Minister once reported that the Mashurugwi were raping women and slaughtering residents' livestock while conducting illegal mining activities. The gang was described by many as untouchable and invincible and the police were scared of them as they were daring and killed and tortured their victims:

> *"Its a well-known fact that when Mabhudhi approaches you, listen to their lingo. If they say Murudo Murudo or Murudho Murudho (Ndebele Shurugwis), all they are saying is "Give us all you have mined, even if you have been down here for a month, we mean no harm, its all done with love, mine some more and handover to us, and no harm will come your way "Murudo murudo is welcome. For one is willing to spare your life. You resist, you are a goner. Simple. Every miner understands this. Although the Army's Support Unit mann the entrances and search for any weapons and confiscate them, Mabhudhis somehow roam around freely with their Machetes called Colombias.*

Purchased in Msasa Harare. They cost about USD40 each. Razor Blade sharp, that one slash decapitates one's head without effort."

The notorious gang was not confined to one place. The Centre for Resource Governance (2019) notes how with time 'MaShurugwi,' grouping(s) had occupied mining communities across the country, mainly going for now-disused gold mines. Their presence was felt in gold rush areas Mazowe, Mashava, Bindura, Bubi, Gwanda, Shurugwi, Zvishavane, and even invading Kintyre Estates in Norton, less than 50 kilometres outside Harare. Mkodzongi (2022), traces the evolution of mashurugwi as economically marginalised youths and growing into violent gang members that committed violent thefts and robberies in mining areas. He notes that violence by the Mashurugwi must be conceptualised in the challenging macro-economic context that forced many unemployed youths into mining for their livelihoods, increasing competition over scarce mineral resources.

Other less-known gangs were the Anaconda, headquartered in Amaveni, in Kwekwe town, *Mazero* from village head Gideon's area, Zviuranda – from Uranda and Mashanda rural areas, Sithekutheku operating in the Mathe community and Maketo working in Chiundura, also close to Kwekwe. The role of the gangs was to run protection syndicates, charging "protection fees" to successful miners while, in some cases, providing foot soldiers for political campaigns. There are several explanations canvased in literature, but also from interview participants as to why violence erupted in specific areas involving gangs. A rather apparent reason was that granting multiple mining titles on the same location would sometimes lead to conflict and chaos. In such an instance, the common sense would be to suspend mining operations. However, there were several stories of ensuing violence of ASM with political connections and

bribery to continue operating in disputed areas. As one miner put it, the presence of the government apparatus was often instrumental in the occurrence of gang violence. Some gang leaders used their relationships with security agents to enhance their power and influence. The gold-rush areas were said to have the characteristics of 'markets of violence', dominated by a few influential individuals replacing state actors.

One youth I interviewed narrated that he had joined ZANU (PF) in 1997, having completed his Ordinary level the previous year and was unemployed then. He had grown up an admirer of Robert Mugabe, late Mozambican President Samora Machel and General Solomon Mujuru:

> *"Anyone who wants to separate the Militia gangs I mentioned from the current crop of ZANU (PF) leaders is mistaken; they enlisted the services of these gangs when the need arose, they used them to perpetrate some of the worst crimes and protected them".*

Violence by gangs intimates the limits of state control. However, despite the chaotic nature of artisanal gold mining activities, state agents such as the police, the military, and those from the Environmental Management Agency (EMA) and the Ministry of Mines and Minerals Development (MMMD) were involved in several ways. The response to the ever-increasing illegal gold dealings was that, on several occasions government periodically instituted operations to curb the rampant activities by raiding small-scale artisanal miners.

6.2.3 Bureaucratic institutions and informal mining

Between 2005 and 2017, the political and social space within the informal economy environment, including ASM was complex. This involved the state announcing policies and legislative arrangements, ostensibly to formalize and manage the operations of small-scale gold

miners country-wide. Bureaucratic institutions through politically connected individuals were heavily involved in ASM operations.

6.2.3.1 Role of the Reserve Bank of Zimbabwe

Spiegel (2015) explains that in 2006, the Governor of the Reserve Bank of Zimbabwe, Gideon Gono became very powerful, heightening the government's focus on stalling illegal gold mining and smuggling due to hyperinflation. Spiegel (2015) discusses how the President (then Robert Mugabe) gave Governor Gono a wide range of decision-making powers over ministries across almost every sector. The meeting held in May 2009 by members of the small-scale miners' associations blamed Governor Gono for putting pressure on the Ministry of Mines to repeal Statutory Instrument 275 and how he also played a significant role in instigating *Operation Chikorokoza Chapera* (Spiegel, 2015).

According to Mawowa (2013), the Reserve Bank of Zimbabwe worked closely with the Zimbabwe Republic Police and Israeli criminal investigation experts to campaign against illegal gold miners and trading. Spiegel (2015) adds that, apart from this move, the senior members of the Reserve Bank's Gold Collection Units and senior officials from the Ministry of Mines were given new jobs, rebalancing institutional authority. However, some bureaucrats were in favour of better policies for ASM. In one instance, the Permanent Secretary, representing Government, said he was against the idea of politicians leading on dictating the policies on artisanal miners when he had this to say, "The *mandate to regulate and oversee all mining operations is placed under the Ministry of Mines and Mining Development. The Ministry works with various stakeholders, and politicians form part of our stakeholders.*"

6.2.4 Role of the army and the police

In this section I discuss the role of what I refer to as street level bureaucrats. These were the army and the police directly interacting with the gold miners and traders. The state invented politically driven restrictive legislation and militarised its governance. It also simultaneously militarized the economic spheres. The Public Order And Security Act (POSA) [Chapter 11:17 of 2002, was one such legislation that had far-reaching impacts on implementing ASM-related policies. It had been enacted in 2002 by a ZANU-PF-dominated parliament. The Act was meant to maintain public order and security in Zimbabwe, including provisions for the arrest, detention, and prosecution of persons suspected of committing offences against public order or security. Regarding the act, the police officers had powers to stop and search without a warrant and could search any person, vehicle, or person and seize anything (Part V- POSA Act). Because of its powers to the police and army, many regarded POSA as an act that also helped Robert Mugabe consolidate his power (Kubatana, 2002).

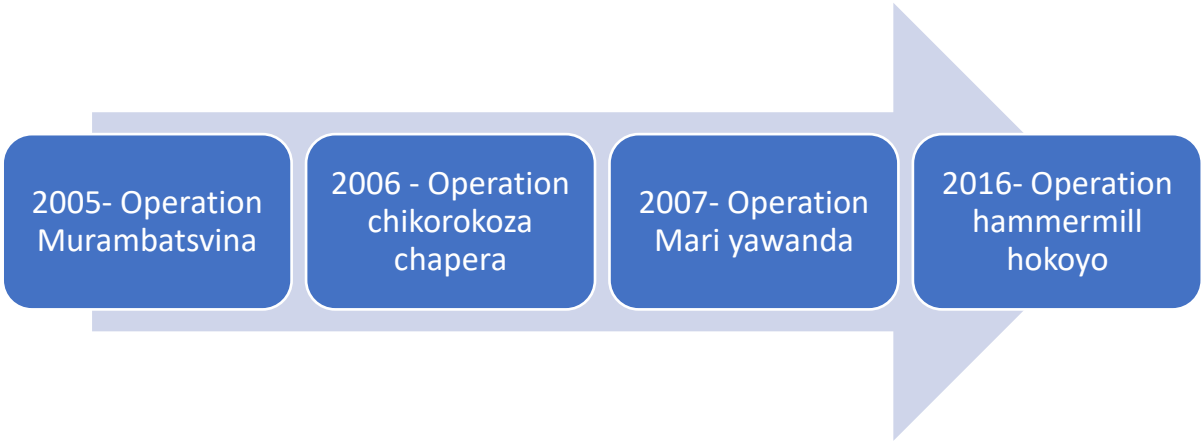
Between 2006 and 2013, small-scale miners experienced structural and physical violence, with more than 25,000 miners and traders arrested between 2006 and 2009 and more than 9,000 imprisoned in 2013. In the first clampdown Operation Mariyawanda (too much money) in 2003 by the police, military and prison services, several miners were arrested while several illegal settlements were destroyed. The nationwide crackdowns negatively affected the livelihoods of more than a million people and led to the arrest of more than 25,000 people between 2006 and 2009 (Internal Displacement Monitoring Centre 2011; Spiegel 2014).

In implementing an operation targeted at ASM, the police and security sectors applied POSA provisions. During the nationwide crackdown code-named Operation Chikorokoza Chapera in

2006, to combat illegal mining and violence, police mounted several roadblocks and arrested of over 2,500 illegal miners (Spiegel, 2009). Concern over smuggling constituted the initial trigger for the crackdowns in 2006, when the Reserve Bank of Zimbabwe, which had exceptional power in the 2006-2009 hyperinflationary period, played a key role in prompting the formation of police units to halt unlicensed gold mining and trade.

One political analyst I interviewed said that the operation was one of the most politicized crackdowns undertaken by the police.

Figure 10: State operations against ASM



During the study period, the police instituted several other crackdowns on miners, largely backed by POSA. By May 2008, the standard bribe rate for a gold panner caught in a police/army raid was US$100. 'Operation *Hakudzokwi*' ('no smuggler will return alive'), which took place in the Diamond mines of Chiadzwa in December 2008, marked the peak of Zimbabwe's brutal clampdown by the army and the police on diamond mining. The operation was described as cruel, with the ruling party "celebrating the mass murders by the army and the police as a shock therapy" (*New Zimbabwe*, 24, 11, 2008).

In yet another crackdown code-named “Operation Hammer Mill Hokoyo” in 2016, the police undertook sporadic operations to stop miners engaged in illegal gold mining. This joint operation between Mining Development, the Zimbabwe Republic Police and the Environmental Management Agency exposed illegal operations even on registered claims. Those detained were found possessing gold or ore without a prospecting license. To counter arrest, most interviewed miners said they had used pseudo-names as identification each time they were arrested.

While the main rhetoric was that the police and the army were being used for political expedience, during these operations, there was often an exchange of bribes and privileges (what is colloquially known as “*kugezana mawoko*” or “washing each other's hands”). For example, several roadblocks were set up by the police in search of ASM in possession of ore or gold even when the Reserve Bank was now accepting to buy gold from anyone on a “no questions” asked basis. In other instances, the police were known to set up posts near disused or decommissioned gold mines. They would levy payments of $5- 10 to all ASM wanting to access the mines. The same would happen with ASM working on claims that did not belong to them or where the land was set aside for agriculture. Police officers, knowing fully well that the activities were illegal, would allow mining activities in exchange for money. According to several informants, it was well known that the police officers received the authority of their superiors to go out for “raids” on AMS. Part of the proceeds would be channelled to their superiors.

Police were also used to protect the mine pits of influential political figures. The pits, commonly known as “gomba” would be guarded by big men called “Giants” who, when they

were under threat, would call the officers in charge to deploy police to deal with the threats. So, in a way, the police were there to protect the informal activities of influential and powerful political elites. The presence and purpose of state functionaries could be viewed as the extension of a complex web of relations in which the state was deeply involved.

An examination of military history puts into perspective the military's dealings during the study period. Post-independence in 1980, the defence was a significant item of national expenditure in Zimbabwe, making up one of the most significant central government expenditures. Between 1982 and 1997 its expenditure was ranging between 13 and 19 percent of the national budget with the expenditure going mainly towards regional wars (Tambudzai, 2003). Zimbabwe's complex political system bred elite military groups, including the Presidential Guard and the Special Air Services. The Zimbabwe National Army, the primary military unit within the Zimbabwe Defence Forces, including the Air Force of Zimbabwe, was transformed from a revolutionary army to a political movement. As a result, the army openly supported the ruling elite. A high-ranking official stated, "they would not recognize the presidency of anyone who did not participate in the 1970 war of independence." In another show of the army's allegiance to the ruling elite, Major-General Chedondo stated in an address to 3,000 soldiers, "As soldiers, we will never be apologetic for supporting ZANU-PF"[30] Mail and Guardian, May 2012).

The two key actors in post-independence politics were the ZANU-PF party and the military, who developed a reciprocally beneficial relationship in the realization of Robert Mugabe's 1976 speech in which he said, "*votes must go together with guns …..The gun which produces the vote must remain its security officer*" Aljaazera, 16 November 2017. Several interviews

[30] John Mazongo, "Army part of politics: Chedundo", *The Herald*, 8 May 2012. Available at: http//www.herald.co.zw/army-part-of-politics-chedondo/

confirmed political analyst Ibbo Mandaza's argument that Mugabe's government had engaged in what he termed a Patron-client relationship. This relationship allowed the military and security chiefs to access economic rents, including through artisanal gold mining, in return for their allegiance to the presidency.

The post-2000 period saw the emergence of a militant dictatorship whose dictatorial template was read and exercised in both the political and economic realms. The latter included enforcing unrealistic price controls in July 2007, known as the 'price blitz'; the arrest and harassment of business leaders, including those in the extensive mining, corporate and manufacturing sectors. In some instances, senior military officers had their motivation and interests within the mining cartels, at an individual level, without the direct involvement of their institution. The Zimbabwe military and political elites were said to have shaped the country's extractive sector, including enforcing Government policy.

6.2.5 The political instrumentalization of disorder?

The involvement of key political figures in ASM is well-canvassed in literature and media reports. Examination of the ruling party's PF's internal politics revealed how some political elites benefitted from either shutting down or promoting ASM activities. Politicians received huge incentives from the operations of ASM, as the sector provided opportunities to get rents out of gold trade and use the youths as foot soldiers to invade mines (East African, December 2019).

According to a political analyst, factionalism within the Ruling party spilt to ASM. Post-2005 primary elections for the party, the winning faction had instigated the crackdown on ASM, as

part of a succession fight for the Vice Presidency with another faction that was sympathetic to ASM. In addition, with links to RBZ Governor, the winning faction extended overtures to RBZ to 'formalize' the informal gold-buying networks under the Central Bank. The ASM and the losing ZANU (PF) faction rebuffed these overtures. In retaliation, the RBZ and the Mujuru-sympathetic Zimbabwe Republic Police (ZRP) were said to have embarked on Operation Chikorokoza Chapera in 2006, which led to the disruption of ASM activities.

Providing a plausible explanation for the internal conflicts, Hove (2019) argues that the infightings were caused by Mugabe, who pitted one faction against the other as ZANU (PF) *"cashiered its cadres to safeguard Mugabe*". With much at stake for Mugabe, the internal fights within ZANU (PF) did not stop in 2006. Instead, they continued even after the five-year Global Political Agreement (GPA) in 2012, which was implemented after a contested presidential run-off election in June 2008. Following the elections in 2013, which Raftopoulos (2013) describes as 'the end of an era', the ruling party had the upper hand over the opposition Movement for Democratic Change party. Robert Mugabe won 61% of the vote against the MDC with 34% of the vote (Coltart, 2013). Western countries, including the UK, challenged the results of the elections, which indicated that the polls had critical flaws (BBC News – Zimbabwe election: William Hague voices 'grave concerns', n.d.).

Despite winning the elections, the fissures in the ZANU-PF were evident, with the party now divided into two main factions. Within the party, as had happened in 2005, the same factions were again embroiled in a succession fight to succeed Robert Mugabe. Competition between these factions reached a crucial stage in 2014. Mugabe dismissed Mujuru as Vice-President and eliminated her key allies in ZANU (PF) and the government for allegedly trying to

overthrow Mugabe. The faction later transformed into an opposition party, the Zimbabwe People First party, but became an exiled faction of the ZANU-PF party.

Popular belief is that the rivalry between the 'Lacoste' and 'Mujuru factions goes back to the business competition between Emmerson Mnangagwa and Solomon Mujuru, husband to Joyce. The 2014 attacks on Vice-President Joyce Mujuru by First Lady Grace Mugabe were also motivated by the existing business competition. According to several informants, the 'Lacoste' faction was the largest participant in informal gold mining in the Midlands province, with one of the most powerful gold trading syndicates in the mid-2000s headed by Mnangagwa's brother-in-law.

Mujuru's ouster over allegations of factionalism and disloyalty significantly impacted artisanal gold mining. The then-first lady, Grace Mugabe, used artisanal miners to drive out Mujuru from the party, ZANU (PF). For example, giving out claims to small-scale miners in Mazoe, a traditional Mujuru stronghold, complaining that Mujuru planned on evicting Russell Goreraza – her son by her first marriage – from a small-scale gold mine in Kadoma, Tolrose Mine (The Zimbabwe Situation, 2013).

Factionalism did not end with the ouster of Mujuru. Instead, another faction popularly known as generation 40, or "G40" was working on generation change, meant to replace older party officials while promoting itself as the younger, well-educated ZANU–PF members. This faction aligned itself with the President, his family relatives and politicians from the President's ethnic group. Also included in this faction was a section of the Ndebele ethnic group opposed to the other faction led by Mnangagwa.

These events had implications for ASM as several powerful political actors of note were involved in ASM during the period of interest in the study. Artisanal mining was 'decriminalized' following the 2013 elections. However, despite the 'decriminalization' of artisanal mining, arrests continued for those found possessing gold. Furthermore, after decriminalization, security officials (the army, Airforce, Central Intelligence organization and the Police) increased their presence at major mining sites. These security officials threatened order and national security, with soldiers and police officers increasingly involved in illegal gold activities.

The Minister of Finance, Patrick Chinamasa, made several pronunciations on decriminalising ASM despite the absence of law backing his statements. On several occasions, the Minister promised to cut back on taxes regulating the mining sector in line with the ease of doing business agenda. Similarly, in 2016, the then Minister of Mines, Walter Chidhakwa, attempted to support best practices for ASM. Soon after, the Minister was fired together with other ministers that had anchored the Mugabe regime. One of the new Government's first policies after the 2013 elections was to undo the previous opposition MDC-T Minister of Finance Biti's policy of liberalizing gold trading and bringing back RBZ as the only buyer and trader of gold in Zimbabwe.

The political elite had access through the ZANU-PF government infrastructure, securing land access and mining licences, often through corruption or force. Several ZANU-PF politicians were fingered as "patrons" of illegally encroaching artisanal miners or even machete gangs, and some mobilised such groups against rivals (*The Zimbabwe Mail*, 25 February 2020). This

was facilitated through mismanagement within the relevant mining ministries, and artisanal and small workers could not legalise their mining claims. "*In Zimbabwe, mining disputes occur when multiple mining titles are granted for the same location, which has led to conflict and chaos."*

During a meeting with artisanal miners, a ruling party official once remarked:

> *"What you all need to know is that the gold you mine belongs to the state. Is that clear? You can never own the rocks [the gold ore], they are not yours. Even if you have the papers [registration certificates], you have been given those papers as an agent to work on behalf of the state, that is why, sometimes, officials come asking about the whereabouts of the gold you have dug out. Still, on this issue, you can't dig out the gold that belongs to the state and fail to support the political party that runs that state, that is ZANU (PF) [….]. Let's agree ladies and gentlemen, that we have ZANU (PF) members and supporters here, if you are not, then pack your bags and go"*

Dexter Nduna, a Parliament for Chegutu West constituent member during a parliamentary caucus, called upon the government to repeal the gold trading act, citing that Section 3 of the Act criminalized the possession of gold and imposed stiff penalties for possession (Herald, 11 April 2016). He also advocated for Government to repeal Section 365-368 of the Mines and Minerals Act for criminalizing prospecting by artisanal miners. Described as a man on a mission to regain ZANU (PF) power through supporting artisanal miners following the GNU, Nduna claimed that artisanal miners and illegal gold panners were depositing over 100kgs a month to Fidelity Printers. This point was disputed by the then Secretary for the Ministry of Mines, Francis Gudyana (Herald, 15 July 2015). This was also disputed by the Principal Director in the same Ministry, citing that such deliveries were only possible for large-scale

miners with the right kind of equipment. He said there was an unsigned truce between the government and artisanal miners for them to mine wherever they wanted as long as they took their gold to Fidelity.

> "*The whole of the 8th Parliament I fought for the rights of the artisanal miners and government responded, in particular His Excellency, when he was leader of government business when he was Minister of Justice; he responded by making sure that the small-scale miners and artisanal miners were allowed to sell their gold to Fidelity. No questions were asked because the issue was that a lot of gold was being leaked and there were illicit outflows*," Nduna said.

The response by the state and arms of the state in the Marange diamond field story is similar to how the ruling party-state responded to proscribe what it termed illegal gold panning in the Chegutu district and, indeed, other parts of Zimbabwe. State reaction reveals the complexity of the networks and threads of power, portraying how politics slowly crept into these institutions that controlled mining in Zimbabwe. This resulted in artisanal mining being politicized as these top officials realised how this sector would benefit more for their gain.

6.2.6 Non-state actors

Non-governmental organizations and pressure groups were more attuned to advocating for formalisation rationales to deal with the environmental impacts of small-scale gold mining. For example, an official in a leading NGO was quoted as saying:

> *"We need artisanal miners who can mine responsibly and can be regulated. They are important for the economy…. Government wants their gold but is not interested in regulating their operations-This is an absurdity. So we need artisanal miners to be*

given permits and required to adopt environmental programmes as is happening with small scale miners who now have to adopt environmental management plans with the assistance of the Environmental Management Agency."

To move towards the complete formalisation of artisanal mining, the official suggested that artisanal miners be managed through an arrangement with the tributary owners leasing to the artisanal miners. The artisanal miners would then pay the claim owners a fee for environmental rehabilitation programs. In the proposed approach, the miner may only be allowed to mine at the designated area for which the artisanal mining license is granted; each license should be for a specific individual miner or group and should contain information about the mining area. The requirements of the artisanal mining license may ensure that the miners operate sustainably while paying attention to safety, health, and environmental standards, reduce conflicts between farmers and miners, between miners themselves and promote sustainable mining practices.

As part of the recommendations for formalizing artisanal mining activities, decentralization was necessary. It was done by empowering the rural district councils and formulating governing laws promoting councils to raise their development funds. According to ZELA, such kind of devolution would promote the equitable distribution of natural resources. The district authorities had been stripped off their decentralized governance arrangements in the early 2000s towards what Hilson considers to be a reconfiguration of state power in Zimbabwe. Linking the decentralization to economic instability, ‘‘formalisation’’ policies can become important in new ways, used by political elites to consolidate power rather than to distribute ‘‘development’’ opportunities in rural districts.

One case in point is Operation *Chikorokoza Chapera* which underlined the inadequacy of command-and-control mechanisms as a sole response to the proliferation of illegal ASM activities. A newspaper article claimed that:

> *"Police had restored order in mining areas after taking on the machete gangs head-on, arresting large numbers of people and thwarting a wave of violence that threatened to disturb gold mining and consequently deliveries to Fidelity Printers and Refiners"- (All Africa.com, 2015)*

The crackdowns were part of evolving political developments, with significant roles played by leading figures in government. Actions taken by various ministries created a vicious circle. Informal miners were blamed for economic and environmental problems—yet coercive control tactics without any measures to facilitate compliance exacerbated many of these economic and environmental problems, legitimizing further coercive control tactics.

6.2.7 Other foreign players

The Chinese were said to be prominent and influential actors in Zimbabwe's gold sector. Despite the disinvestment in the mining sector before 2000, foreign investment increased after 2000, with new market players including the Chinese. The presence and influence of Chinese nationals in the Zimbabwe gold sector also significantly grew since the turn of the century, a situation made possible by strained relations between Zimbabwe and the West, which ended in some trade restrictions.

The relationship between China and ZANU (PF) dates to the war of independence. Evidence from key informants points to Chinese nationals forming partnerships with Zimbabwe African National Union-Patriotic Front (ZANU (PF)) elites, senior military and the Zimbabwe

Republic Police officers. The proximity of the Chinese to the ruling party seems to have shaped their way of operating at the local levels. According to the Herald newspaper, China had poured millions of dollars into the country to support artisanal miners and small mining businesses. American Enterprise Institute, which similarly tracks Chinese funds, reported that China invested $9.56 billion in Zimbabwe between 2005 and 2017.

> *"The Chinese will say, 'We'll create a fund, or we have a fund where you can draw up to X amount,' and this will be reported by the host government as, 'We just got X,' but that's not exactly what happened,"*- Derek Scissors

The Chinese nationals were involved in artisanal mining activities in several ways. Artisanal miners relied on the Chinese to supply equipment and process their gold ore in most mining districts and towns of Bubi, Kwekwe, Shamva, Shurugwi, and Kadoma. It was common practice for Chinese nationals to set up shops selling mercury from China and, in some instances, to provide artisanal miners with more efficient gold processing facilities.

Besides a long history of unfair labour practices, human rights abuse and disregard for environmental laws and regulations (ZELA, 2019), interviews with key informants exposed that the relationship between the Chinese and artisanal miners was characterised by conflicts, with the disputes arising mainly from the mining rights in several localities. A scan of newspaper articles revealed regular occurrences resulting in fatalities.

A study by the Global Initiative Against Transitional Organised Crime (2021) reported how Chinese enterprises were engaged in deals with elites in Zimbabwe. According to the report,

the Chinese nationals were forming partnerships with the elite in ZANU (PF) and senior law enforcement agents to smuggle gold out of the country. The Chinese had become daring and told compliance officers, "they are small boys".

> *"However, in practice, it facilitates high-level corruption, with large amounts of money paid to political elites by foreigners, often in profit-sharing arrangements. For example, in Zimbabwe bans on riverbed mining and mining in protected areas have been lifted, allowing senior politicians and military chiefs to parcel out lucrative riverbed mining permits to foreign investors in exchange for hefty payments,"- Global Initiative Against Transitional Organised Crime, 2021).*

6.3 Analysis of the factors defining the resultant policies

Chapter Six has argued that competing political and economic interests dominated Zimbabwe's artisanal gold mining sector. National policies changed between 2005 and 2017, with their implementation tending to be haphazard and inconsistent. As a result, the consequences of not fully implementing the laws resulted in a proliferation of illegal activities at different levels in the gold chain. The policy stance often taken was mixed. For instance, there was the emerging irony in criminalising ASM, which on the one hand, advocated for the persecution of makorokozas by the police. On the other, whilst on the other hand, there were consistent attempts by the Reserve Bank of Zimbabwe (RBZ) to buy gold from them on a 'no questions asked basis'.

The changing landscape of institutions is essential. Firstly, the political elites became increasingly involved in informal gold mining and exploited artisanal miners. This move

indicated that the ruling elite was restructuring their modus operandi through informal gold mining as a means of accumulation.

In implementing the Mines and Minerals Act as well as other key regulations, implementation was sometimes punitive and restrictive. This was in situations where the police and the army carried out blitz against the miners. Policy inconsistency was rooted in evolving political and economic interests during the time. This was most discernable in how the police and army settled conflicts between artisanal mining gangs. In some instances, the same institutions lost the power to informal artisanal mining establishments with links to political power.

In addition, several respondents noted that the lack of formalisation of artisanal gold mining reflected a captured policy process. Such a process allowed only a few to benefit from ASM activities, mainly the trading of gold, as several players had no licences or claims to do so in a legal fashion. It seemed that the state was mainly in favour of only regulating the marketing of the gold, not production. While the security sector half-heartedly enforced laws, there seemed to be no genuine interest in promulgating regulations on safe and environmentally friendly methods of artisanal gold mining. Also, for those employed as workers for the elite, there were limited efforts to regulate this into a decent work space. While the state toyed with licensing of ASM, it only went as far as registering claims.

The highly politicised and securitised nature of Zimbabwe's informality highlighted a patronage system. This system was based on predatory relationships with implications on policy development for ASM. It is impossible to downplay politics' role, particularly in controlling land and mineral resources, without the political will to formalise and implement

appropriate governance frameworks. The control of these resources became a source of political capital for ZANU(PF) and the military and security sectors. It is, therefore, no wonder that Zimbabwe's mining policies were partisan and economic, seemingly made for political and economic expediency rather than the growth and development of a sustainable mining industry (Transparency International Zimbabwe, 2012). The findings pointed to how several political settlements accommodated the interests of the elites. Moreover, the elites' consensual relationships tended to side-line the less vocal and impoverished informal gold miners.

Associations and organizations which did not appear at first sight to be political, in actual effect, exercised political power as policy-making institutions. These included the Reserve Bank of Zimbabwe. Like elsewhere in the continent, with deals characterised by corruption and plunder, especially in the diamond and gold sectors.

This type of state capture implied that the state had lost its social autonomy and could not function in such a way as to serve broad social interests or make decisions that might achieve long-term developmental goals (Southall, as cited in EISA, 2018). Moreover, it became a severe form of corruption which involved the appropriation of state institutions, organs, and functions by individuals or groups (Mbaku, 2018). As a result, the influence of well-placed individuals demonstrated the porosity of the state as a policy-making institution. Another area addressed in the Chapter is the increasingly popular theme of Chinese African elite networks. State actors with access to foreign currency, global networks and coercion played crucial roles beyond mere 'rent-seeking' (Moore and Mawowa, 2013).

This Chapter has outlined how violence became a defining mechanism for building political order and stability through police brutality and rampant gang violence, notwithstanding the human rights guarantees provided for in the Constitution. The reliance on coercion and the use of the state to selectively apply laws became central. Violence was, therefore, not simply a reflection of the prevailing political crisis but was a major characteristic of the existing political order where informal institutions continued to reign over formal ones. Using law enforcement, state security and military apparatus at different times, the state increasingly assumed a secure hold over the area to protect the country's natural resources from exploitation.

6.3 Conclusion

The findings in Chapter Six point to several factors directly impacting resultant policies, as discussed in the previous chapters. The chapter dwells on the survival strategies in that the actors along the gold chain involved themselves, with all actors ultimately focused on the gold. The other pertinent issues that resulted from the existing policies or became new policies were also discussed, concerning institutionalised violence and the political instrumentalization of disorder. The findings in Chapter Six point to several factors directly impacting resultant policies, as discussed in the previous chapters.

One particular driving force for policy development of ASM was the dwindling economic context which led to a ballooning informal sector referred to as ‘kukiya-kiya.’ The specification of the economic crisis is outlined in more detail in Chapter Four.

In his narration of the new logic of action post 2000 Jones refers to the “make do” or “getting by” to survive actions which he refers to as ‘kukiya-kiya.’ According to Jones, getting by

meant one had not use "cleverness, dodging, and the exploitation" of any resources at hand to survive. The definition of Kukiya kiya went as far as equating it to an informal economy. Thus, ASM, a part of the informal economy, also became a form of kukiya kiya. The survival strategies from illegal gold dealings seemed the natural thing to do for everyone - urban youth to civil servants to wage labourers, and even former farmworkers and the rural poor. The same logic could be applied to the country's centres of power. The same bureaucratic institutions through high-ranking officials that were supposed to lay the ground for 'straight' progress also ended up operating in kukiya kiya mode through organized syndicates that smuggled gold out of the country.

Jones's analysis of kukiya kiya neatly fits into ASM operations. The sector was characterised by trickery and avoidance of rules that even some institutions had created independently. These actions were also justified as 'necessary', necessary for business survival, and essential to defend the country's sovereignty. While this was largely the status quo, some individuals and institutions tried to do the "right thing". Through the Parliamentary portfolio committee on mining, despite facing odds, some individual MPs tried to investigate zig-zag deals in gold trading, though without much success. Despite the President voicing that the country had lost billions of dollars through smuggling, this was not acted upon. Networked actors comprised business and political elites who were part of this informal economy, often sponsoring highly informal mining activities.

With kukiya-kiya being the order of the day, it would be difficult to bring back the rules. The police and the army carrying out the operations to thwart illegal or informal operations always

left room for kukiya-kiya. This could only change when the structures that produce the phenomena changed.

The study emphasizes how official ‘‘formalisation’’ rationales for mining policy shifts obscured any underlying political and economic drivers. The police and the army used the existing regulations, particularly taxation and legal mineral trade, in formal channels. The findings also point to a political elite that relied on cheap and flexible labour provided by ASM to respond to the global gold production system to deal with rising gold mining cost pressures.

In other instances, vague conditions, ‘‘formalisation’’ policies were new ways, used by political elites to consolidate power rather than to distribute ‘‘development’’ opportunities for the artisanal and small-scale miners. A major policy shift had been the recentralization of power for ASM operations, from the district authorities to central government ‘‘monopolizing’’ the policy process. A centralized gold-buying scheme that the Reserve bank of Zimbabwe instituted only served to depress government gold revenues while encouraging smuggling. At the time, it seemed plausible that the government was concerned with gold smuggling and had thus instituted crackdowns on miners. Additionally, Government discourses rationalized this campaign to improve the environmental management of ASM operations.

Violence was integral to policy development. The government implemented heavy-handed crackdowns targeting ASM several times in ten years. When the police took over several mining sites across the country, they destabilized mining operations and livelihoods. In addition, they formed syndicates with the miners they had evicted while collecting rents and access fees. The intervention by the police and sometimes the army, ostensibly to quell violence

among the players, only added a layer of complexity to the class conflict between the miners and the elite.

However, the findings demonstrate that the crackdowns on ASM were, after all, part of evolving political developments, with significant roles played by political elites and leading bureaucrats. It became clear that state-sponsored violence police and sometimes the army became almost the state's fallback position in the face of growing political opposition (Mandaza, 2009).

Patronage politics, mainly practised by political elites, were commonplace, with several politicians fingered as "patrons" of illegally encroaching artisanal miners into other people's claims and in disused mines. The political elites created the notorious machete-wielding artisanal miners, particularly in the Midlands region. These gangs wreaked havoc among the ASM, killing and harassing them. The creation of legislation that empowered the ruling elite was not in question. For instance, the powers of the President and Minister of Mines would be increased in the proposed amendment of the Mines and Minerals Bill. Government policies, including price controls and fixing foreign exchange and gold prices, were often populist, ill-tempered and lacked economic realism. There were multiple centres of power between institutions of Government. So, for instance, there was the Ministry of Mines, in charge of implementing the Mines and Minerals Act, which had been promulgated in 1961. Then there was the Ministry of Indigenization responsible for the Indigenization Act which prescribed that all companies above a set threshold, initially US$500 000.00, should relinquish 51% of the shareholding in their business within a stipulated period to indigenous Zimbabweans.

While on the face of it, there was congruency between the laws, sometimes policy pronouncements that came in the form of statutory instruments often gave a lack of consistency in applying statutes at the local level. This also meant that businesses, miners, and gold traders had to engage different networks of power and coercion to remain in the game.

CHAPTER SEVEN: INFORMAL GOLD MINING: THE CASE OF CHEGUTU

"Poverty, the absence of formal employment or income sources, the lack of political participation and the existence of mineral deposits and the strong social capital networks related to the ASM sector combine to make this activity a highly attractive option among the urban and rural poor"- Bannock Consulting Ltd.

7.1 Introduction

Chapter Seven is centred on a case study of ASM actors in Zimbabwe's Chegutu district, Mashonaland Province, where artisanal mining operations began in 2012. In this chapter, I interrogate the activities of ASM actors (miners, dealers, bureaucrats, and private actors) through the case study providing on-the-ground insight into the perpetuity of ASM activities and the actors' operations from the mining field (known as *kumunda*) to the gold traders.

It is helpful to recap questions to be answered by the study and addressed in this chapter.. The first deals with how networked actors, including the state, ruling elites and other powerful actors, influenced outcomes or affected informal gold mining policies along the value chain – from mining sites to external markets. The question seeks answers on complex state-society interactions, display and distribution of power amongst policy actors, and the resultant policies on artisanal gold mining. Secondly, the chapter analyses evidence from the case study to determine the influences of informal gold mining ASM in propping state rule while strengthening local state-building institutions and politicians. Third, Chapter Seven examines the implications of policy choices for human security, particularly on conflict and violence regarding informal gold mining development.

While the thesis focused on Chegutu as a case study, several mining sites were mushrooming during the study period. ASM gold mining sites were mainly concentrated in the greenstone belt, associated with sedimentary rocks, gold and granite, usually connected with economically important metals such as chromium, nickel, copper, platinum, titanium, iron, vanadium, and tin (PACT, 2016). Chegutu lies in this gold-rich belt. However, away from the greenstone, ASM were also discovering gold, resulting in the rushes in other areas that had not been traditional gold mining. As a result, by 2014, many actors consisted of miners, large-scale operators, informal gold buyers, traders, service providers and politically connected individuals (PACT, 2017). According to a Finscope study, by 2013, 25,000 out of the 500,000 ASM had registered claims.

The case study findings from Chegutu reveal several issues that I discuss in this chapter. Firstly, owing to the proliferation of miners at gold mining sites, this was clear evidence that there was a benefit for those involved. The prospect of immediate cash payment in United States dollars could not be discounted was a key reason why most people resorted to ASM gold when they did, luring thousands of families into the business of artisanal and small-scale gold mining. Even the government was in a dependency mode on foreign currency earnings.

While demonstrating the intersection of ASM operations with the overarching legislative provisions and policies discussed in Chapter Five, the case underscores feeble attempts by state institutions towards implementing the legal and policy provisions as part of regulating the ASM gold mining activities. These ASM actors, who were primarily unregulated by the institutions of society in both the legal and social environment, were driven into informality for several reasons.

The findings from the case study examine the incentives and attraction of ASM involvement in informal economic activities. A key theme from the case study is violence against the ASM, ranging from state-sponsored violence and arbitrary arrests for mining gold actors to attacks by gangs and criminals to ASM, some of whom depended on gold mining or trading for their livelihood. Although armed with the legislative provisions under the gold trade act prohibiting the dealing in or possessing gold unless, with a licence or permit, the regular police and army raids did not yield much success. While several arrests were made, the offenders were released before they could be prosecuted.

Between 2005 and 2017, it was ubiquitous to encounter headlines on police arrests for mining actors referred to as "illegal."[31] Often through long-drawn police and military raids, which began in November 2006, the police made several arrests nationwide. Through *Operation Chikorokoza Chapera*[32] (No to Illegal Mining), one of the most extensive raids, police rounded suspected illegal miners and gold traders, forcing many to move from their homes to safer places. These raids under the guise of Operation Chikorokoza became a common theme in policing ASM, and a key feature of policy-making, long after the operation was complete.

Mawowa (2013) and Spiegel (2009), among others, quote that the move to revoke Statutory instrument 275 (1991, Regulations on Alluvial Gold Panning in Public Streams**)** had been one of the main reasons that led to the onslaught on the miners. The Statutory instrument had been created as a framework that allowed rural district councils (RDCs) to issue licenses to riverbed

[31] ASM blurs the boundary between informal and registered small-scale miners. Policy and legal frameworks in Zimbabwe do not provide a specific definition of ASM, and policy practice suggests a rather loose interpretation.

[32] Twenty-six thousand people were arrested in the months following, and in May 2007 ten people died in police raids – Herald newspaper (2006)

gold panners independently of the Ministry of Mines. This way, the SI gave the Rural District Councils powers to make decisions and take ownership of local affairs where ASM was concerned (Zela, 2021).

In 2006, The New York Times picked up the story of the arrests and published the following:

> *The police have arrested 16,290 people, mostly gold panners, in a three-week operation against illegal miners, the official newspaper, The Herald, said. The police recovered seven pounds of gold, 1,188 pounds of gold ore and 4,876 pieces of diamonds. The collapse of commercial agriculture, once the largest employer, has pushed thousands of people into illegal mining with the minerals being sold to black market middlemen and smuggled to countries where prices are higher".*

While later in 2016, the Herald, a local newspaper, also reported arrests of the miners:

> *"Chinhoyi — One hundred and thirty-three illegal gold miners have been arrested in an ongoing police clampdown on illegal mining in Mashonaland West. The illegal miners were arrested at Chikuti Gold Claims along the boundary of Chinhoyi and Karoi on Tuesday afternoon. The area is notorious for illegal prospecting and mining of gold. They paid admission of guilt fines of $250 000 for contravening the Mines and Minerals Act and were discharged. However, observers have noted that the fines are a pittance and not deterrent enough when compared to the damage the activity is causing to the environment and prejudice to the country's economy as much of the gold is externalized". [The Herald, 2016),*

This did not deter their operations in an operating environment where ASM were under constant attack from the authorities. The two newspaper quotes provide valuable insights into artisanal miners' operating policy environments during the period of interest for the study. The two quotes from different newspapers were published at different times when miners were subject to different policy environments. The raids on ASM in 2006 were on the heels of Operation Murambatsvina, launched in 2005, targeting illegal structures nationwide. Several urban dwellers had been displaced during the operation, with some dependent on informal trading in towns resorting to mining activities. In addition, Government had revoked statutory instrument 275 of 1991, which backed the arrests. In the quote from the second newspaper article, the policy environment had shifted as Government lifted the ban on artisanal gold mining in 2012. However, the police still arrested artisanal gold mining actors.

Distinguishing what is legal on policies targeted towards ASM operations is often not pure as supposed. From a bureaucratic standpoint, the Ministry of Mines used the following approach: registered miners were those with small, registered claims and gold processing mills with the Ministry of Mines at regional centres, which were owned by individuals, families or by companies, while informal, unregistered, or illegal producers were those known locally as "makorokoza" meaning panners.

7.2 **Artisanal gold mining in Chegutu**

Mining in Chegutu dates to colonial times when the early European travellers and mineral prospectors to Southern Rhodesia occupied Hartley Hills goldfields in 1890 as part of the gold rush by members of the Pioneer Column. Significantly, the Rudd Concession's signing in 1888 happened in Chegutu (then Hartley). This concession, granted by Lobengula, gave inclusive

mining rights to Charles Rudd, James Rochford Maguire and Francis Thomson on behalf of Cecil John Rhodes. In addition, the concession gave sole mining rights throughout Lobengula's country and the power to defend the exclusivity by force in return for weapons and a regular monetary stipend. The Hartley Hills goldfields were one of the four well-known goldfields at the time of colonisation of the country where informal artisanal scale-scale mining of alluvial gold by indigenous miners occurred in the Chegutu-Chakari and Gadzema areas before 1890.

Due to large-scale mining activities, several towns developed in Mashonaland West Province, including Chakari, Chegutu, Eiffel Flats Kadoma and Banket (Mawowa, 2013). In these areas, ASM developed in three forms: formal/registered small-scale mines/small works; Panning (Chikorokoza) on gold-bearing sites (known as auriferous reefs), abandoned mines, old workings and dumps; and panning along riverbeds. The formal small-scale mines ordinarily do not exceed 20 000 square metres and are registered following the Mines and Minerals Act *[Chapter 21:05]* of 2021. By 2016, in the province, there were 41 000 registered mining claims, made up of 29 000 gold claims (Ministry of Mines, 2017).

Table 5: Gold production in Mashonaland district

Year	**2011 (kg)**	**2012**	**2013**	**2014**	**2015**
Provincial total	257, 2622	337,62925	363.34840	567,33969	1146,2795

Before Zimbabwe's independence from colonial rule in 1980, Chegutu town had been synonymous with the country's economic growth. Since its establishment, the district and its adjoining areas were significant for possessing a thriving mining industry and large-scale commercial agricultural activities, including crops, livestock ranching and fruit farming. While

also traditionally an agricultural hub, the area had the highest concentration, among others, of gold and platinum mines in the country.

After independence, Chegutu boasted of several gold mining ventures. These included Rio Tinto's Cam and Motor, Dalny, Evington and Jena mines. Before going into care and maintenance, RioZim, previously Rio Tinto's Cam and Motor Mine, was once the largest gold-producing mine in Zimbabwe (Mawowa, 2013). Upon the closure of old mines, some claims were issued to former workers at the mine (Mawowa, 2013). Again, following the land reform program, which began in earnest in 2000, several senior government officials and politicians took over farms surrounding Chegutu. Those taken over included Chigwell Estate, also known as Big Orange (which had employed up to 1400 people), Stockdale Estate and Hippovalle Farm (Mawowa, 2013).

Mawowa's account of the gold rush in Chegutu post-2005 in Chegutu is intriguing and comes closest to explaining how the rush happened. In his account, he cites the state-owned *Herald* newspaper, which reported that gold was discovered by accident when the workers of a fuel company, Exor, while digging a foundation at a construction site found gold. According to Mawowa (2013):

> "*It is clear that whoever was responsible continued to give the impression to Chegutu council and the public that construction work was ongoing. Some within Chegutu town council professed to have wondered about the slow progress and reduced activity at the site. It was only in the beginning of 2010 that the clandestine operation leaked out to the public and triggered a gold rush"*.

The shift from large-scale mining to artisanal gold mining in the district was evident even before this case study in 2016. Miners with lit helmets became common when driving on the Harare – Bulawayo highway, particularly at night. Their rifeness in the Chegutu district became even more real during the field visit upon encountering the ASM actors in their thousands at several sites.

The preceding chapters dealt with some key push factors leading to the omnipresence of ASM. These included Operation Murambatsvina, which had displaced several urban dwellers from informal economic activities who turned to mining. The land reform in early 2000, which banished farmworkers upon takeover of commercial farms for redistribution, was another critical factor for the increase in ASM. It was such that it was not only, as expected, poor people, including youthful populations trying to make a livelihood. Following the Land reform program in Zimbabwe in the early 2000 and events including Murambatsvina, increasing numbers of people resorted to artisanal gold mining.

7.2.1 The research sites

Chegutu lies on the A5 highway between Harare and Bulawayo. It is also on the railway line between the two cities. Secondary roads link it to Chinhoyi, Chakari and the Mhondoro communal lands. (Chegutu, n.d.). Gadzema and Elvington mines, chosen as the research sites, were located on the outskirts of Chegutu town. Access to the two research sites was via the highway to Chinhoyi, a town in central northern Zimbabwe in the Makonde District. The road to the two mines is about two kilometres from the central business district of Chegutu urban. In earlier years, the town had been a hive of activity, with farmers and traders frequenting the town for business, including cotton and oranges grown at Big orange Farm. Even David

whitehead The main street had been converted into a marketplace, with vendors selling a variety of foodstuff and drinks to passengers travelling in small buses and hitch-hiking. The most significant number of vendors could be found near the first fuel service station as one enters the town from Harare on the main highway.

Named after a nearby Ganidzima hill, meaning “a shining place, Gadzema is a village in the province of Mashonaland West, in Zimbabwe. Approximately 30 km from Kwekwe town, often referred to as the Chikorokoza capital of Zimbabwe, these two sites are located within the greenstone belts of Zimbabwe where most gold mining occurs in Zimbabwe and border numerous old, colonial-era small-scale mining operations. Gadzema mine was situated in an enclosed area, with its entrance secured by a boom gate, giving the impression that the site was private property. Security personnel guarded the access to the mine, collecting visitors' personal information. While this is the standard for similar concerns, the security personnel came across as generally suspicious of the objective for my first visit. Meanwhile, the second site, Elvington, which had been decommissioned and belonged to the Government, “was not accessible”. One could only get as far as the entrance, and therefore, all interviews and focus group discussions occurred a short distance from the mine’s entrance.

A defining feature of both sites was massive deforestation by miners constantly clearing the land to make way for new open pits and mine shafts. The landscape was almost bare, with only a few trees. The miners at the cooperative said they were aware of the environmental destruction caused y chopping down trees. However, for any successful venture, the trees had to be chopped down to make way for the mining pits. Each mining hole was distinct, with

most having black plastic sheeting above to provide cover from weather effects. Near the holes, heaps of sand had been dug out of the several open pits.

About five hundred metres from the main mining site was a hive of activity, which I later learned was the business centre, commonly called p*amusika*. Grocery stores and hardware outlets lined the business centre, and sold everything literally, from soap to soya chunks, bread, helmets, shovel and dishes for panning gold. Away from the pits, temporary housing structures constructed out of plastic sheeting and poles were observed from the dirt road leading into the Gadzema mine. Several young men could be seen at these dwelling places, either smoking or playing a game of draft.

According to respondents, Gadzema mine belonged to several companies, with Breckridge Investment as the operator. Since 2006, the government had awarded hundreds of women some gold mining claims as part of a mining empowerment program in the Gadzema area. At the time of the research, the investor had granted a tribute arrangement to an artisanal mining cooperative. Before this arrangement, the Gadzema mine belonging to ARC was already struggling (Mawowa, 2013). The miners I interviewed said they had worked at Gadzema since 2012 when they had formed Danangwe District Youth and Mining Cooperative. It was unclear whether the miners had started their operations as part of the uncontrolled panning of gold that came with gold rushes or whether theirs was through the cooperative. According to the miners' account, the cooperative was formed a year before the 2013 general elections. Without providing further information, the respondents said that a local politician was the patron of the mine.

7.2.2 The actors

At the mining sites, miners made the bulk of the mining actors. However, other actors involved in gold operations included millers and gold buyers, often acting as sponsors. While from observations, I could tell who the miners were; it was more difficult to single out the other actors, particularly the gold buyers. Clearly, these kept away from strangers out of fear that they were law enforcement agents on the lookout for those illegally dealing in gold.

There is a general belief that a typical artisanal gold miner in Zimbabwe is single, always on the move, in his early 20s, has no education and is careless with his money. Before embarking on the field visits to the Chegutu area, this had been my view too, and first impressions during the first field visit confirmed this commonly held view. Then, I met hordes of young men, most of them in threadbare clothes, along the roadside leading to Gadzema and Elvington mines. Women were also visible, however, mainly at the business centre and the milling sites. Only later, when I went to the second site, Elvington, did I see several groups of women.

Almost all the miners I met at the Gadzema cooperative were young men, thus confirming the general belief on the sex and average age of miners. Through the SQUIN[33] method, one respondent[34] had this to say about the profile of an artisanal miner:

> "*A mukorokoza is a person who has left the city to pursue gold mining. While most people think a mukorokoza is uneducated and violent, this is not always the case. These informal miners have developed their techniques and tactics to do things. Many makorokoza have adopted a lifestyle of not having a home, going to the mine, getting*

[33] Single Question aimed at Inducing Narrative
[34] Respondent is a 22-year-old male engaged in artisanal gold mining.

gold, selling the gold, spending the gold and going back to the mine. They have become skilled in prospecting and identifying where gold exists. However, they do not have the skills to mine efficiently and sustainably. They do not regard safety as an essential aspect of their activities and use dynamite, cyanide, or mercury without proper care of how they use them. Some become territorial without owning the land. This is survival. If they were to be trained, they would make excellent miners". (Interview with participant 1).

From observations, men outnumbered their women counterparts. However, there were always several visible women, particularly at Elvington mine, who even included young breastfeeding mothers. Their roles were broad, from excavating the ore to its processing as well as buying and selling gold. My first encounter with a large group of women was at the kwa Brian mill. Several women were scraping and carrying away debris, a task known as "*kusketa marabhuru*" (fossicking through rubbles), or mixing ground ore with liquid mercury to recover gold amalgam. Many others were at the business centre where they sold a variety of merchandise including food, second-hand clothing and other items that could be of use in the mines.

The main incentive or push factor for the miners was that gold mining offered economic opportunities for them, which were not available either in Chegutu town or in the towns and cities of their origin. Mawowa (2013) notes that some 80 percent of artisanal and small miners considered in his research on the Chegutu and Mhondoro area claimed to be domiciled in Chegutu town though conducting operations in the rural periphery. While at Elvington, the miners were either from the ward or other cities and towns. With the ease of communication through the widespread availability of cell phones, several miners discovered the opportunities provided by the Elvington mine and other lucrative claims in surrounding areas.

Communication through only cellphones increased the speed and intensity with which information spread, attracting farmworkers, teachers and university students among the miners encountered at the Elvington mine.

Most of the miners interviewed mentioned that they did not see themselves moving away from ASM, as there were no other economic prospects. The mining actors survived through rudimentary extraction, either illegally or legally, as employees or subcontractors for claim owners and elite actors, including claim and mill owners and buyers. A few quotes from the miners also supported the view that they were into gold mining to make a living.

> *-If I stop gold mining, what am I going to eat after that?*
>
> *- I was shot three times – it came in through here and came out through here. I thought that I was going to die and had vowed that I would never go back to the pits. It's now a way of life. I pray to God every day to be safe, but if the day comes, then it's here" said one miner who had been shot through gang violence.*

Another category of actors was the millers, who often served as middlemen between the artisanal miners and the ultimate buyers. One of the millers, kwaBrian, had facilitated my entry into Gadzema as he was known and well-connected to the cooperative's leadership. The mill owner was in his late 40s and married to a Chinese woman who seemed to have sponsored the setting up of the mill where several miners now brought their ore. Gauging from the equipment at the mill and the number of workers present, the owner was economically well off, demonstrating that he was into a lucrative business.

I also came across mining actors commonly referred to as the *sponsors* or "bosses". Anyone with resources could be a sponsor. Interviews with the miners and some of the sponsors revealed that the actors ranged from local businesspeople, politicians varying from traditional leaders, local councillors and Members of parliament. Again, among the sponsors were young elite Zimbabweans with access to money, food, blankets, and mining equipment who could pay for the mining operations, including cyanidation and milling. The relationship between the miner and the sponsor was that the miner provided mining labour while receiving payment from the sponsor. Most sponsors were Zimbabweans of higher income brackets than those involved in the ore extraction.

While most miners could be said to be poor and get involved in gold mining for a living, there was another calibre of miners. These less visible actors were the go-betweens (commonly called *maboss*) who bought gold from the ASM. The miners spoke of how these invisible actors were often fronts for government politicians and influential businesspeople. Those with volumes more significant than 10 grams targeted the gold buyers. During one visit, I came across two "sophisticated" young men who said they had been "involved" in mining activities at Elvington mine for the last two years. Both men had completed their A Level education, and judging by how they spoke eloquently and their smart dressing in designer clothes, it was obvious that they came from well-to-do families. Both had been schooled at prestigious private schools in Harare. From conversations, it was clear they had access to funds they were using to sponsor miners to dig out ore for processing, which they would later trade. Both said they had left formal employment by opting to "work with the ore" and were aware that they were taking calculated risks by engaging in illegal gold trading activities. While the two miners had no legal claims, they boasted of possessing tools of the trade that were in high demand, including cyanidation tanks and gold detectors which other miners could also hire.

7.2.3 Mining operations

During the time spent at Gadzema, I observed how the miners worked. As per most definitions of artisanal mining I had come across in literature, the miners used ordinary tools to "crack the gold belt underground." The tools mainly used included picks and shovels, and hammers. However, the Gadzema miners also proudly boasted that between themselves, they had purchased a few blasters, and in a few cases, some miners showed me compressors.

Once the ore had been dug out and made considerable amounts, the miners said they later transported it for grinding and washing to separate ore from dust at the mill. These miners' use of simple technology confirmed that ASM in Chegutu, like other parts of the world, could be characterised as using simple technology. I later learned that miners using simple yet cheap machinery were advantageous for any investor in the event of a takeover of a claim. Already, the miners would have "revealed the belt" using rudimentary equipment, and any potential investor would not need expensive excavators to get to the gold. The miners called this "kuvhuriswa bhandi" meaning to get all the earth above the gold belt away using shovels. In many cases, once this was done – the ASM would be removed from the site. Therefore it was easy to exploit artisanal gold miners labour.

In a conversation with the miners, they said that using the shovels and picks was arduous and that one had to be in the mining pit for more than 10 hours daily. The story was the same as miners narrated how they spent protracted periods at the mining site, day and night underground, and hardly leaving the area to visit family. Many miners reported that it was risky to be absent as, upon return, one could find their "claim" taken over by other miners.

"If you decide to frequent town, the chances are that while you are there, those that remain strike gold, and you will have lost out. So, it is better to stay put and to continue working." *(Interview with participant 4).*

As a result of the difficult working conditions, smoking cigarettes and even cannabis was commonplace. Even before the young miners at Gadzema had shared stories of how they were hooked to drugs, mainly cannabis. I observed that the ground near the miners' work was littered with cigarette stubs. For most ASM I encountered, smoking *mbanje* or cannabis gave them the bravery to carry out the hazardous work. As a miner put it, cannabis gave the miners courage to go down into the treacherous shafts, thus making cannabis an occupational necessity.

As time out, the miners boasted of spending their hard-earned money at the makeshift grocery shops and beer places at Pamusika. These outlets were a walking distance from the mining sites. They also spoke of spending money on "women of the night" who had easy access to them. Alcohol and marijuana were always available at the business centre. Even the illicit colourless undistilled vodka called musombodia, which was very popular among the miners, was always in supply at Musika. In all the focus group discussions with miners at Gadzema and Elvington, prostitution was said to be rife and a popular past time for the miners. At Gadzema, sex workers operated from makeshift tents close to the business centre. When the miners made money from gold or ore sales, they spent it on the sex workers, who during the day were preoccupied with providing other services around the mine, including cooking and selling food to miners, but also to sponsors and gold dealers who often hung around the business area.

A different organizational set-up existed at the two sites. At the Gadzema cooperative, cooperative members were less mobile, with several cooperative members stating that since moving to Gadzema in 2012, they had never moved out of the mine. The operations seemed to be more permanent, with pits belonging to individuals or groups of miners. At the cooperative, the set-up appeared orderly. To begin with, the miners spoke of a committee that ran the cooperative's day-to-day affairs, whose members numbered up to 5000 members. The miners operated in small groups at the cooperative, usually between 5 to 20 miners. A participant with the cooperative since the beginning narrated how the Ministry of Youth, Indigenization and Economic Empowerment was responsible for setting up the cooperative as part of youth empowerment programmes in the Chegutu district, including support towards artisanal gold mining. Through the cooperatives, the miners could be "formal" entities, organize themselves and hold "tributes" from license holders, allowing them to legally mine a licensed claim as individual third-party miners.

In contrast, the mode of operation was different at Elvington mine. The processes were chaotic, almost a "free for all". To get into the mining site to dig for ore, one just needed to present themselves at the mining entrance. The miners that came to this site were occasional ASM working individually and, in rare cases, in loose groups. In a focus group at Elvington, some women said they moved from one disused mine to another across the country, "following the gold". Access to information that "kwaputika gold kwakati" or translated that gold has been discovered in x place would trigger miners to move to disused mines. In situations of police raids, ASM would move away only for a couple of months, and them move back once it was safe to do so.

Several miners noted prohibitive start-up costs for the mining business if one followed all due processes. These included securing a prospectors' license, a requirement for working on a mining claim. In addition, an annual subscription of US$ 100 per year was to sustain the claim. Another condition by the Environmental Management Agency, an Environmental Impact Assessment, cost the miners up to one hundred United States Dollars.

Gadzema miners said they transported their gold to milling sites called "*chiguruguru*". At the mill, the main processes included crushing, grain size control, concentration, mercury amalgamation, and smelting. The tailings produced at the concentration were later processed through cyanide chemical leaching. Mercury[35] used in the separation process at the mills near Gadzema, and Elvington was sold at $30 per teaspoon (5mg). Heavy truck drivers from Malawi, in transit to South Africa, often sold mercury to the miners. Milling at the nearby small ball mills was also considered a substantive cost by the miners. At the time, millers were charging miners three (3) points per hour, each costing an equivalent of four United Stated Dollars, totalling $12. As these costs cut into their profits, the miners preferred dealing with the gold buyers or intermediaries, as they offered more lucrative prices. However, selling to occasional gold buyers has its risks, with buyers later claiming to be plainclothes police and would "confiscate" the gold from the miners.

With the rapid expansion of artisanal mining in the area, I was informed that gold buyers were also involved in the milling process, setting up small mills and diverting the miners from the official mills registered with the Reserve Bank of Zimbabwe. According to one dealer, gold

[35] Zimbabwe is one of the 128 countries which signed the Minamata convention

mills were not expensive, costing between $1500 to US$3000. In a single month, a miller could process ore of up to 80 tonnes making milling a lucrative business, considering the minimal capital injection towards buying the mill.

In addition to operating costs, miners complained of the excessive charges levied by the police at every roadblock when transporting ore to mills. According to the Gold Trade Act, 21:03 and Precious Stones Trade Act 21:06, no person shall, either as principal or agent, deal in or possess gold unless he is a licence or permit holder, a tributer, or an employee. With many of the millers operating without the requisite licenses, the only option was to pay bribes of not less than $100 each time that they passed the police roadblocks. The fines also depended on the amount of ore that one carried.

The miners also stated that they had to deal with the Environmental Management Agency and the Rural District Council development levy charges, which many admitted to not remitting to the RDC. In the end, most of the costs were borne by the artisanal miners, as one miller reported:

> "*The charges imposed on millers is passed on to small-scale miners working underground because—whatever they are taking off us, we just pass on and take it off our payments to the miners."*

The table below provides a summary by PACT (2014) showing the incentives for formally or informally operating for mining actors including miners, sponsors, and gold traders.

Table 6: Incentives for and against formalisation

Stage	Incentive for not formalizing	Incentive for formalizing
Miner	• Tax Free • Gold bought in cash, no ecocash or transfer • nonpayment of levies, license fees and RDC levies	• Security of claim. Once a claim is formalized chances of disputes and conflict decrease. • Ability of get loans from Banks or the Ministry of Mines.
Sponsors– provides food, equipment, money, explosives These can be independent sponsor or owner of the claim	• Charge of exorbitant prices to artisanal miners. • Tax free, absence of levies, license fees. • 20 % of the ore mined is taken by the sponsor apart from the 50/50 arrangement made at first as settlement for sponsorship.	• Security of sponsorship. Claim papers can be used as collateral by the sponsor against the miner.
Small Processing Plants	• Sands which are left from processing go through the leaching process which gets 60 to 70 percent of gold from the ore. • Tax free, none payment of levies.	

Equipment Supplier (welders)	• Market for the small personalized ball mills. These mills are made for ASM specifically and are around US$ 1500 – US$ 3000. • They also provide ASM tools such as wheelbarrows, jack hammers (chipam pam), and compressors	• Established market base.
Local Leadership	• They get a certain percentage from the miners. Majority of these are either claim owners or sponsors.	

Source: PACT, 2014

According to the above table, formalizing artisanal mining could bring a range of benefits to miners, governments, and the environment. These include improved efficiency and profitability for miners, better governance and management of social and environmental impacts by governments, access to land and geological prospecting, streamlined licensing, and technical and financial support. The downside of not formalizing artisanal mining is that miners cannot access finance due to their non-legal status and would not have the security of claim.

7.2.4 Women ASM

The women I came across said they faced considerable discrimination, ranging from sexual violence to lack of financing and ownership of mine assets. Yet despite these challenges,

female participants spoke of the benefits of ASM. In one instance, a participant whose business was knitting jerseys for a living in Chegutu town got paid with a gram of gold. When she traded the gold, she got more than had she been paid in cash. According to participant 10, it was that transaction that reshaped her life.

> *"I became a miner by accident. What happened to me nearly ten years ago changed the course of my life. I became an artisanal miner, digging for gold. If we heard that gold had been discovered in a certain area, we would make a beeline to dig for gold in the area, always evading the police in the process." – Interview with participant 10*

It seemed from their stories that the women benefited from artisanal mining. Mining activities provided forex earnings from the sale of gold. Mining at Elvington provided livelihood opportunities for women with no economic options available. While women seemed to benefit, observations and conversations with the women demonstrated that working in the informal economy as this one left them susceptible to sexual and gender-based violence and poor working environments. I had observed several breastfeeding women at the mill called Kwa Brian working with mercury and exposing their infants to the dangers of mercury ingestion. There were some taboos and socio-cultural factors regarding the participation of women in mining activities.

Interestingly, the women informed me that women were barred from entering the Elvington site during times when they were experiencing menstrual flows. Doing so was believed to cause misfortune, including accidents or the disappearance of the gold veins. In this regard, the women self-policed, fearing that they would meet the wrath of men and even other women if they failed to follow this rule and were found out.

7.2.5 Environmental and safety issues

My first impression at Gadzema was a working environment for the miners that smelled of death. Several miners expressed the dangers they were likely to encounter daily. The operations seemed high-risk and dangerous, with little adherence to health and safety regulations. Their widely held fear was that the "gold vein could collapse at any time" ("*bhandi rinogona kungo-cutter*"). Without adequate machinery to remove water from the shafts, miners could be trapped underground if it rained.

> *"Collapses are common and miners can sometimes get trapped underground as there is only one entrance and one exit. It is best to sacrifice our lives down there rather than going to steal"- Participant 2.*

While the general view expressed was that the miners' livelihoods came before safety, the cooperative members at Gadzema explained how they put in place safety precautions in the mining shafts. Most of the observed shafts were secured by a boxing shaft made from Mopani or Eucalyptus timber, usually measuring 1.5 x 2 metres in area. Securing the shaft in this manner reduced the chances of the mine collapsing. . According to the miners, boxing the shaft was a safety measure that prevented loose debris from falling inside the shafts as miners worked. At the time, timber from Mopani trees was sold at USD1.50 per metre, while pine/eucalyptus wood was USD3.00 per metre. The use of timber at such a large scale explained the massive deforestation that was taking place in surrounding areas.

However, despite securing the mining shafts, miners were aware they remained at high risk, as they did not possess the requisite equipment to excavate gold safely. According to the miners

interviewed, machinery for gold mining was expensive. Hence only a few miners kept mine compressors for cleaning the air in the mine shafts and water pumps to remove water from the mines during the rainy season. Miners' narrations of several mining incidents were corroborated by newspaper articles on miners that had lost their lives in flooded mining tunnels.

The millers used gold cyanidation to extract gold from low-grade ore by converting the gold to a water-soluble coordination complex. I learned that this is one of the most commonly used leaching processes for gold extraction by small-scale artisanal miners with mills operating at the actual mining site. The leaching process produced up to sixty percent of the gold compared to the forty percent miners got from the processing mills.On a visit to a mill a few kilometres from Gadzema, I encountered women who were mixing mercury with the ore, a process they called "*kuserengeta*". Despite the dangers of using mercury, a daily rate of $30 for *"kuserengeta*" was worth the risks for the women. The women were aware of the dangers of mercury, whose effects include congenital disabilities and inflammation problems if inhaled when burning. In all sites visited, mercury was handled by the miners without gloves or protection masks.

> *"We do not have the full facts on the dangers of the mercury that we touch and use every day, mercury in terms of health issues. Sometimes we put food in the same dishes as mercury."- Participant 5.*

According to a health expert I interviewed, mercury can cause various toxic effects, including damage to the cardiovascular system. Clinical symptoms of exposure include nausea, abdominal pain, tremors, paralysis, memory loss and kidney damage.

7.2.6 Conflicts and violence

The notion of violence emerged as an overarching theme permeating most of the interviewees' statements. Violence frequently flared up at the closed Elvington mine and other gold rush hot spots surrounding Gadzema and Elvington mine. The miners indicated that working in the ASM sector was risky as fights would ensue if one entered another's turf or discovered a particularly rich ore vein.

Violence against workers and children was common at the mining sites. In one instance, a sponsor had assaulted to death a miner to whom he provided food and equipment in exchange for the miner extracting gold ore at Elvington. The sponsor accused the miner of stealing his gold when he was extracting the gold. Despite the occasional fighting, for the most part, the Gadzema cooperative seemed to have maintained order in its ranks: it was organised into divisions responsible for administration, security and other functions. Although ASM in Zimbabwe is often associated with illegality, violence of *makorokozas,* working at Gadzema seemed orderly, with miners following defined social patterns and chains of operations.

While in other parts of the country, machete-wielding gangs became typical, thus increasing the lack of formal governance in most informal gold mining areas (PACT, 2017). In these areas, gang violence between miners and the army or police sometimes occurred, resulting in injury or death. Machete gangs lacked fundamental regulation and policing, indicative of patronage politics – linked to party politics and political agendas in those areas. A defining feature consistently came up– that there was a distinction between *makorokoza* and *mashurugwi*. In focus group discussions with miners at both Gadzema and Elvington, they described *mashurugwi* as machete gangs bent on criminal activities involving dispossessing ASM of their

gold. These gangs would move into areas where ASM mining claims were operating. Therefore, according to the miners, categorising them as Mashurugwi was inappropriate. Though the miners often distanced themselves from the gangs they referred to as Mashurugwi, the sporadic fights between themselves did not entirely remove the aspect of criminality.

The study established the presence of syndicates frequenting Elvington and belonging to police officers. These syndicates had an unfair advantage over other artisanal miners because the police offered their protection. The same syndicates working with the police were also blamed for being informants to the police of targeted raids to Elvington. Often, the police did not act against mining-related violence at Gadzema. The cooperative members were drawn from the ruling party youth, and rarely did the police show up to deal with the disputes. One of the miners had this to say regarding the participation of police and sometimes the army at Elvington:

> *"With a salary in 2007 of less than US$20 a month, it is unsurprising that the police and army are cashing in on miners. The army and the police played a major role in subventing the formal licencing process to subsidise their meagre salaries".*

Police managing access and maintaining order at Elvington Mine were charging $200 for access to dig a gold tunnel. Junior officers competed to be deployed at extraction sites, often soliciting senior officers responsible for the deployment to share the proceeds later.

> *"In Chegutu one can mine without sufficient paperwork as long as they pay the CID USD$100 and that is how some opportunists can take control over your claim"- participant 7.*

When asked about the other sources of conflict, the respondents indicated that often they frequently conflicted with farmers in other areas where they were also involved in mining

activities. The Lands Act states land allocation for farming practices; however, the Mines Act might supersede or override the existing law resulting in conflicts between miners and farmers. Duplication of claims was also common, if a person bought a claim and took significant amounts of time without any mining practices, another person could go to the Mines offices and offer to buy the same claim without the knowledge of the present owner. This practice was said to be common for politically connected people.

7.2.7 ASM and illegal activities

Interviews with the miners indicated they were not following any prospecting laws in most instances. One miner at Gadzema said there were no laws to follow except those they would have agreed to as a cooperative. Determining the boundaries between the legal, illegal, and formal and informal spheres were often blurred, with miners and traders complying partially with the provisions of the law. Unlike Gadzema, where there was some semblance of formality, mining at Elvington was outright illegal, with miners openly expressing that they had taken matters into their own hands by mining in a decommissioned mine. In a focus group discussion, the miners expressed their dissatisfaction that the Government was not applying the "use it or lose it" policy for inoperative mines like Elvington, where owners of mines had to either resume mining for ore or forfeit their license for that mine. Like Elvington, there were many closed, large-scale mines around the country. Most of these mines had closed due to the poor economic environment or mismanagement of state-owned mining companies (ZELA, 2020).

A widely held fear by the miners at Elvington was that one could be displaced by security agents and gang members at any time. They referred to this as "*kuntsariwa*", meaning to be criminally displaced. Therefore, access into Elvington could only be through the assistance of

the security guards manning the mine. The respondents narrated how these same guards attacked miners when mine owners arrived at the mine without notice. They also mentioned that on several occasions, the police were part of the scheme to let miners into Elvington, plotting with the guards and the miners.

> *"A single entry for each individual attracts a payment of between five and ten United States Dollars to the guards as an access fee into the mine. With this type of entry, we have one to two hours access, after which the guard fires into the air… a sign that one's time for the day is up. At that point, we all make a beeline to get out of the mine gate'- participant 5.*

Elvington miners admitted to participation in illegal mining activities, it being common knowledge that the mine had been decommissioned, thus making it illegal for any mining activities. The miners were aware that the mine, like other decommissioned mines, was sitting on gold deposits in a similar situation in Chegutu; hence, no mining activities were allowed by law. They also knew one could not sell gold to illegal traders except Fidelity Life Printers. They also spoke about the dangers of being found in possession of gold by the police or other security agents while unlicensed. They were aware that prospecting for gold without having a claim was unlawful. However, all the miners I spoke to were unwilling to exchange ASM activities for other sources of livelihood. One participant felt this was a different kind of "illegal" and was resolute that ASM was not comparable to robbing someone else's property.

One main reason that led to ASM participating in illegal activities was what the miners said were cumbersome processes to mine in Zimbabwe legally. Although the miners knew what it would take to register and formally operate, the benefits did not provide enough incentives.

According to the miners, the requirements for registration of small-scale miners with the Zimbabwe Revenue Authority were complex. They knew that to be legally recognised; they had to produce a Company Certificate, Memorandum and Articles of Association, proof of residence, and certificates for operations from relevant authorities.

Furthermore, away from the mining sites were several points along the gold flow chain at which illegal activities occurred. Interviews with miners revealed that gold smuggling was taking place along the entire gold chain with the connivance of the authorities. The smuggling began at the extraction sites, spanning to the gold sponsors and the gold buyers and smuggled out of the country. The miners told of several ways of creatively smuggling gold from the two mining sites. The most common method was to smelt the gold with other alloys. For example, a kg of gold could fit into a palm and thus was easily hidden in discrete places like car doors. The miners also spoke of making the gold into jewellery or as ornaments and art. In some cases, the buyers smelt the gold into small buttons which were easy to handle. Legal gold could also be mixed with illegal gold to ease passage to neighbouring countries.

One participant described the ease of smuggling out of the country:

> *"On the Zimbabwe-South Africa border, both bus drivers and truckers are reported to smuggle gold. There appears to be a lack of capacity and will to stop gold smuggling on the borders. In Zimbabwe, only luggage is subject to scans by customs officials so travellers without luggage are unlikely to be searched typically through South Africa, Zambia and Mozambique". – participant 15.*

While there were informal border crossings, participants agreed that the official Beitbridge border post remained the preferred route for gold smuggling:

“ Smaller quantities of gold are hidden in clothing, while larger amounts are stowed away in car glove compartments, spare wheels, and any other parts of a vehicle that can be modified for smuggling purposes”- participant 14.

Gold buying had its risks for ASM. A key and real threat was buying fake gold, where water taps would be melted together with gold and sold off as pure gold. To counter this risk, one buyer said,” We use nitric acid to test if the gold is not fake.”

Miners also risked being busted by the Criminal Investigation Division, who had resorted to moving around dressed in civilian clothes. Being caught meant one had to pay exorbitant bride fees or be charged under the Gold Trade act. Having a limited number of gold buying centres was said to be fuelling gold smuggling by the miners. For instance, Chegutu did not have a gold buying centre, meaning those wanting to sell to the official market would have to travel long distances. Instead, the miners chose to sell to the gold buyers close to the mining site and offered better prices than the RBZ.

While another said this regarding their quick disposal of gold:

“We quickly dispose of the gold *to informal traders because of the risks that come with holding on to the gold for too long. Gold is dangerous, and one can get killed for a few grams.”.- Participant 16.*

As one miner put it, convenience was one reason a miner would not sell into a formal system. By selling to unregistered traders, miners always got better prices, unlike Fidelity Printers or registered millers. Interviews with gold buyers confirmed they only sold very little to the FPR (Fidelity Printers and Refiners) to maintain their gold licenses. In contrast, they sold the rest to illicit markets. The miners cited that Fidelity Printers partly paid them in United States Dollars

while paying the rest in the local currency at the official exchange rate. Meanwhile, by selling outside the official market, the miners could get United States Dollars for their gold. The discrepancy thus created a gap between the Fidelity Printers paid out to miners and the world gold price.

What was clear from the interviews was that there was little progress in decriminalising the gold mining process. While previously not the case, the Zimbabwe Republic Police would escort the artisanal miners and their gold to Fidelity Printers and Refiners rather than face prosecution. The most salient characteristics of “kukiya kiya” is the reorientation to immediate demands and opportunities, meaning that kukiya kiya or to get by is not planned, but rather that one takes advantage of a prevailing opportunity. So even the involvement of the military or police at roadblocks, without knowing the gain, could be described as some form of kukiya kiya. The profits could be a monetary gain through a bribe, confiscated gold, or even a sexual transaction.

Other issues also arose regarding why gold smuggling from ASM was rampant. A repeated point was the delay by the government in issuing mining licenses. As a result, the authorities knew miners would not risk selling their gold to Fidelity Printers for fear of getting arrested. Despite the state's repetitive enactment of the ASM formalisation discourse, informality remained evident.

7.2.8 Local politics and ASM

Local-level politics was exercised in such informal and unpredictable contexts. From the conversations, it seemed that the state frequently entangled itself in local social and political dynamics. Individual political actors involved themselves in daily negotiations and relations

with the mining actors, circumventing bureaucratic and institutional mechanisms. This included for instance convening meetings with the miners on issues of interest to the political actors. In an interview with a headman in the area, he indicated that traditional leaders were not as involved as they would like to be in the regulation of mining activities by claim owners and artisanal miners. Yet, they were the custodians of the areas where mining occurred.

The transactions and interactions amongst the various actors seemed to be about the political arrangement of who was granted access, when and how, and who was denied access, also when and how. This applied to both Gadzema and Elvington mines. Accessing the mining sites turned political as powerful ZANU (PF) politicians were the only ones that could grant access for one to mine and displace other small-scale miner. According to the miners, these strategies of controlling who had access had the net effect of instilling fear into local gold miners. In addition, these political elites used their political muscle and bureaucratic connections with the police and sometimes the army to illegally displace small-scale and legal artisanal miners as they illegally acquired licenses already allocated to these small actors.

In its formation and existence, the Gadzema cooperative had obvious ties to local and national politicians. According to the miners, the establishment of the cooperative coincided with ZANU (PF)'s campaign for the 2013 election, in which youth employment and indigenisation were key messages. In exchange for mining rights at Gadzema, it had been made clear to the youth miners that when the time came for polls, they should vote for ZANU (PF). Ahead of the 2013 elections, the miners were informed that on the day of voting, no one would go down the tunnels, and everyone had to go and cast their vote. The directive to vote for ZANU (PF) also extended to those small operating businesses around Gadzema. In one incident before the

elections, a ZANU (PF) candidate was quoted saying that the business operators would be expelled from the area if they found out that they supported other political parties. The MP was said to bring in indigenization rhetoric, that ZANU (PF) was giving them access to mining claims as part of empowering the black people.

A scan of the political environment showed that between 2005 and 2017, while the Opposition Party, the MDC T, led the local authorities, it was only between 2008 to 2013 that Chegutu West had an MDC T Member of Parliament[36]. Several accounts pointed to contestations between the MDC councillor and ZANU (PF) Members of Parliament as well as internal fighting between ZANU (PF) councillors and the MP, as evidenced below:

- *"I believe I stand for the truth, and if it be said Nduna wants to literally run the council single-handedly. He misfires! He forgets he is MP and has to work together with councilors who have an appreciation of what actually transpires in their wards."- ZANU (PF) councillor Stan Banda - https://www.newsday.co.zw/2014/11/chegutu-west-mp-power-hungry-divisive*

While there was not much evidence regarding the involvement of the MDC T member of parliament in artisanal mining, in contrast, the MPs for ZANU (PF) were heavily involved. A scan of newspaper articles showed reports on the engrossment of high-level legislators in mining activities, some of which were illegal. In addition, politicians were said to use artisanal miners to advance their position in the ever-shifting ZANU-PF party structure. One of the investors at Gadzema granted a tribute arrangement to an artisanal mining cooperative with

[36] Members of Parliament for Chegutu West: 2000 to 2005 - Webster Shamu (ZANU (PF)); 2005 to 2008- Cephas Chikwanha (ZANU (PF); 2008 to 2013 Prince Takalani Matibe (MDC T); 2013-2017- Dexter Nduna (ZANU (PF)).

political connections. During one visit, the miners from the Gadzema cooperative openly said that in exchange for implicitly allowing miners to grab valuable mining assets, the miners were instructed ahead of the 2013 elections to vote for the ruling party. In a way, the miners formed a constituency to increase the numbers attending ZANU-PF rallies or casting votes for the ruling party in opposition strongholds.

The ZANU (PF) MP, Nduna, had been dragged to court several times for encouraging artisanal miners to illegally mine on David whitehead gold dump site. The MP was said to be very close to the president, and at one time even alleged to have purchased a house as a birthday present for the president. When Nduna was elected MP in 2013, he vowed to consolidate ZANUPF's power in Chegutu. One of his strategies was to take advantage of unemployed youths and incorporate them into an informal security sector, as Owen Ncube, a ZANU (PF) MP, had done in the Kwekwe district. At one-point Ncube was reported saying:

- *"To enter the fields and do so through ZANU (PF) structures. Those that are not known within the party will not have access and those from outside the Midlands will not be allowed here" – allAfrica (2012).*

Along the same line Nduna had this to say:

– *"I have come just to consolidate the President Mugabe and ZANU (PF)'s rising popularity in Chegutu"* https://www.herald.co.zw/dexter-nduna-man-on-a-mission/

In showing her disappointment on the non-action of the police, one MP is on record for stating that the police would obviously not act when violence erupted at the mining sites. This was because the police were in connivance in shoddy mining activities with ZANU-PF officials

who were using poor party youths “as dust soldiers to systematically loot gold in Kwekwe. – (Kubatana.net, 2013).

In a focus group with the Cooperative committee members, comprised mainly of youth belonging to ZANU (PF), , it was evident that explicit power dynamics were at play. The chairman, a young man in his late 20s, showed his political connectedness, commandeering the group, including much older members, during the meeting. On the other hand, the deputy chair, though much older, with institutional memory of the cooperative, somehow remained subdued and almost hesitant to be at odds with the young chairman. During the focus group discussion, the cooperative members indicated they did not have a prospecting license and that negotiations were ongoing with the individual who owned the claim. The collective members gave legitimacy to their mining activities because they were associated with the ruling party. The miners still acknowledged that there was no permanency to their mining operations.

The members of the cooperative gave legitimacy to their set-up, becoming evasive about their relationship with Chinese gold dealers and where they sold their gold. They did, however, mention that they were being undercut either by the Chinese or the millers.

7.3 Policy implications

The discrete yet significant Chegutu case study findings demonstrated several fundamental issues that likely impacted policy developments at a national scale for informal gold mining and its implementation. While centred on legality aspects and policy compliance enforcement, the findings revealed everyday practical norms exercised by ASM, including social risks and significant shocks they faced and the protective strategies they chose. The findings exposed

some of the gruelling and dehumanizing experiences of young artisanal gold miners, driven by survival and aspirations of “striking gold and getting rich" one day”.

Judging from the profile of the miners, one would be quick to say that they were engaged in ASM for subsistence purposes and driven by poverty, as explained by the dualist school. Most miners I interviewed said there were no prospects for entering into formal employment. Therefore, artisanal mining offered them opportunities to make some money for survival– from selling the ore to trading the gold. However, there were also those actors, including the gold buyers and the political actors, where informal mining activities were perpetuated to avoid formal registration costs, time and effort.

The findings also show politics' role in driving policy on artisanal gold mining through a complex network of actors operating along the gold commodity chain connecting the rural mining operations to international gold hubs, mainly South Africa and Dubai. While the gold buying sites were well known to the police, at best, there were feeble attempts at arresting particularly the gold buyers that had an association with the ruling party.

The findings also revealed the existence of human security threats. There were several policy implications regarding the safety of miners and other actors, the disorderly operating conditions- health and safety (including the use of mercury), environmental issues, gender gaps, disorderly nature of the operations. Even though the miners were aware of dangers (arrests, killed by gang members, or injured), they strongly felt that they had to stay engaged – “kusiri kufa ndekupi” meaning that they were between a rock and a hard place and had to continue with their mining activities. .

The case study also pointed to the policy responses by several actors, including the army, the police, local authorities and the political actors. Th miners were also susceptible to raids from the police and, on occasions, from the army officials. The attacks involving violence occurred mainly at the Elvington mine while these were less so at Gadzema, indicating that the cooperative received some form of protection from the police. According to the miners, the police and the army were taking advantage of their powers as bureaucrats to make money from miners by allowing activities at an inoperative mine. The police and military were prepared to turn a blind eye to the environmental impacts of ASM activities at the two mining sites in exchange for bribes.

7.4 Conclusion

The value of this contextualized approach through the case study is it enables the specificity of the ASM actors to be understood, particularly in the context of informal economy theories. However, the sheer strength of this focus on contextualized understanding can also be a weakness in generating knowledge and action that remains at the case study level, omitting overarching insights. The preceding Chapter attempted to provide these insights at a national level.

To begin with, a profile of the miners showed that ASM served several purposes. The accounts of ASM showed that most livelihoods depended on ASM, be it digging the ore, providing mining services, or trading by gold dealers. Among the actors, the youth that had previously not worked for long periods in any trade made up the highest number of actors. Then there

were also those actors whose livelihoods had previously depended on agriculture, where they had worked as farm workers.

The wide range of actors only served to water down the popularly held view that ASM was a "get rich quick" activity. Those involved in ASM could not determine the profitability of the operations with certainty. While it was difficult to discern the extent of contribution to livelihoods at a personal level, the fact that most of the ASM actors had been engaged for several years meant that there were obviously some monetary incentives ASM was providing. Some of those interviewed, particularly the women, indicated that despite the dangerous working conditions, ASM contributed to improving their economic position.

For most of those involved in excavating gold from mining pits, their work characterised situations of uncertainty and general life difficulties. This indeterminate state extended to the social context, where the miners were exposed to dangerous working conditions, thereby risking their safety. Robberies and theft were commonplace. Artisanal miners I interviewed faced many health hazards including exposure to mercury and intense manual rock crushing, which could result in injuries and illness. The miners painted a picture signifying the social and economic outcomes of the present and even the immediate future was uncertain.

Uncontrolled activities and the lack of technical know-how and financial expertise resulted in actions that became synonymous with inefficiency, poor health and safety standards, negative environmental impacts and smuggling. The absence of regulation of activities for most of the time only heightened uncontrolled artisanal mining activities. Miners and the regulatory authorities, which included the police, and the army, played a "cat and mouse" game, resulting

in negative consequences to the environment where miners cut trees and dug out holes everywhere.

The case study pointed to a blurring of boundaries between the formal, informal and illegal state and non-state actors. However, most ASM actors were involved in "kun*gwavha-ngwavha*," or "kukiya kiya", terms often associated with informality and illegality of actions. *Ngwavha-ngwavha* is a combination of the words "cleverness" ("*ngwa-ra*") and "theft/trickery/dishonesty" ("*humba-vha*"). Almost all the actors interviewed confirmed they were aware that they operated illegally by not having a government-issued license to operate, nor did they have a "tribute" agreement from the mine owners. Their daily lives were driven by avoiding law enforcement agents while exploiting whatever resources were available, with the goal of self-sustenance. Those outside the cooperatives were operating in the Elvington mine that had been put under care and maintenance.

Regarding their governance, ASM was part of the cooperative and functioned according to informal rules with high-quality organisation among the artisanal gold miners. The actors made their own rules at the mining sites while negotiating with official legislation and local norms. This included how they adhered to the cooperative regulations and the ruling party rules. To some extent, this level of organisation and order removed my previously held myth on artisanal miners as uncouth, violent and disorganized.

The findings demonstrate the role of formal state representatives and institutions in this peripheral region where state institutions were limited, save for the street bureaucrats (police and the soldiers). While there was no observable evidence of interactions with bureaucratic

institutions like the Ministry of Mines there was some interaction between the informal activities and formal institutions (for instance, the sale of gold to Fidelity life Printers by the artisanal miners).

Yet some actors used ASM as a patronage and accumulation scheme. In profiling the actors involved in the commodity chain, the case study revealed the involvement of powerful political interests from outside and within Chegutu, including the entanglement that occurred with local state politics and the informal mining economy. The findings show how powerful political elites sometimes through violent mining practices, had built patronage networks over time that facilitated access to mineral resources for their supporters. These rules granted access to the resource to the local population. At the same time, the elites-maintained control over the trade in the gold produced and sometimes collected informal payments from the miners.

There seems to be a mutual entanglement between local state politics and the informal mining economy, a long-standing tradition of decentralized state-building. Politics appeared to accord power to participation in artisanal gold mining, regardless of the nation's laws. One source, a key opposition figure and former Government Minister, described artisanal miners as '*Zanu-PF youths'*. However, the involvement and reactions of ZANU-PF to informal artisanal small-scale gold mining activities in Chegutu show that the party-state was inclined more towards using the artisanal miners for their political gain rather than the betterment of the poor small-scale miners. Informal gold mining was intimately and neatly interwoven with ZANU-PF politics. This entanglement with ZANU (PF) stretched to gold trading with certain senior politicians, security sector chiefs and their business associates mentioned as part of the informal trade in Chegutu, particularly those politicians with constituencies in Chegutu.

The case study helps in rethinking the relationship between state formation and the informal economy. As in other districts, ASM took place where the presence of the ttate institutions was limited, with the camps depicted as anarchic spaces full of young males prone to rebel against authorities.

CHAPTER EIGHT: CONCLUSION

"In Zimbabwe, an economic, political, and social melange that lives on and breeds ambiguity, both moral and technical – a 'system', such as it is, that undermines the practice and telos of personal and national development" – Jones (2010).

8.1 Introduction

Chapter Eight summarises the major arguments presented in the thesis, which aimed to investigate the underlying politics, power, and institutional dynamics and how these influenced trajectories of ASM policy and regulation in Zimbabwe between 2005 and 2017. To answer this question on the motives behind policy development and implementation of ASM, I borrowed from theoretical approaches closest to unpacking informality, human security, and institutions. However, explaining the motives for the resultant policies and the nature and characteristics of policy-making required me to move beyond these theories. Nevertheless, a conceptualisation coined by Jones on "kukiya kiya" resonated with some of the motives of the key actors.

The thesis provided possible explanations of power dynamics between elites and how these could have shaped the resultant policies on artisanal gold mining. These included the probable elucidations of politics and patronage that had gripped the country post the year 2000. These crisis years were the most tumultuous since the country's independence in 1980. The crisis had coincided with the emergence of a strong opposition party, the Movement for Democratic Change, and descended into a political and economic crisis.

The study's analysis raises several important theoretical and policy-related issues for development. During the study's conceptualisation, there seemed to be an apparent correlation between the development of ASM policies and political influence in Zimbabwe during an economic and political crisis period between 2005 and 2017. The events banning ASM, like Operation Chikorokoza Chapera and Operation Mari yawanda, could be interpreted as linked to election years and hence meant to punish those suspected of supporting the opposition party. However, the thesis was confronted with other dynamics of modern-day working of informal economies and their driving forces regarding welfare or productivity and, ultimately, norms employed by the actors.

The informal economy of the ASM was growing and likely to be permanent, with or without formalisation rationales. While the argument is that policymaking on informal small-scale gold mining in Zimbabwe was an intersection of power-play between state actors and the state security agencies to gain control, regulate the sector, and extract revenue from the sector. However, at a local level, policy implementation met the agency of transitional actors, including small-scale artisanal miners, gold dealers, and traders. These networked actors also operated within their own unwritten rules and were shaping their policies as they extracted or traded the gold. The thesis further argues that policy-making processes were reactionary and immediate. Moreover, the techniques were punitive and aimed at closing each other out.

8.2 Summary of main findings

8.2.1 policy trajectories of informal gold mining/ policy stance

It is safe to say that between 2005 and 2017 attempts towards formalisation of ASM in Zimbabwe were highly untenable, based on the motives of networked elites and the mining actors. The economic situation did not help the situation either. Between 2005 and 2017, the

Government of Zimbabwe's approach to ASM policy development or the lack of it, went through several stages, yielding key lessons.

Those in the lower echelons of the ASM value chain were trying to survive (and not pay any licences to regularise their activities), while turning mining into places where they could make deals to survive, though gold trading and other illicit activities such as drug dealing and transactional sex. Meanwhile, the state and several political elites were bent on maximizing on informal labour offered by ASM, to worry about formalising the sector. In its quest for the hard to come by foreign exchange, bureaucratic institutions like the Reserve Bank of Zimbabwe, were cashing in on the ASM with the "no questions asked" rhetoric for delivering gold to RBZ. Most of the actors involved in ASM were doing what they had to do to get by because, at the end of the day – as Zimbabwean English has it – that is all that matters. Therefore, to survive either politically or economically, one needed to support a culture of evasion of social institutions bent on implementing policy and laws on formalising the sector. As a result, the sector remained largely informal despite benefits that could accrue with formalisation.

An examination of the period of interest for the study (2005-2017) indicates that the Government instituted various ASM policies through legislative arrangements that included statutory instruments. Despite the policies and regulations, the sector remained informal as much as the country introduced amendments to mining regulations and policies. The poorly regulated policies evidence this fact. Results from the Chegutu case study on the mining actors showed the complex nature of formalising ASM. While some ASM actors expressed concern about the ambiguity or lack of guiding rules in their operations, that did not deter them from continuing to extract gold ore or trade in gold.

Over an extended period, the government of the day put in place ad hoc policies to promote ASM, although typified mainly through moving one step forward or one step back. The Mines and Minerals Act remained constant. While attempts had been made to amend the act, the Bill had gone through parliament, requiring significant revisions. The legislation allowed for chaotic mining awards and title administration system. The weak private property rights had multiple impacts, including turning gold mineral deposits into "dead capital." The mining legislation was ill-adapted to the realities of mining in Zimbabwe as it failed to encourage formalisation significantly. In addition, legislation prioritized resource extraction over other activities, including agriculture and land ownership rights. In effect, legislation overrode the rights of landowners and third parties. For these reasons, many chose not to pursue a mining title.

The cost of formalisation was beyond the reach of most of the miners. Failure to acknowledge ASM's importance and, generally, a poor understanding of its dynamics gave rise to the bureaucratic and costly licensing systems (titles), which Geenen (2012) and Hilson and Potter, (2005) have convincingly argued that they impede the sector's formalisation. To begin with, throughout the study period and before, the requirements for registration of small-scale miners with the Zimbabwe Revenue Authority were complex. Miners were required to produce among the documents a Company Certificate, Memo and Articles of Association, Proof of Residence, copies of Public Officers' identity cards, and even Certificates for operations from relevant authorities. This complicated taxes and customs legislation for small-scale miners and pushed artisanal miners to informality (ZELA, 2016).

8.2.2 fusion between political elites and bureaucratic policy making institutions

It was not just the bureaucrats that shaped the policies of dealing with artisanal miners. While that artisanal mining involved some criminal activity and opportunism on the part of the miners and others in the gold chain, this created complexity for the government to regulate or formalise the activities surrounding artisanal mining. From the findings of the two case studies, economic rents largely contributed to policy on artisanal gold mining. Moreover, these economic rents, which included tax invasion, and illicit activities such as bribery and corruption, gave rise to illicit activities along the gold value chain.

The research at both local and national levels showed that mining policy for most of the period up to 2017 was driven by the state, which in turn was guided by the governing political party, the Zimbabwe African National Union-Patriotic Front's (ZANU-PF) policies. ZANU-PF polices were, however inclined towards accumulation by a minute political elite. Several events illustrate the propensity for accumulation at the highest level of the state with the state accused of proscribing parliament's policy-making role as investigations into allegations of corruption in the mining sector were sometimes 'interfered' with.

Corruption occurred at various levels of the ASM value chain. It involved political corruption at the highest level of the political system and administrative corruption at lower levels where policies were implemented. Political corruption occurs when political decision-makers (the president, cabinet ministers, high-level government officials, ruling political party leaders, and other high-ranking civil servants) abuse their power for private gain. Bureaucratic or administrative corruption may be viewed as 'everyday' or 'street-level' corruption, which civil servants at the lower levels of policy implementation and service delivery facilitated.

8.2.3 Influence of networked actors on informal gold mining policies

Analyzing the findings is essential to understanding the role of disorder, conflicts, and the quest for accumulation by networked elites in shaping policy on artisanal gold mining in Zimbabwe between 2005-2017. Mining policies appear to have been partisan and made for political expediency rather than the growth and development of a sustainable mining industry. For example, the government barred artisanal mining between 2006 and 2012 through Operation mari yawanda and Operation Chikorokoza chapera. It only reversed this in 2012, before an election year, needing the support and votes of ASM actors.

A stark finding was that while governance of artisanal in some areas was characterised by disorder and the presence of criminals who acted as gang members, other sites were peaceful and well organized. In this respect, while informal, the miners adopted formalised ways, following rules set in the context. Many artisanal miners were operating at various stages of legality as they made payments of informal taxes and followed informal agreements made with local government officials. The findings also demonstrate that the prevailing macro-dynamics drove policy decisions.

Patronage economies linked to ZANU(PF) control emerged as part of a historically grounded state-making project. This happened in various ways: military intervention and building control through partisan state authorities. The findings show that a complex mix of political, economic, and social factors created an enabling environment post-2000 on the ruling elite’s political control of policy developments. Accumulation strategies drove policies, impacting the state institutions' capacity to deliver public goods. In this way, policy development became a strategy

that produced more power for the ruling elite while going against normative expectations of the state, for instance, improving policies on informal gold mining.

8.2.4 Implications of these policy choices for human security

Chapter two notes that human security has seldom been applied to natural resource governance. There were a few cited examples of interpreting human security as access to natural resources and livelihood security less commonly on personal and political insecurities that the policies could address. The sector seemed primarily characterised by lawlessness, violence, and disregard for human rights through gangs, including Mashurugwi. Coercion was part of this process, but so were surveillance and state regulatory systems that created insecurity and promoted compliance, with temporal punishment threatening a powerful inducement to perform political loyalty to ZANU(PF).

The use of deterrence approaches included issuing emergency clauses, introducing new and stricter regulations, immediate eviction, closing all unlicensed (and even licensed) small-scale operations, increasing the years of conviction and using military forces to disrupt the work of artisanal miners. The government gave too much power to these street bureaucrats who controlled the mining sites and determined who could extract the rent from them. Having weak property rights incentivised violence to enforce or acquire de facto property rights, leading to a notable rise in machete fights between the miners. The extent of the violence became a cause for concern as it involved the bureaucrats meant to protect the mining actors.

8.3 Contribution to knowledge

A sound regulatory framework is necessary for effective mineral sector governance. The framework must be based on enforceable legal systems providing accountability, transparency, and human rights. These findings can then be used to further refine draft legislation and existing laws, codes, and policies for artisanal and small-scale mining.

The study confirmed that street-level bureaucrats, who included the police, and the army were the real policymakers due to the decisions they made, their routines through raids and roadblocks, and the tools they developed in also trying to survive the economic hardships. Therefore, their practices became the actual policy as compared to written laws made by the policymakers. While street-level bureaucracy theories discussed in chapter three apply to the developed world, these would need further adjusting to a developing world context and yet still to an informal economy. Developing countries such as Zimbabwe are characterised by weak bureaucratic institutions, lack of predictability, and stability, low adherence to formal norms, limited regulatory capacity, and insufficient mobilization of resources for adequate performance and service delivery (Merkel, 2004).

Public service gaps call attention to situations where "what is required of street-level bureaucrats (the police and the army) exceeds what is provided to them to fulfil their tasks. In other words, a gap between service demand and resource supply leads to specific conditions under which frontline workers are supposed to perform, use discretion, and service the public. The street-level bureaucrats meant to enforce regulation (which was outdated or stringent on ASM) found themselves having to make their own rules in the process.

8.4 Significance of the study

The study brings to the fore the inability to effect appropriate policy development and implementation particularly on challenges brought about by SMS including consequential destruction to forests, use of harmful substances such as mercury for gold processing, and illegal gold smuggling. While the need to address these challenges is known, attempts have failed cyclically.

The study recognizes the linkages between the informal ASM economy links to the formal economy and the formal regulatory environment. It analyses the nature of these relationships by different segments of the informal economy and by the context in which each segment operated; and recognizes the distinction between informality and outright illegality.

8.5 Recommendations

The following section provides some short, medium and long term recommendations that enable policy makers to develop appropriate policies on ASM in Zimbabwe.

For Government:

Recommendation 1: One way of incentivizing formalisation is to have the potential to create a win-win situation, where miners are provided with equipment and have options for credit. For example, the government could consider mechanisms whereby the public or private sector could provide loans at reasonable interest, government guarantees, and other financial services to facilitate miners' access to capital. Another path to formalisation, would be via rewards for innovations and good practices. Reducing fees would allow more miners to

formalize their operations. The government should also review the tax system to regulate and incentivize ASM formalisation.

Recommendation 2: The Government should finalize amendments to key legislative Acts. Legislative arrangements in place for decades during colonial times were retained or slightly amended. A case in point is the 1961 Mines and Minerals law which was not modified to include provisions governing the production and trading of gold. Similarly, the gold trade act remained the same on artisanal and small-scale mining in the first decade of 2000.

For academia:

An interesting concept for solving policy challenges is what has become known as political settlements. Academia could conduct studies that provide evidence on how political settlements could be used to solve bottlenecks resulting from political interference and policy challenges (formal and informal) that hinder ASM from fully formalising. A political settlements analysis constitutes an attempt to move beyond assumptions embedded in the 'good governance agenda about how change happens and to assess instead whether and how the underlying distribution of power in states and societies is compatible with different efforts to promote reform.

For NGOs and non-state actors

Applying a human security lens to address the governance of extractive resources and its risks to human development is critical to bring about and sustainable peace in gold-producing areas. This s would mean broadening human security advocacy from just access to natural resources and livelihood security to personal and political insecurities that ASM policies could address.

8.6 Conclusion

Several factors drove the implementation of existing policies and the development of new policies during the period of interest for the study. One key factor explaining why ASM remained informal during the political and economic crisis in Zimbabwe was the entrenchment of political and financial interests of the powerful political elites. As Mawowa (2013) indicated, ASM in Zimbabwe must be conceptualised as "part of the development, sustenance, and reproduction of a patronage system controlled by those with state and party positions." Therefore, if changes were made in the policy framework regarding artisanal mining, they would need to be across the mineral playing field. This is important because up to 2017, networked actors were driven by various motives that served their interests, be they political financial. Again, the nature of policy making was such that it was reactionary and hence ASM was never fully formalised.

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ANNEXURES

ANNEX 1: INTERVIEW GUIDES

Individual

Level 1: (gold miners, millers, traders)

I am a student at the University of Witwatersrand. My PHD research project with the Wits school of Governance examines public policy in natural resource governance, with focus on artisanal gold mining in Zimbabwe. As part of this policy research, I am gathering information on institutional choices and the decision-making processes and choices by key institutions about attempts to formalise artisanal gold mining in Zimbabwe. You have been chosen as a respondent representing a key policy institution (government department, state owned enterprise, legal institution, non-governmental institution)

1. General information:

<table>
<tr><td>i.</td><td>Gender of respondent</td><td colspan="2">M</td><td colspan="2">F</td><td>ii) Age of respondent</td><td></td></tr>
<tr><td rowspan="2">iii)</td><td rowspan="2">Key mining activity of respondent</td><td>Miner</td><td>Trader</td><td>Miller</td><td>Other (specify)</td><td rowspan="2">(d) No of years engaged in artisanal gold mining</td><td rowspan="2"></td></tr>
<tr><td></td><td></td><td></td><td></td></tr>
<tr><td colspan="2">(e) GPS location</td><td colspan="6"></td></tr>
</table>

2. Are you aware of any laws which target artisanal gold mining activities in Zimbabwe? Mines and minerals Act, the Gold trade Act
3. Please explain
4. In what way have the laws that you mention affected your operations?
5. In your opinion, who are the key players (government institutions/ political organisations) that have been most influential in driving the laws or policy governing artisanal gold mining? Why do you think this is so?
6. Please elaborate how you interact with these institutions/ organisations in the implementation of policy on artisanal gold mining.
7. What do you see as the benefits or constraints brought about by the drive to formalise artisanal gold mining?
8. To what extent are the current policies enabling/constraining your mining operations?
9. What role do you see for the institutions that you mention in Q3 and Q4 to overcome constraints if any?

Miners (magweja)

- When did you start mining in this area?
- What prompted you to come here?
- Who introduced you to artisanal mining? EPEOS
- Is this a proper claim? Who owns the field/ claim?
- What would the miners want to see improved?

- What is your relationship with the police and the army? – sanitization of informal mining . Police well known to be diligent on armed robberies but failed to deal with Mashurugwi
- though allowing the informal miners access to disused mines.
- Who buys your gold?
- Identification

Sponsors (buyers of gold)

- What is your relationship with the miners?
- Syndicates

Players with influence over the mining operations

- Politicians – getting the claims
-

Shona translation

2. Unoziva mitemo ipi inobatanidza kucherwa kwegoridhe muZimbabwe? Ndapota tsanangurai

3. Pane imwe mitemo yawataura, yakakanganisa sei maitiro ako?

4. Pamaonero ako, ndivanaani vanonyanya kukosha (masangano ehurumende / masangano ezvematongerwo enyika) mukufambisa mitemo maererano nekucherwa kwegoridhe? Sei uchifunga kuti izvi ndizvo?

5. Ndapota tsanangura kuti iwe unoshanda sei nemasangano mukushandiswa kwemitemo pamigodhi yegoridhe.

6. Chii chaunoona chakanakira kana kuipira zvinounzwa nekutsvaga kuisa mitemo inosungira kucherwa nekutengeswa kwegoridhe?

7. Mitemo iripo yekuchera inogonesa kana kukanganisa basa rako zvakadini?

8. Nderipi basa ramunoona remasangano amunotaura muna Q3 ne Q4 kugadzirisa zvinonetsa mukuchera kana kutengesa goridhe pamutemo?

Institutional interview guide

I am a student at the University of Witwatersrand. My PHD research project with the Wits school of Governance examines public policy in natural resource governance, with focus on artisanal gold mining in Zimbabwe. As part of this policy research, I am gathering information on institutional choices and the decision-making processes and choices by key institutions about attempts to formalise artisanal gold mining in Zimbabwe. You have been chosen as a

respondent representing a key policy institution (legal institution, non-governmental institution)

Section A

Organisation/individual _____

Position of the respondent in the organisation: _____

Gender _____

Section B

1 What is your involvement/role in artisanal gold mining in Zimbabwe? Why?

2 Could you describe some of the rules and regulatory reforms on artisanal gold mining that were implemented between 2005 and 20157

3 Who are the key players (state and political party). How are they involved in the implementation of legislative and policy reforms, and why?

   a. Who is the most influential player from this group that you have described, and why?

4 Which other institutions and (formal and informal) have also influenced decision-making on policy to formalise artisanal gold mining and why?

5 Describe any evolving roles and responsibilities of bureaucratic institutions (central and local government) and political parties involved in artisanal mining policy-making since 2005. How have these changes influenced policy outcomes, especially formalising artisanal gold mining?

6 What is your viewpoint on formalising ASM in the country? What do you see as benefits, constraints, and governance issues?

7 In your opinion, what benefits and constrains exist as incentives for possible formalisation pathways within government and other key policy institutions?