

Conflict, collusion and corruption in small-scale gold mining: Chinese miners and the state in Ghana

Crawford, G. and Botchwey, G.

Post-print deposited in Coventry University repository

Original citation:

Crawford, G. and Botchwey, G. (2017) Conflict, collusion and corruption in small-scale gold mining: Chinese miners and the state in Ghana. *Commonwealth & Comparative Politics*, volume (in press). DOI: 10.1080/14662043.2017.1283479

<http://dx.doi.org/10.1080/14662043.2017.1283479>

Taylor & Francis

This is an Accepted Manuscript of an article published by Taylor & Francis in *Commonwealth & Comparative Politics* on 9 February 2017, available online:

<http://www.tandfonline.com/10.1080/14662043.2017.1283479>

Conflict, collusion and corruption in small-scale gold mining: Chinese miners and the state in Ghana¹

Gordon Crawford² & Gabriel Botchwey³

Abstract

With the hike in gold prices from 2008 onwards, tens of thousands of foreign miners, especially from China, entered into the small-scale mining sector in Ghana, despite it being ‘reserved for Ghanaian citizens’ by law. An astonishing free-for-all ensued in which Ghanaian and Chinese miners engaged in both contestation and collaboration over access to gold, a situation described as ‘out of control’ and ‘a culture of impunity’. Where was the state? This paper addresses the question of how and why this phenomenon of pervasive and illicit foreign involvement in small-scale gold mining was able to occur without earlier intervention from the state. Findings indicate that the state was not in fact absent. Foreign miners were able to operate with impunity precisely because they were protected by those in authority, i.e. public officials, politicians and chiefs, in return for private payments. Attempting to explain why various state institutions failed in their responsibilities leads to reflection about the nature of the contemporary state in Ghana. It is concluded that the informality and corruption characteristic of neopatrimonialism remains predominant over legal-rational structures, albeit in a form that has adapted to neoliberal restructuring by an increased orientation towards accessing *private* sector resources and *individual* wealth accumulation. Public office remains a means of private enrichment rather than public service. Such findings cast a shadow over the state and government in Ghana, and tarnish its celebration as a model of democratic governance for Africa.

Keywords: Artisanal and small-scale mining; Ghana; Chinese miners; the state and corruption; neopatrimonialism

1. Introduction

The global rush to grab mineral resources took an unusual turn in Ghana recently in the informal gold mining sector. With the hike in gold prices from 2008 onwards, a large influx of foreign miners, especially irregular migrants from China, entered into the artisanal and small-scale mining sector (ASM), despite it being ‘reserved for Ghanaian citizens’ by law (Minerals and Mining Act 2006). An astonishing illicit, free-for-all ensued in which Ghanaian and Chinese miners engaged in both conflict and collaboration over access to gold, a situation described as ‘out of control’ and characterised by ‘a culture of impunity’ at its height in 2012 and 2013 (Interview 1). Chinese miners in particular, numbering tens of thousands, introduced mechanisation and new technology, resulting in irrevocable changes to this traditional economic sector in a short space of time. Further, the intensification of mining caused incalculable environmental damage to both land and water bodies. Where was the state

¹ Acknowledgement: the authors would like to thank the International Growth Centre, Ghana, for financial support for this project

² Corresponding author: Centre for Trust, Peace and Social Relations, Coventry University, UK, email: gordon.crawford@coventry.ac.uk

³ Department of Political Science Education, University of Education Winneba, Ghana

in this context, especially given the illegality involved? The government appeared very slow to respond, despite increasingly negative media coverage of ‘illegal Chinese miners’ that focused on local conflicts between Chinese and Ghanaian miners, resulting in deaths and injuries on both sides, and on the large-scale environmental destruction. Finally, on 15 May 2013, President Mahama established an Inter-Ministerial Task Force aimed at ‘flushing out’ illegal miners, a military-style operation with the deportation of 4592 Chinese nationals, along with small numbers of other foreign nationals from Russia, Togo and Niger (Modern Ghana 12 July 2013).

This article addresses the question of how and why this extraordinary phenomenon of pervasive and illicit Chinese involvement in small-scale gold mining in Ghana was able to occur, despite its illegality and adverse consequences, without earlier intervention from the state. Findings indicate that the state was not in fact absent pre-Task Force. Foreign miners were able to operate with impunity precisely because they were protected by those in authority, i.e. public officials, politicians and chiefs, in return for private payments. Various state institutions and traditional authority structures thus failed in their responsibilities. Yet Ghana is hardly a ‘weak state’ and this failure was not due to lack of capacity. Rather public officials ‘turned a blind eye’ to illicit gold mining in return for a share in the “millions of dollars being made” at a time of very high gold prices (Interview 6). Public office became a means of private wealth accumulation rather than public service.

Thus, corruption emerges at the heart of our empirical findings and, in seeking a broader explanation of why this phenomenon of illicit foreign involvement in ASM occurred, it was necessary to reflect on the nature of the contemporary state in Ghana. We situate these findings, therefore, within theoretical frameworks concerning the state in Africa, namely neopatrimonialism and neoliberal state reconstruction. While neopatrimonialism has long been associated with informality and corruption and a blurring of public and private interests, it was anticipated by the advocates of neoliberal restructuring that such reforms would limit opportunities for corrupt activities and weaken patronage politics. Our conclusion is that neoliberal restructuring has not weakened the neopatrimonial state in Ghana, but caused it to adapt to a changed environment. The state continues to exercise power, notably through informal processes, in a manner that enhances the ability of public officials and politicians to pursue their private interests, as well as enable private actors to profit even where engaged in unlawful activity, at the expense of the public good. The implications for an effective state and for policy-making that benefits the majority low-income population are clearly not positive.

The research took a grounded theory approach (Charmaz, 2014; Glaser, 1992; Glaser and Strauss, 1967), though more by default than design. We became aware of the entry of large numbers of foreign miners, especially from China, into the small-scale mining sector through the media coverage of local conflicts. We sought funds to investigate and then commenced the research without any particular theoretical preconceptions. We undertook interviews with government officials in Accra in April 2014, including the Minister responsible for mining, and identified a suitable fieldwork location, the Upper Denkyira East Municipality in the Central Region, the heartland of alluvial gold mining in southern Ghana and a centre of Chinese involvement. Intensive fieldwork was undertaken in July and August 2014, one year after the Task Force's operations. Although the presence of foreign miners was much less by then, we were able to gather data on the preceding period and the concerns, issues and changes that had emerged during this time. Data collection methods involved semi-structured interviews with: government officials at regional and municipal levels; chiefs and local politicians at municipal level; local journalists; and Ghanaian small-scale miners. Focus group discussions were also held in two mining communities. In addition, visits were undertaken to ASM sites, both legal and illegal, to observe mining processes at first hand, including the degree of environmental degradation. National level interviews were conducted both prior to and after fieldwork to validate the initial findings, including with Chinese citizens resident in Ghana. A media review was also undertaken for the period January to September 2013 of key stories relating to foreign involvement in ASM. On analysing the data, we identified key themes and patterns that emerged from interviews, focus groups and other published documents. These included local collaboration with Chinese miners involving artisanal miners and chiefs; illegal access to land for mining purposes; circumventing of established regulations regarding small-scale mining; official collaboration and protection of illegal miners; insidious corruption involving politicians and public officials; and the pursuit of private gain at the expense of the public good. We then considered existing theoretical frameworks concerning the state in Africa and their explanatory value in helping to understand the social phenomena being investigated.

The paper proceeds in six main sections corresponding to this grounded theory approach. After this introduction, the second section provides information on small-scale gold mining in Ghana, with reference to key literature on ASM in Ghana. The third and fourth sections present empirical findings concerning the recent phenomenon of foreign involvement in the sector, especially by irregular Chinese miners, and the significant impact of foreign involvement on this informal sector. The fifth section attempts to explain why and how the illicit grabbing of Ghana's gold resources was able to occur without earlier state intervention, with reference to the interrelated concepts that emerged as crucial to an explanation, namely corruption, informality, neopatrimonialism and neoliberal state reconstruction. Finally the conclusion highlights what this study, initially about foreign involvement in small-scale mining, has revealed about the nature of the contemporary state in Ghana, with findings that question the image of Ghana as a model of democratic governance for Africa.

2. Artisanal and small-scale mining (ASM) in Ghana

ASM has been a traditional and indigenous activity for centuries, dated back at least to the 15th century when mercury was first used in gold extraction (Dummett, 1998; Tsuma, 2010: 10), one that has continued to use rudimentary means of extraction, at least up to the past decade. As in other African countries, ASM takes licensed and unlicensed forms, with the latter predominating and such illicit miners in Ghana known as *galamsey*, an adulterated version of the English phrase "gather them and sell" (Aubynn et al., 2010: 3). In contemporary times, ASM in Ghana has become an increasingly important means of livelihood for many rural dwellers, often turning to mining to supplement or replace farming incomes (Jonsson and Fold, 2011: 480; Hilson and Garforth, 2012; Bush 2009). In this section we elaborate two key aspects of the legal framework: the distinction between legal and illegal mining; and the restriction of mining to Ghanaian citizens.

ASM was formally illegal in Ghana until 1989, although widely practised. The *Small-Scale Gold Mining Law* 1989 (PNDCL 218) legalized and attempted to regulate small-scale mining by introducing a registration and licensing process. This was then incorporated into the current *Minerals and Mining Act* 2006 (Parliament of the Republic of Ghana, 2006). This formalization process enabled artisanal miners to apply to the Minerals Commission for a concession of 25 acres maximum in designated mining areas and then to acquire a licence to mine. However, this process is criticized as lengthy, bureaucratic and very expensive, with a range of official and unofficial fees. As such, it precludes most low-income miners from registering (Tschakert and Singha, 2007: 1306; Tsuma, 2010: 21; Hilson et al., 2014: 297–8), and therefore *galamsey* activities have continued to proliferate. One report states that, out of

an estimated 250,000 ASM operators, “less than 30 percent [...] are duly registered and licensed” (Aubynn et al., 2010: 3). Therefore, the large majority of ASM operators remain informal and illicit.

Despite this apparent attempt to formalise and regularise small-scale mining from 1989 onwards, there is a strong argument that the state has actually neglected the ASM sector for decades and simultaneously prioritised the large-scale gold mining sector dominated by transnational corporations. Hilson et al. (2014: 298–9) make the case forcefully that the long delays in applications for licences, at times taking years, coupled with a lack of state financial and technical support to licensed ASM operators, amounts to neglect and maintains the sector’s “perpetual informality” (Hilson et al., 2014: 292; see Jonsson and Fold, 2011: 485 for similar problems regarding ASM licensing in sub-Saharan Africa generally). Tschakert and Singha (2007) also highlight processes of marginalization by the state of the ASM sector in Ghana, including the leasing of large areas of land to large-scale mining corporations and the criminalization of *galamsey*. Such processes in their view are “in stark contrast to the official [government] rhetoric of poverty reduction” (Tschakert and Singha, 2007: 1306).

For these reasons the informal or illegal sector continues to predominate. The phenomenon of *galamsey*, used in Ghanaian parlance to refer to both the activity and the illicit miners themselves, is very much poverty-driven (Bush 2009) and described as “an economic necessity for those engaged in it” (Andrews 2015: 4). It is an activity undertaken by both men and women, generally with different roles, in very harsh working conditions (Andrews 2015: 4), though one that can provide a “viable livelihood” (Tschakert 2009), especially for those established *galamsey* operators who themselves employ gangs of miners (Andrews 2015: 8). Mining methods have remained rudimentary, with limited mechanisation, at least until recent foreign involvement, as outlined below. There are occasional crackdowns by the state on illegal mining (Hilson and Yakovelva, 2007), yet often *galamsey* are able to operate relatively “freely and openly”, at least outside of mining company concessions, as noted by Andrews (2015: 11). An instructive comment by Teschner (2012: 312) is that *galamsey* activities are so ubiquitous in places that “the casual observer may not believe that it could possibly be illegal”, leading him to characterise *galamsey* as ‘alegal’, in other words “intentionally tolerated by law enforcement” (ibid.).⁴ While instances of traditional authorities (chiefs) personally profiting from illicit land allocations to (Ghanaian) *galamsey* operators have been reported (Hilson et al., 2014: 301), neither the media nor academic literature has highlighted

⁴ Teschner (2012) was specifically talking about the area around Tarkwa, a centre of artisanal mining in southern Ghana.

corruption amongst public officials in relation to *galamsey* operations, probably because such activities have been mainly perceived as poverty-driven with limited opportunities for financial benefit from rent-seeking.

The second key element of the legal framework of relevance here is that licensed small-scale mining can only be undertaken by citizens of Ghana, as outlined in the *Minerals and Mining Act* 2006 (Parliament of the Republic of Ghana, 2006: sec 83). Here there has also been some disjuncture between the law and the reality on the ground, with non-Ghanaian miners involved in *galamsey* activities. Yet until recently such ‘foreigners’ were almost entirely from neighbouring West African countries, for instance Burkina Faso and Togo, with miners having migrated across porous borders in search of economic opportunities. This situation changed dramatically in the last decade with the influx of large numbers of foreign miners into the small-scale sector, most notably from China.

3. The new gold rush and foreign involvement: conflict and collusion

Until about ten years ago, two points could be made with certainty about artisanal gold mining in Ghana. First, it was a traditional activity, often involving the same rudimentary means of extraction (pick axe, shovel and bowl) that had been used for centuries. Second, it was almost entirely an indigenous activity, apart from those few miners from neighbouring countries. However, the last decade has seen rapid and interrelated changes to both these aspects. Foreign miners from China and other faraway places started coming to Ghana to engage in small-scale gold mining from 2006 onwards, which turned into a gold rush with the hike in gold prices from 2008. It was stated by an immigration officer (Interview 16) that many Chinese miners came into Ghana via Togo who had a ‘no visa required’ arrangement with China, and then crossed the border unofficially, while others came in on tourist visas. The exact numbers of such irregular migrants is not known, precisely due to the evasion of immigration laws, but it can be safely stated that the large majority were from China and that they numbered in the tens of thousands – a Chinese media source said fifty thousand (South China Morning Post, 7 July 2013) - with most coming from Shanglin County in Guangxi province and known in Ghana as the ‘Shanglin gang’. It is worth recalling that all such irregular migrants were working on an illicit and illegal basis given that the sector is reserved for Ghanaian citizens by law. How did such large numbers of foreign miners, particularly from China, come to be involved in ASM in Ghana, especially given its illegality? This section seeks to understand how this phenomenon occurred, as well as examine the media and state responses that led eventually to the creation of the government Task Force.

In seeking to explain this huge influx of Chinese miners into the ASM sector, this research identified both contingency and structural factors. The main contingency factor was a meeting in 2006 between a Chinese national, resident in Ghana and involved in the small-scale mining sector, and a Chinese miner from Guangxi province. This led to the introduction of the ‘trommel’ machine, or wash plant, for use in alluvial gold mining (Interview 8). It vastly increased the grams of gold that could be extracted on a daily basis. Each machine required a team of 8 workers to operate in a collaborative manner, and therefore groups of 8 Chinese migrants started to come into the country. A key structural factor was the rapid rise in the world market price of gold from 2010 onwards, reaching over US\$1400 per ounce by November 2010.⁵ This meant that large sums of money were being made by Chinese miners in Ghana, and news spread quickly by word-of-mouth back in China, particularly in Shanglin County where that technique had been used for more than 30 years. As the gold price continued to rise, reaching \$1900 per ounce in September 2011 and remaining at over \$1700 per ounce throughout 2012, Chinese miners flocked to Ghana in their thousands and their presence became ubiquitous in the main areas of small-scale alluvial gold mining in southern Ghana. Another structural factor was the economic boom in China which made it possible for lower income Chinese citizens to borrow sums of USD 25,000 from the bank, providing groups of 8 Chinese nationals with approximately USD 200,000 for investment in ASM activities in Ghana (Interview 8).

Competition over valuable resources can lead to conflict, especially where relatively poor local people may feel their livelihoods are under threat from foreign incomers, and indeed this was the case in this instance. Violent disturbances between local villagers and Chinese miners were increasingly reported from mid-2012 onwards, including incidents where Chinese miners were armed with guns.⁶ However, it was the death of a Chinese boy in October 2012 in a police raid on illegal miners that drew international attention to this issue, with the Chinese Foreign Ministry demanding an investigation by the Government of Ghana (BBC News 15 October 2012). Other incidents included two Chinese miners being shot dead in an attempted robbery at a mining site on new year’s eve 2012 (Daily Guide, 4 January 2013).⁷ In

⁵ All gold prices taken from http://www.kitco.com/scripts/hist_charts/monthly_graphs.plx

⁶ It is a matter of fact that many Chinese miners (illegally) armed themselves with guns – a Chinese respondent stated that they had weapons “from the very beginning”. This was seen as justified in order to protect themselves in often isolated mining sites in the bush. The same Chinese respondent also stated that the Chinese response would be to seek compromise where violence was threatened. (Interview 6).

⁷ “Two Chinese miners were allegedly shot and killed when suspected armed robbers stormed their camp at Nkoranza, near Subin in the Upper Denkyira West District of

February 2013, three Ghanaian youths from Manso Abodum community were shot and wounded allegedly by a Chinese miner in a mining dispute.

However, this account of local conflicts only tells part of the story. How could tens of thousands of Chinese and other foreign nationals be working in an industry that, by law, is restricted to Ghanaian citizens, especially with the introduction of heavy machinery such as excavators and bulldozers, highly conspicuous in rural areas? Further, how could Chinese miners in particular operate in a country that is so different from their own? Most notably, how did they get access to land on which to undertake mining? It appears that collaboration and collusion in illegality occurred from local to national levels, within both official circles and society at large.

In a somewhat different account from that of the immigration officer (above), we were told by a source who worked with Chinese miners that, on entry into the country, bogus visas and work permits were issued unlawfully to some Chinese miners by corrupt immigration officials for a fee; (and that these same officials later declared the same documents to be fake when the Chinese were arrested during the Task Force operations) (Interview 9). We were informed that irregular Chinese migrants from Shanglin County were relatively poor people, not highly educated, and rarely able to speak any English (Interview 8). They were unfamiliar with Ghanaian culture and traditions, especially regarding land ownership, and clearly required guidance and assistance in entering local communities, especially in interactions with local chiefs. The phrase that ‘the Chinese were led by Ghanaians’ was one repeatedly heard in our fieldwork, and in rural areas that invariably means being led to the local chief. The role of chiefs is crucial to facilitate illicit mining, given their traditional role over land transactions. Accounts of chiefs disbursing land to Chinese miners for significant sums of money, despite not having the right to sell customary land, as well as allegations of official corruption, were recurring themes (Focus groups 1 and 2). A Minerals Commission official (Interview 4) indicated that chiefs were almost always paid off by the Chinese through local Ghanaians fronting for them. Indeed, it was noted that the chiefs have to give final clearance for lands

the Central Region on Monday- New Year's eve. Li Jian Sheng, believed to be in his late 40s, and Li Chao Hua, 35, worked with Hansol Small Scale Mining Company as senior consultants” (Daily Guide 4.01.13). In its report, the Daily Guide stated that “The Ghana-China Friendship Union (GCFU) put the figures of Chinese nationals killed by armed robbers at the mining sites at 87” (Daily Guide 4.01.13, cited in Modern Ghana 4.01.13). While such attacks undoubtedly occurred, this figure of 87 deaths of Chinese nationals remains unconfirmed and uncorroborated, and would seem to be an exaggeration, given that such high numbers of armed robbery and deaths would have been extensively covered in the Ghanaian media.

before mining can take place, and this involved financial payments. However, the respondent also noted that the chiefs invariably deny their involvement, and, since no receipts are given to cover these payments, it is difficult to prove that they actually took place, providing a convenient basis for denials. In addition, the same respondent cited instances where conflicts erupted when community members accused chiefs of taking money from the Chinese miners, and allowing them to destroy their farms in illegal mining operations, while not sharing any of the money with community members as compensation. On some occasions, the locals directly attacked the Chinese miners for destroying the farms after paying off only the chiefs (Interview 4).

A further level of collusion entailed close collaboration between Chinese miners and Ghanaian miners. A former *galamsey* miner (Interview 17) indicated that the Chinese and local miners, both licensed concession holders and those involved in *galamsey* activities, worked together in various ways. First, it was often local *galamsey* miners who 'led' the Chinese to the chiefs and facilitated the bribes paid to the chiefs to secure illicit access to lands. Second, a common practice by licensed miners was to form a partnership with Chinese miners, to whom they effectively (and unlawfully) sub-let their concessions, taking between 10-15 per cent of the value of the gold produced, while the Chinese who finance and undertake the entire mining operations took 85-90 per cent. Such deals were very lucrative and two registered small-scale miners who had worked with Chinese miners stated that a 15 per cent stake amounted to an income of 15,000 to 25,000 Ghana cedis per week (approximately £3000 to £5000 per week) (interviews 10 & 11). The former interviewee was still engaged in such an arrangement, one year after the Task Force. Third, official registration of ASM mining licenses was undertaken by Ghanaians on behalf of the Chinese; consequently, when some Chinese were arrested, the documents bore Ghanaian names but the actual owners and operators were Chinese nationals. This latter practice also questions the role of Minerals Commission officials in scrutinising the registration and licensing processes for which they are responsible.

It became evident that the influx of Chinese miners into small-scale gold mining in Ghana, and the new methods that they introduced, did not simply lead to conflict over resources, as was reported in newspaper headlines, but also to significant levels of collaboration with Ghanaians. Such collaboration was particularly attractive when large sums of money could be made very quickly, given the combination of more efficient extraction methods and the very high price of gold, and many Ghanaians in authority were keen to take advantage of their positions either to facilitate Chinese mining, through provision of access to land, or to allow illegal mining to occur through 'turning a blind eye' in return for financial inducements.

These issues of corruption by both state officials and traditional authorities are highlighted below.

State and media response

While the presence of Chinese miners in the ASM sector grew exponentially, especially from 2010 onwards, the Government of Ghana did very little for a number of years. However, from mid-2012 onwards, the participation of Chinese nationals in informal mining in Ghana had grown to such proportions that there was extensive reporting of the issue of ‘illegal Chinese miners’ in the Ghanaian media, almost entirely negative. This research undertook a review of relevant coverage from January to September 2013 in three local mass media outlets, the *Daily Graphic* newspaper, and two web portals – Expose Ghana and Modern Ghana – each of which contains news items from a range of print and TV/radio sources. Within this period, Modern Ghana had 48 relevant stories, the *Daily Graphic* had 36, and Expose Ghana had 44, almost all negative. The media increasingly put pressure on the government to act, highlighting the local conflicts between Ghanaian and Chinese miners, with firearms involved and deaths and injuries on both sides, and the widespread environmental destruction that was resulting from the use of heavy machinery. The despair about government inaction was reflected in an article in early 2013 in the *Daily Graphic*, the most established newspaper, with the headline ‘Deal with illegal miners now’, stating: “As we look on in helpless amazement, foreigners continue to degrade our lands and pollute our water bodies” (15.03.13). However, the media was also responsible for some xenophobia against Chinese miners (Tschakert 2016) and for the scapegoating of foreigners for problems that had much wider origins within the national landscape, as discussed below. Chinese miners were referred to as “illegal, undesirable migrants” (Daily Graphic 29/03/13), “deviants” (Daily Graphic 25/02/13), “aliens” (Daily Graphic 05/03/13), who hunt for “easy riches” in Ghana (Modern Ghana 12/06/13). Their presence in Ghana and involvement in small-scale gold-mining was labelled as an “invasion” (Expose Ghana 18/03/13), a “menace” (Daily Graphic 19/06/13), and a threat to the lives of indigenous people (Modern Ghana 11/05/13). Little information was provided on the Chinese miners themselves or their motivations for becoming involved in small-scale mining in Ghana. We found no stories providing the ‘Chinese side of the story’.⁸

⁸ In another interesting study of Ghanaian perceptions of Chinese migrants, undertaken by a Chinese postgraduate researcher, Liu Shaonan, it was similarly noted that coverage of Chinese miners in the *Daily Graphic* during May-June 2013 was entirely negative in tone and used the word ‘illegal’ in all 22 stories (Liu 2014). The author states that the narrative of the reports created an impression that ‘illegal Chinese miners’ were responsible for “land degradation, water pollution, robbery and shooting, the loss

Media coverage of illegal mining activities, especially those involving foreign miners, coupled with the incidents of local conflict and protests from local youths, farmers, mining activists and environmental groups, became extremely difficult to ignore, and at times bordered on portraying the inability of the state security services to deal with the situation. For example, on 28 February 2013, the Daily Graphic reported the drowning of two naval officers in the river Pra while chasing illegal miners, with President Mahama visiting their families. On 16 April 2013, the Daily Graphic and several private radio and television stations across the country reported the death of 17 illegal Ghanaian miners who were trapped to death when a mine collapsed, one allegedly abandoned by Chinese illegal miners. This was a major tragedy that questioned the effectiveness of state institutions such as the Minerals Commission, Environmental Protection Agency, immigration and the security services. The media coverage, including in local languages on radio and television, with live pictures from mining sites, galvanised public outrage against the illegal mining activities, and made it nearly impossible for the government to ignore. Thus finally the government was forced to act. On 15 May 2013, President Mahama acknowledged that “We do clearly have a problem” and established a high-level Inter-Ministerial Task Force to combat illegal small-scale mining. While the President was careful to include all illegal mining activities in its remit, the sub-text was clear that this was a measure primarily aimed at foreign miners, especially Chinese nationals. The Task Force was essentially a military operation undertaken by the army and police, referred to as the ‘flushing out’ of illegal miners, and led to the official deportation of 4592 Chinese nationals as well as smaller numbers of other foreign nationals, as noted above (Modern Ghana, 12/07/2013). The ferocity of the military crackdown targeted at foreign miners, with the burning of mining equipment and facilities, meant that many more Chinese miners fled from the country. It is also notable that no Ghanaian miners were arrested or prosecuted.

Although the scale of foreign involvement in ASM has declined post-Task Force, we argue here that this short but intense episode of foreign involvement, especially the role of Chinese miners, has brought about significant and irreversible changes in this traditional economic sector. We briefly examine these consequences below, including the implications for the state,

of national wealth and a breakdown of Ghanaian law”, with no mention of Ghanaian counterparts or collaborators (Liu 2014: 3). The focus on the Chinese miners as separate actors, disconnected from their Ghanaian collaborators at various levels of Ghanaian society and government, entails dangers of misrepresentation and the scapegoating of foreigners for national problems.

before turning to seek an explanation for why unlawful activity on such a scale and with such a significant impact was able, and indeed allowed, to occur.

4. Outcomes of foreign involvement in ASM

Over a short period from 2008-2013, the impact of this remarkable phenomenon of widespread illicit Chinese involvement in ASM has been highly significant. This section looks at some of the outcomes.

Mechanisation and Intensification

Most significantly, Chinese involvement has led to a mechanisation and intensification of production that has transformed the small-scale mining sector, with many Ghanaian miners, both concession holders and *galamsey*, now employing the same techniques. Such changes are irreversible and the sector, or at least a significant part of it, can no longer be described as artisanal. Areas of land are now mined in weeks that previously would have taken years using the traditional methods, and the amount of land that is acquired from land owners, often illicitly from traditional authorities (the chiefs), for mining purposes has increased enormously (Interview 10). This is also the major cocoa growing region, based on small-scale farming, and land use changes have significant implications for cocoa production and livelihoods. A local registered small-scale miner informed us that the Chinese offered more money for cocoa farms than the local ASM operators (Interview 11). For example, whereas locals offered GHC 8,000 for an acre of cocoa farm to be cut down for mining, the Chinese would offer more than GHC 15, 000 for the same acre of cocoa farm. It is also instructive to note that the average cocoa farmer in the area may make just about GHC 1,000 from an acre per year. Thus, it was very attractive for many poor farmers to sell off their farms for cash, and many were willing to do so.

The intensification of gold production as a result of these activities is reflected in the phenomenal increase in the contribution of small-scale gold mining to total gold production. Production has increased 7-fold from 225,411 ounces in 2005 to 1,576,478 ounces in 2013, while the percentage of total gold production from small-scale mining has also increased from 11% in 2005 to a remarkable 36% in 2013 and 2014 (Minerals Commission 2014). This increase has been particularly marked in the period from 2008 onwards corresponding with the rapid escalation of Chinese miners migrating to Ghana from Shanglin County, culminating in the huge leaps in production during the gold boom in 2012 and the first half of 2013, when tens of thousands of Chinese miners were active in the sector.

Environmental Degradation

Second, a consequence of mechanization and the intensification of production has been much larger-scale environmental degradation in areas of alluvial mining, inclusive of both land and water bodies. The rush to acquire land for mining has meant that large tracts of arable land have been destroyed, most notably where illegal mining has entailed sites being abandoned without any reclamation, and will remain unusable for farming for generations. Loss of farm lands has affected both cocoa production and food crop production, with an adverse effect on both food security and the country's foreign currency earnings. Abandoned pits are left uncovered and become flooded, posing a danger to local residents, especially children, with deaths reported. The destruction of river systems has been a new and catastrophic form of environmental degradation that has occurred precisely due to the introduction of dredging mining within rivers by Chinese miners and subsequently adopted by Ghanaian miners. Main rivers are now severely polluted, with high levels of water turbidity, loss of aquatic life, and contaminated drinking water. The degree of water pollution has very severe consequences for local communities, including those served with piped water, increasing the cost of chemical treatment to make such water potable (CSIR – Water Research Institute, 2013).

Lost revenue

However, despite the increase in total gold production, mining that is largely unlawful means that significant opportunities for revenue collection by the state are being lost. It has become difficult to trace how gold is traded and exported, with suggestions that gold was smuggled out of the country. A knowledgeable respondent at national level stated that this is “a widely-held view” (Interview 2), while a licensed concession holder who had worked with Chinese miners in Dunkwa-on-Offin alleged that “gold was sent direct to China” with “so many ways” of doing so (Interview 11). Clearly illegal foreign miners pay no taxes, nor do unlawful *galamsey* operators.

Legal impunity

Despite various elements of illegality in foreign involvement in ASM, the law was not enforced prior to the Task Force. Unlawful activities include: foreign purchase of small-scale concessions from Ghanaians; mining on unregistered land often acquired from chiefs; mining in rivers; gold smuggling; and the basic illegality of non-Ghanaians undertaking any small-scale mining. While there has been a degree of state tolerance towards *galamsey* activities in the past, as noted above, the scale of illegality became much greater with foreign involvement. In alluvial mining in the South, the situation prior to the Task Force had escalated to the extent that it was described by the senior environmental official as “out of control” with a “culture of impunity” (Interview 1). Another Ghanaian respondent, who had himself worked with Chinese miners, confirmed this by noting that mining was being

undertaken collaboratively by Chinese and Ghanaians in a “free-range” manner (Interview 9), with little or no respect for the law by those mining or, disturbingly, by the relevant authorities responsible for its enforcement. Although foreign involvement has decreased post-Task Force, the fact that it was allowed to develop and reach such proportions raises fundamental questions about the Ghanaian state. It is also the case that the Task Force was a one-off crackdown targeted at foreign miners, and subsequently Ghanaian miners have continued to undertake illegal operations, such as mining in rivers, with relative impunity, as observed during fieldwork **and has continued to date.**

5. Explaining outcomes: Corruption, informality, neopatrimonialism and neoliberalisation

How do we explain such outcomes? Why was this culture of impunity allowed to develop and why did it take so long for government to act? Where was the state in this context and what does this episode tell us about the character of the Ghanaian state? In seeking an explanation from the data from interviews and focus group discussions, it becomes evident that the range of unlawful activities outlined above and the failure of various state authorities to enforce the law was underpinned by widespread state corruption. This section commences by outlining the evidence that indicates the behind-the-scenes presence of the state, not its absence, in facilitating this episode up to and including the Task Force’s activities. Yet disappointing as it may be, the corrupt and rent-seeking behaviour of state officials in Africa is hardly a revelation, and the explanation needs to be taken further. What are the underlying processes that have led to a situation where illegal practices are effectively enabled by those in authority, rather than being prevented from occurring? We identify broader interrelated factors, mainly based on insights from existing literature. The first focuses on the concept of *informality*, both as it affects the ASM sector and the state itself. The second factor locates corruption and informality within the concept of the *neopatrimonial state* in Africa, and then examines how neopatrimonialism has evolved and adapted in the face of the third factor, neoliberal state reconstruction and the marketization of social relations.

Institutional failure and corruption

Various authorities failed in their responsibilities, both traditional authorities and government agencies, including the immigration service, the Minerals Commission, the police, and regional and local government. Why has such pervasive institutional failure occurred? The endemic nature of corruption would seem to be central to any answer. The Ghanaian state is not a weak state, as was evident when the Task Force was eventually put in place. Yet this example has also shown that it is a state, like others in sub-Saharan Africa, which is increasingly characterised by pervasive ‘everyday corruption’ and the rent-seeking behaviour of public officials (Blundo and Olivier de Sardan, 2006).

During fieldwork, we were constantly hearing stories of various individuals taking bribes and being bought off. We noted above the allegations made against Ghana Immigration Service officials that they provided entry permits and (false) work permits to Chinese miners for payments (interview 9). Corruption allegations were also made against many other government officials ranging from local government level to high-ranking central government personnel, including Ministers of State and Members of Parliament who were involved in shielding illegal Chinese miners in exchange for financial contributions, notably for electoral campaigns. Lone voices in the public sector who had tried to take action against illegal mining operations informed us that Chinese miners in particular were protected by “big shots in government” in return for payments (Interview 14). This individual cited two instances in his direct experience that indicated high-level government complicity in illegality. First, he stated that when attempting to challenge some Chinese miners that they had made phone calls and consequently he had been “threatened on the phone by [Ghanaian] big men” and told “to lay off the Chinese”. Second, when trying to get some Chinese nationals to register their businesses for local taxation purposes, he stated that the local office of the Ghana Immigration Service had warned him to stop as “they [Immigration] had instructions”. He intimated that various politicians were protecting the Chinese, especially at the time of the 2012 general election campaign in return for financial support to sponsor their campaigns. A licensed small-scale miner, who himself had worked with Chinese miners, confirmed these experiences. He stated that, if challenged, the Chinese would “threaten to call the Minister or police commander”. He further alleged that, “People here in Dunkwa can never arrest Chinese people as they have top guys supporting them; they just need to make a phone call”. He expressed the view that such “top guys” were “collecting their money every week from the Chinese” (Interview 11).

Such accusations were corroborated by a Chinese respondent with first-hand experience of incoming Chinese miners as business clients (Interview 6). He noted that “money talks” and Chinese miners had made payments to both high-level government officials and those at

ground level, with the latter also expected to channel money to senior officials. He alleged that “many [government] people were involved”, including officials from key government agencies, and that they had effectively provided protection to Chinese miners. Yet post-Task Force, he noted that a fundamental shift had occurred and Chinese miners were “no longer protected by the [Ghanaian] government”, and therefore most had moved on to other countries in the region or returned to China (Interview 6). Those that remained appeared to fall into two main categories. A few more established Chinese miners opened up equipment hire businesses for Ghanaian small-scale miners, as we observed, while others were reported to have moved deeper into the bush to escape the Task Force, especially more recent arrivals with insufficient earnings to flee the country (Interview 9). **It is difficult to ascertain the exact number of Chinese miners in Ghana today due to the low profile post-Task Force, but it is a small fraction compared with , the very large numbers in 2012 and 2013.**

Although the Inter-Ministerial Task Force temporarily reduced this free-for-all ravaging of Ghana’s gold resources, the allegations of corruption also extended to the Task Force itself. Significant payments by Chinese miners to Task Force members in order to avoid arrest were reported, as well as the theft of gold and property from Chinese miners, in the course of the military-style crackdown. A local journalist involved in reporting the Task Force’s activities indicated that members of the Task Force made a lot of money from the operations, sometimes as much as GHC 10,000 per person per day (Interview 12). Money was extorted from the Chinese in return for their release, with much of this money siphoned off immediately through the mobile money system during the operations. In addition, many of the items left behind by escaping Chinese such as gold, vehicles and mining equipment were stolen by some members of the Task Force. Indeed, we were told that those Chinese who were arrested and deported were precisely those who “could not pay” (Interview 12).

It would appear that foreign miners, especially from China, were able to operate with impunity for so long precisely because they were protected by those in authority, that is, by public officials, politicians and chiefs, in return for private payments. Various state institutions have clearly failed in their responsibilities to maintain the law. Yet this is not due to issues of inadequate capacity. Rather public officials have ‘turned a blind eye’ to illicit mining in return for a share in the large sums of money being made from gold extraction. Similarly chiefs have seen an opportunity for personal gain by selling land for mining, despite their traditional role prohibiting this. Those in public positions, including traditional authorities, have become increasingly oriented to pursuing private wealth accumulation rather than public service in a manner that undermines any notion of state effectiveness. Significantly, corrupt behaviour and opportunism was even evident in the Task Force’s

activities, charged with ending illegal mining, with army and police personnel taking advantage of their power to pursue private gain at the expense of the Chinese miners.

Informality

Corruption takes different forms in different contexts, and Blundo and Olivier de Sardan (2006) have emphasised the significance of the concept of ‘informality’ in their detailed study of everyday corruption in three countries in francophone West Africa. A key finding in their study was that ‘the “real” function of the state is very removed from its “official functioning”’ (2006, p. 5) in terms of laws and regulations. They describe this ‘real’ function as the ‘generalized informal functioning’ of the state (ibid.), which facilitates corrupt practices and private accumulation by public officials. In other words, the state does not exist merely to provide public services for its citizens, its official function. Rather, its ‘informal functioning’ enables public officials to make use of their positions in various ways to secure private financial benefits. Such ‘informal functioning’ of the state is evident here, tied up with corrupt practices, and provides a clue to understanding the nature of the relationship between Chinese migrant miners and Ghanaian power holders in this study. Blundo and Olivier de Sardan’s (2006) focus on the ‘informal functioning’ of the state is also closely linked to the concept of the neopatrimonial state, discussed below.

However, the relevance of the concept of informality extends further in the context of small-scale mining. The ability of power holders to engage in corrupt practices is reinforced by the *informality* of the small-scale mining sector itself, enabling state officials to disregard existing laws and regulations, and for both Ghanaian and Chinese miners to operate with impunity. It should be recalled that small-scale mining in Ghana is characterised by illicitness and irregularity. This is evident in the whole phenomenon of the *galamsey*, replicated in other African countries such as Burkina Faso and Mozambique (Andrews, 2015, p. 6) where illicit mining is often tolerated and mining laws not enforced (Teschner, 2012; Fisher, 2007). Therefore the informality of the ASM sector provides fertile ground for bribery and

corruption, more so than the formalised large-scale mining sector. This has previously been most evident in relation to chiefs, who exploit their power to gain personal financial benefit from illicit small-scale mining within their territories. Although traditional authorities have no formal role in the licensing of small-scale mining operations, their authoritative position in local communities means that they cannot be by-passed and generally their approval must be sought before mining can be undertaken, albeit informally and at a price (Hilson et al., 2014, p. 301). This ability of power holders to use their position for rent-seeking purposes has extended to state officials in the case of Chinese mining operations, especially in the context of the latest gold rush where stakes are much higher given that the volume of gold extracted was vastly increased and no longer merely a poverty-driven occupation.

In all, the informality of the ASM sector, combined with the ‘generalized informal functioning’ of the state (Blundo & Olivier de Sardan, 2006, p. 5), has enabled illicit and unlawful activities to occur with relative impunity, especially where those tasked with upholding the law are privately benefiting from the law’s non-enforcement. This informality is also an expression of the ASM sector’s relative neglect by the state, described by Van Bockstael (2014) as ‘the persistence of informality’ in small-scale mining in Liberia, and by Hilson et al. (2014, p. 292) as the sector’s ‘perpetual informality’ in Ghana. It can be argued that this continued neglect is intentional and an unofficial policy, given the private benefits to be gained.

Neopatrimonialism

Informality and corruption are often identified as key characteristics of the neopatrimonial state, commonly regarded as the key descriptor of the post-colonial state in Africa, following Medard’s (1982) application of the concept to the continent. Indeed, Bratton and van de Walle regard neopatrimonialism as “the *core* feature of politics in Africa” (1994: 459, emphasis in original), and identified some 40 African states where routinized neopatrimonialism can be observed, including Ghana. In their review article, Erdmann and Engel define neopatrimonialism as “a mixture of two co-existing, partly interwoven, types of domination: namely, patrimonial and legal-rational bureaucratic domination” (2007: 105), based on two of

Max Weber's three types of authority, that is traditional authority and legal-rational authority. In other words, neopatrimonialism combines and infuses together the traditional authority of patrimonial rule, characterised by personal rule with little or no differentiation between the private and public realms, and Weber's ideal-type of the legal-rational bureaucracy that characterises the modern state, where authority is based on laws and rule-bound institutions and a clear distinction is upheld between office and office-holder. Therefore neopatrimonial states do have formal legal-rational structures and rules, with a claim to "modern stateness" (Erdmann and Engel 2007: 105), yet this is often regarded as a façade behind which the informal patrimonial relations operate and the distinction between private and public interests becomes blurred, chiming with Blundo and Olivier de Sardan's (2006) distinction between the official and informal functioning of the state. In particular the neopatrimonial state is characterised by clientelism (Bratton and van de Walle 1997; Erdmann and Engel 2007), the hierarchical network of patron-client relations that stretches from the presidential 'big man' downwards to the "humblest village assembly" (Bratton and van de Walle 1994: 459). In a cyclical and self-perpetuating way, clientelist systems use state power and public resources as the means to disburse patronage in the form of jobs, contracts and financial perks, traditionally to kinship and ethnic groups and more latterly to political party supporters, in order to generate loyalty and thus to maintain power and control over the resources required for patronage purposes. This "privatizing [of] public resources for personal gain or gain by ethnic communities" (Kohli, 2004: 289, cited in Bach 2011: 282) is referred to as "the 'privatization of the state' in Africa" by Lindberg (2003: 123). Nigeria is often seen as "a near-perfect example of such a neopatrimonial state model" (Bach 2011: 282) while Kohli considered the concept relevant to describe 'almost all' African states (2004: 394–395, cited in Bach 2011: 282).

In many respects, characteristics of the neopatrimonial state are what we continue to observe here. Formal rules and public bureaucracies do "exist and matter", but the reality of the neopatrimonial regime is that "informal rules and norms take precedence over formal institutions" (Guliyev 2011: 578). In this case, a formal legal framework regulating small-scale mining exists along with state institutions to uphold the law, yet it is a legal framework that has limited functionality, and often acts as a pretence behind which informal and at times illegal practices operate. The (ab)use of private office for private gain that we have observed in this study also corresponds largely to the description of contemporary neopatrimonialism where "leaders occupy bureaucratic offices less to perform public service than to acquire personal wealth and status" (Bratton & van de Walle, 1994: 458, cited in Bach 2011: 277). Yet what we observe here is also different from classic neopatrimonialism where it is access to *state* resources that is crucial and where such resources are used mainly for patronage

purposes. While the distinction between public and private interests continues to be blurred in the contemporary situation in Ghana, there are two significant differences. One is that state position (or traditional authority) is exploited to gain access to *private* sector resources. The other is that this is undertaken in an individualised manner for *personal* enrichment, less strongly connected to clientelist networks and patronage politics. These are significant changes and seeking to account for the ways in which neopatrimonialism has evolved leads us to explore the impact of neoliberal state reconstruction and the marketization of social relations.

Neoliberal state reconstruction

If neopatrimonialism has been “the *core* feature of politics in Africa” (Bratton and van de Walle 1994: 459, emphasis in original), then it is also indisputable that the dominant paradigm of neoliberalism has also resulted in momentous changes to the state in Africa over the past two decades. As Leftwich (1994: 368) noted over two decades ago, “neo-liberalism is not only an economic theory but a political one as well”. Subsequently the work of Harrison has been notable for an analysis of how the ideas and practices of neoliberalism have been responsible for the reconstruction of the post-independence state in Africa into a pro-market state (Harrison, 2004, pp. 3-5), under the tutelage of the World Bank. The expectations of such a pro-market state, at least amongst its advocates such as the World Bank, is that neopatrimonial processes would be undermined through the diminishment of available state resources and their use becoming increasingly subject to greater transparency and accountability, with the latter achieved through the governance conditionality attached to aid by bilateral donors and multilateral institutions as well as the domestic pressure for greater democratisation and the rule of law. In such ways, neoliberal state reconstruction was anticipated to bring about a reduction in corrupt activities by state officials. Yet, on the contrary, it can be argued from the evidence here that while neoliberal state reconstruction led to adaptations in the nature of neopatrimonialism, it has not been weakened or corruption diminished.

Hibou (2004) articulates such changes convincingly in her discussion of neoliberalism and ‘privatising the state’, with particular reference to Africa. Her argument is that the ‘privatisation of the state’ is not synonymous with ‘the retreat of the state’ (2004: 15), as is more commonly associated with the neoliberal project. Rather, the concept refers to a different way of exercising state power (ibid.: xvi) in which state actors have adjusted to the prevailing neoliberal discourse and to changes to public-private sphere relations, but in a manner that retains state control, albeit more indirectly, and, significantly, enhances their ability to pursue private interests. According to Hibou, this concept of the privatisation of the state has taken a range of different forms in different countries, but two common characteristics are the expanded role of the private sector in the economic sphere, and the increased closeness of links between political power and private actors in undertaking and profiting from such economic activities. For Hibou (2004), this is not a weakening of the state; rather, it can amount to its reinforcement or strengthening, at least for state personnel, both officials and politicians, (if not for the mass of the populace who suffer in terms of the delivery of public goods and services) (Blundo and Olivier de Sardan 2006: 109).

One aspect of the state becoming stronger is the increased hold by political personnel and state officials over the informal economy (Hibou 1999, cited in Blundo & Olivier de Sardan, 2006: 109), notably in circumstances where key components of the formal economy are taken out of state control and privatised, as happened with large-scale gold mining in Ghana (Hilson and Yakovleva 2007: 102-105). Indeed Hibou (2004: 12) precisely argues that the state has contributed to the development of informal and illegal activities by its tolerance towards them and the involvement of its members. This is exactly what appears to have occurred in this example in Ghana with state tolerance of illicit activities and the openness of state officials to acceptance of bribes. A key dimension of this “informal privatisation of the state” is state officials utilising the opportunity to undertake their “personal business” (Blundo & Olivier de Sardan, 2006, p. 109, citing Hibou, 1999) outside of their official roles and public capacities through their closeness to private sector economic activities. By such means state officials are

able to increase their private accumulation of wealth (ibid.), often through corrupt practices. Hibou (2004, pp. 4-10) provides numerous examples from sub-Saharan African countries of this privatisation of government and the need to pay attention to the “behind-the-scenes relations” (ibid., p. 4), including how a country’s economic resources are increasingly appropriated by private actors, in alliance with state personnel in search of new economic opportunities (ibid., p. 6). Such analysis both underscores the continued operation of neopatrimonial structures and relations, while noting that neoliberal restructuring has also led to changes in the ways by which state officials (ab)use their public position for individual personal gain through interaction with the private sector. She talks of the “constant negotiation” between public and private actors and the “lack of a precise boundary between what is punished and what is allowed, between what is authorised, tolerated and condemned, between licit and illicit” (ibid.: 16). Such negotiations and lack of certainty serve to enhance the arbitrary power of state actors in interactions with private sector actors, but also lead to a “toleration of private appropriation, illegal and criminal acts” (ibid.: 15).

Clearly much of this analysis chimes with and serves to explain the processes demonstrated in this case study, where local power holders, including state officials, have colluded with foreign miners to allow highly profitable economic activities in an informal sector, despite the illegal nature of such activities, in return for illicit payments, and therefore, with state connivance, foreign miners were able to disregard the law that limits small-scale mining to Ghanaian citizens and prohibits foreign involvement.

Hibou’s analysis, combined with that offered here, points to the interlinkages and mutual reinforcement between neoliberal state reconstruction, informality and corruption in ways that increase illicit practices, not diminish them. In a related manner, it is also evident that neopatrimonial elements remain a central feature of Ghanaian politics in particular and African politics in general, while recognising how neopatrimonialism has adapted to the

pressures associated with neoliberal restructuring, with greater emphasis now on using political power to access private sector resources and for purposes of personal enrichment.

Marketization of social relations

Neoliberalisation also goes beyond economic and political systems, and extends into society and culture more generally, bringing about changes in social practices (Harrison, 2010, p. 29) that reflect the marketization of social relations and the privatisation of economic benefits. One feature of such neoliberal cultural changes in African societies is the process of “over-monetisation” (Blundo & Olivier de Sardan, 2006, p. 106), where money becomes everything and obtaining money is the dominant theme in all activities and social relationships (see Wiegratz & Cesnulyte, 2016, for discussion in East Africa). This monetisation of society, and the prioritisation of making money for oneself, appeared to underpin the support provided by various state officials and traditional authorities to the incoming Chinese miners. In such a context, making money by whatever means, including illicit ones, predominates the interactions between informal private sector actors and the state, with little concern that the law is being flouted or that local conflict is being generated. The role of state officials and politicians as public servants is easily abandoned in the service of the private sector and their own self-interest, as is that of chiefs in their traditional role as ‘custodians of the land for the people’. The capture of benefits by individual power holders and the dysfunctionality of state institutions are thus outcomes of the unremitting spread of neoliberalisation in all its dimensions, with the strengthening not weakening of the neopatrimonial state and its ‘behind-the-scenes’ corrupt and illicit practices.

6. Conclusion

We commenced this study by seeking to understand and explain the phenomenon of mass illicit foreign involvement in small-scale gold mining in Ghana, especially the tens of thousands of migrant miners from China, and our grounded approach meant that we then sought a wider explanation by situating our immediate findings within theories of the state in Africa. We asked the question: how and why was this phenomenon of pervasive Chinese

involvement able to occur, despite its illegality, without earlier intervention from the state? Our findings and conclusions are at two different levels: firstly, we summarise the impact of illicit foreign involvement on ASM in Ghana in the context of state failure to enforce the laws that regulate the sector; and secondly, we highlight what this has demonstrated about the nature of the contemporary state in Ghana and the implications for democratic governance.

Despite the brevity of this episode, only a few years in the centuries-old history of small-scale gold mining in Ghana, its impact has been substantial and irreversible. Chinese involvement in particular has transformed the sector through the introduction of capital and machinery, including equipment for mining in rivers. This has led to a huge intensification of production on both small-scale concessions and unlicensed land, and areas of land are now mined in weeks that previously would have taken years using traditional methods. Such machinery and techniques have subsequently been adopted by some Ghanaian small-scale miners, notably concession holders, at first in partnership with Chinese miners, and now mainly without direct Chinese involvement, apart from equipment hire. Although Chinese miners have largely departed post-Task Force, small-scale mining for such Ghanaian operators will never be the same again and can no longer be regarded as artisanal given the degree of mechanisation. One positive consequence is that the economic significance of small-scale gold production is much greater, having increased in volume 7-fold from 2005 to 2013, and as a percentage of total gold production from 11% in 2005 to 36% in 2013. There are also significant negative consequences. One is the degree of environmental degradation from unregulated mining to both land and water bodies, and the incalculable cost to the state of land reclamation and restoration of water bodies. Another is the loss of tax revenue to the state from mining that was often illegal. Therefore the effects on public finances are dire, faced with huge expenditure in reversing environmental destruction on the one hand, and the loss of tax revenue on the other, while those private individuals, both Ghanaian and foreign nationals, who benefited from the illegal extraction of gold have evaded all responsibility. Why did the state allow such negative outcomes to occur, including to its own finances? Indeed, where was the state while such fundamental transformations were occurring in the small-scale mining sector, given its formal role in regulating the sector?

While it appeared that the state was largely absent during this rather dramatic period of mass illicit foreign incursion into small-scale mining, our findings are that the state, as well as traditional authority, was very much present and active during this episode, but in a corrupt and self-enriching manner. The abuse by many state officials, politicians and traditional chiefs of their positions of power and authority for purposes of private wealth accumulation is the key factor that accounts for why illicit and illegal activities involving foreign miners were

able to continue unchallenged for so long. Indeed we found that Chinese miners in particular were actually protected by state officials and politicians, at least until the time of the Task Force.

Informality and attendant corruption were key themes that emerged from our empirical evidence and these are strongly associated with the neopatrimonial state, identified since the late 1970s as the main descriptor of the post-colonial state in Africa. Therefore one main conclusion is that the Ghanaian state remains essentially neopatrimonial in nature, where state officials exploit their public positions to pursue their private interests. Yet this requires further elucidation. Neopatrimonialism is dynamic not static, and its interactions with the external pressure for neoliberal state restructuring over the past three decades has resulted in changes in how it operates. Neoliberalism has not weakened the neopatrimonial state, as anticipated by its proponents. Rather evidence here suggests that neopatrimonialism has successfully adapted to a changed policy environment in three ways, and thus reinvigorated itself. First, neopatrimonial behaviour by officials now focuses more on accessing financial resources through interactions with *private sector* actors, including bribe-seeking and toleration of illicit and illegal activities in the informal sector, with little concern for adverse public consequences, for instance to the public finances or the environment. Second, the social dimension of neoliberalism, characterised by a culture of individualism and a moral economy where acquiring money is all, has been integrated into the neopatrimonial state and led to a shift in the purposes for which wealth is accumulated, now used more for private consumption and less for distribution to traditional patron-client networks. Third, one exception, however, is that the distribution of resources based on political party loyalty has become stronger, referred to as ‘competitive clientelist’ politics (Whitfield et al 2015; Abdulai and Hickey 2016), with the neopatrimonial state adapting to the demands of obligatory regular elections. This was evident in this study where politicians allegedly turned a blind eye to illicit activities in their constituencies in return for payments from illegal miners towards their re-election campaigns in the run-up to the December 2012 parliamentary elections. It is what Caselli and Michaels (2012) have referred to as “unproductive self-preservation” that is activities aimed at acquiring the finance necessary to win the next election, thus sustaining their ability to seek private financial benefits, and what Gyimah-Boadi and Yakah (2012: 3), specifically in the Ghanaian context, have termed the “clientelization of the democratic politics”.

This leads to a final point. Such findings cast a long shadow over the state and government in Ghana, including the role of traditional authorities, and tarnish its celebration as a model of

democratic governance for Africa. Liberal democracy is strongly linked to a legal-rational bureaucracy and the rule of law, and democratic consolidation would entail progress in this direction and an increasing separation of private and public roles. Yet the recent episode of foreign involvement in the small-scale gold mining sector has revealed opposite trends. The state in Ghana remains neopatrimonial in nature, characterised by its 'informal functioning' behind-the-scenes, and 25 years of regular elections and formal democracy does not appear to have diminished this. While legal-rational institutions exist, they remain weak and often serve to obscure the predominant informal and corrupt workings of the state. The benefits of democracy for the people of Ghana are severely compromised where officials and politicians (ab)use their positions to enrich themselves rather than focus on the development and implementation of public policies in the interests of all.

References

Abdulai, A.-G. and Hickey, S. (2016), 'The politics of development under competitive clientelism: Insights from Ghana's education sector', in *African Affairs*, 115 (458), pp.44-72.

Andrews, N. (2015), 'Digging for Survival and/or Justice?: The Drivers of Illegal Mining Activities in Western Ghana, in *Africa Today*, vol.62, no.2, pp.2-24.

Aubynn, T. et al. (2010) 'Mainstreaming artisanal and small-scale mining: A background to policy advocacy', draft report, Ghana Chamber of Mines, Accra

Bach, D.C. (2011), 'Patrimonialism and neopatrimonialism: comparative trajectories and readings', in *Commonwealth & Comparative Politics*, 49:3, 275-294

BBC News, 15/10/2012, 'Ghana probes death of 'illegal Chinese gold miner'',
<http://www.bbc.co.uk/news/world-africa-19946787>

Blundo, G. and Olivier de Sardan, J.-P. (2006) *Everyday Corruption and the State: Citizens and Public Officials in Africa*, Zed Books, London

Bratton, M. & van de Walle, N. (1994) Neopatrimonial regimes and political transitions in Africa, *World Politics*, 46(4), pp. 453–489.

Bratton, M. & van de Walle, N. (1997) *Democratic Experiments in Africa. Regime Transitions in Comparative Perspective* (Cambridge: Cambridge University Press).

Bush, R. (2009) "'Soon there will be no-one left to the corpses to the morgue": Accumulation and abjection in Ghana's mining communities', *Resources Policy*, vol 34, no 1–2, pp57–63

Caselli, F. and Michaels, G (2012), 'Do Oil Windfalls Improve Living Standards? Evidence from Brazil' (unpublished paper, see personal.lse.ac.uk/michaels/Caselli_Michaels_Brazil_Oil.pdf)

Council for Scientific and Industrial Research (CSIR) - Water Research Institute(2013) 'Impact of small-scale mining on the water resources of the Pra River basin', CSIR, Accra

Daily Graphic Newspaper, 11/02/2013, 'Chinese arrested for shooting three Manso Abodom youth', <http://graphic.com.gh/news/general-news/9076-chinese-arrested-for-shooting-three-manso-abodom-youth.html>

Daily Guide Newspaper, 08/02/2013, 'Illegal Chinese, Indian Miners Take Over Minti', http://www.dailyguideghana.com/wpcontent/uploads/2013/02/illegal_mining.jpg

Deputy Minister for Lands and Natural Resources Presentation 23 September 2014, available at <http://www.theigc.org/multimedia/growth-week-2014-country-session-ghana/?back=3837>

Dummet, R. E. (1998) *El Dorado in West Africa: The Gold-Mining Frontier, African Labor, and Colonial Capitalism on the Gold Coast, 1875–1900*, Heinemann, Athens

Erdmann, G. and Engel U. (2007), 'Neopatrimonialism Reconsidered: Critical Review and Elaboration of an Elusive Concept', *Commonwealth & Comparative Politics*, 45:1, 95-119,

GhanaWeb (2013) 'Chinese strike about \$500m worth of Gold in Ghana with secret method', 17 May, <http://www.ghanaweb.com/GhanaHomePage/NewsArchive/artikel.php?ID=274243>, accessed 15 December 2015

Guliyev, F (2011), 'Personal rule, neopatrimonialism, and regime typologies: integrating Dahlian and Weberian approaches to regime studies', *Democratization*, 18:3, 575-601,

Gyimah-Boadi, E. and Yakah, T. (2012), Ghana: The Limits of External Democracy Assistance, Working Paper No. 2012/40, UNU/WIDER, available at: <https://www.wider.unu.edu/sites/default/files/wp2012-040.pdf>

Harrison, G. (2004) *The World Bank and Africa: The Construction of Governance States*, Routledge, London

Harrison, G. (2010) *Neoliberal Africa: The Impact of Global Social Engineering*, Zed: London

Hilson, G. and Yakovelva, N. (2007) 'Strained relations: A critical analysis of the mining conflict in Prestea, Ghana', *Political Geography*, vol 26, no 1, pp98–119

Hilson, G. and Garforth, C. (2012) "'Everyone now is concentrating on the mining": Drivers and implications of rural economic transition in the Eastern region of Ghana', *Journal of Development Studies*, vol 49, no 3, pp348–64

Hilson, G., Hilson, A., and Adu-Darko, E. (2014) 'Chinese participation in Ghana's informal gold mining economy: Drivers, implications and clarifications', *Journal of Rural Studies*, vol 34, pp292–303

Jonsson, J.B. and Fold, N. (2011) 'Mining "from below": Taking Africa's artisanal miners seriously', *Geography Compass*, vol 5, pp479–493

Leftwich, A. (1994), 'Governance, the State and the Politics of Development', *Development and Change*, vol.25, pp 363-86

Lindberg, S.I. (2003), 'It's Our Time to "Chop"': Do Elections in Africa Feed Neo-Patrimonialism rather than Counter-Act It?', *Democratization*, 10:2, 121-140,

Medard, J. F. (1982), 'The underdeveloped state in Africa: political clientelism or neo-patrimonialism?', in C. Clapham (Ed.) *Private Patronage and Public Power*, pp. 162–189 (London: Frances Pinter).

Minerals Commission (2009) *Designated Areas for Small-Scale Gold and Diamond Mining in Ghana*, Minerals Commission, Accra

Modern Ghana 12/7/2013, '4,500 Chinese leave Ghana after illegal mining crackdown' citing, <https://www.modernghana.com/news/474808/1/4500-chinese-leave-ghana-after-illegal-mining-crackdown.html> /

Parliament of the Republic of Ghana (2006) *The Minerals and Mining Act, 2006, Act 703*, Accra.

South China Morning Post, 07/06/2013, 'Low costs and huge profits irresistible lure for Chinese to mine Ghana's gold', <http://www.scmp.com/news/china/article/1255126/low-costs-and-huge-profits-irresistible-lure-chinese-mine-ghanas-gold>

Teschner, B.A. (2012), 'Small-scale mining in Ghana: the government and the galamsey', *Resources Policy*, vol.37, no.3. pp.308-314

Tschakert, P. (2009), 'Recognizing and Nurturing Artisanal Mining as a Viable Livelihood', *Resources Policy*, vol. 34, pp24-31

Tschakert, P. (2016), 'Shifting Discourses of Vilification and the Taming of Unruly Mining Landscapes in Ghana', *World Development*, Vol. 86, pp. 123–132

Tschakert, P. and Singha, K. (2007) 'Contaminated identities: Mercury and marginalization in Ghana's artisanal mining sector', *Geoforum*, vol 38, no 6, pp1304–1321

Tsuma, W. (2010) *Gold Mining in Ghana: Actors, Alliances and Power*, ZEF Development Studies, Lit Verlag, Berlin

Van Bockstael, S. (2014) 'The persistence of informality: Perspectives on the future of artisanal mining in Liberia' *Futures*, vol 62, pp10–20

Whitfield, L., Therkildsen, O., Buur, L., Kjær, A M. (2015), *The Politics of African Industrial Policy: A Comparative Perspective* (Cambridge: Cambridge University Press)

List of interviews and focus groups

Interview 1: Director for planning, programming, monitoring, and evaluation at Environmental Protection Agency, Accra, 9 April 2014

Interview 2: National administrator of the Association of Small-Scale Miners, Accra, 13 August 2014

Interview 3: Official at Precious Minerals Marketing Company, Accra, 13 August 2014

Interview 4: Municipal Director at the Minerals Commission, Dunkwa, 24 July 2014

Interview 5: Regional Programme Officer at Environment Protection Agency, Cape Coast, 30 July 2014

Interview 6: Principal consultant at a Chinese financial and legal consultancy firm, Accra, 12 January 2015

Interview 7: Deputy Executive Director at Environmental Protection Agency, Accra, 9 January 2015

Interview 8: Vice-chairman of the Ghana-China Business Chamber of Commerce, Tema, 13 August 2014

Interview 9: Acting managing director of small-scale mining company, Accra, 14 August 2014

Interview 10: Small-scale concession holder at Nayak Mining Enterprise, Buabenso, Upper Denkyira East Municipality, 29 July 2014

Interview 11: Concession holder and member of local Small-Scale Miners Association, Dunkwa, 26 July 2014

Interview 12: Radio journalist at Solar FM, Dunkwa, 23 July 2014

Interview 13: Municipal police commander at the Ghana Police Service, Dunkwa, 24 July 2014

Interview 14: Administration official at Upper Denkyira East Municipal Assembly, Dunkwa, 28 July 2014

Interview 15: Deputy technical director for mining at the Ministry of Lands and Natural Resources, Accra, 9 April 2014

Interview 16: Deputy municipal director, Ghana Immigration Service, Dunkwa, 23 July 2014

Interview 17: Former Ghanaian *galamsey* small-scale miner, Dunkwa, 23 July 2014

Focus group 1: Youth (involved in ASM, Pokukrom, Upper Denkyira East Municipality, 27 July 2014

Focus group 2: Men and women (involved in ASM), Pokukrom, Upper Denkyira East Municipality, 27 July 2014

Focus group 3: Women (involved in ASM), Buabenso, Upper Denkyira East Municipality, 29 July 2014