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Mapping contention: mining property expansion, Amerindian land titling, and livelihood hybridity in Guyana’s small-scale gold mining landscape

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Abstract: A rapid expansion in small-scale gold mining properties over the landscape since the late-2000s has generated new social and environmental pressures for both titled and untitled Amerindian communities in Guyana. Some commentators in Guyana claim that these negative impacts are ‘governance problems’ – related to lapses in the monitoring of mining, a poor application and understanding of existing rules and rights, and delays in the Amerindian land titling process. However, using examples from two Amerindian villages in Guyana and employing extensive spatial Geographic Information Systems (GIS) data, this article shows that these problems are rather rooted in deeper institutional and political biases against Amerindian notions of customary land and the ongoing privileging of mineral interests over other tenure types. The article nevertheless argues that resolving tensions between miners and Amerindian communities over land titling is being hamstrung by the perpetuation of binary framings of these claims according to which they are legitimate only when they are grounded in ‘traditional’ motivations. As a way of moving beyond this impasse, the article suggests recognizing the ‘hybridity’ of indigenous livelihoods and the legitimacy of indigenous participation in mining as necessary steps in re-framing debates on indigenous communities and mining.

Key words: Small-scale gold mining; property rights; indigenous communities; conflict; livelihood hybridity; Guyana
1. Introduction

This article examines the conflict between Amerindians, small-scale gold miners, and the state in Guyana that has accompanied the rapid expansion in mining properties across the landscape in recent years (Bulkan 2013, 2016; Bulkan & Palmer 2016; Hilson & Laing 2017a). The analysis shows how this expansion is having various negative social and environmental impacts on Amerindian villages (Colchester 1997; Roopnarine 2002, 2006; IHRC 2007; Bulkan 1998, 2013, 2016). This is because formal gold mining properties now not only surround many titled and untitled Amerindian villages, but also appear to lie ‘within’ their boundaries. The growing proximity of miners and villagers in the interior is also igniting tensions between Amerindians, non-Amerindians, and the state (Hilson and Laing 2017a). These tensions are ostensibly centred on disputes about access to, and control of, land and resources. Frictions have heightened in the context of the state’s stalling in the issuing of indigenous land titles in recent years, with both villagers and miners facing continued uncertainty (Stabroek 2015a, 2017a).

Some see indigenous communities’ disadvantage vis-à-vis mining globally as more of a ‘governance’ problem, ultimately resolvable through a more effective application and enforcement of existing rules and laws (e.g. Aguilar-Støen & Hirsch 2015; Gilberthorpe & Hilson 2016; Weisse & Naughton-Treves 2016). However, in examining the roots of these impacts through the lens of two Amerindian villages in Guyana (Maicobie and Kangaruma-

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1 The term ‘Amerindian’ will be used to refer to the Amazonian indigenous population in Guyana, in keeping with common practice (Killick 2018). Elsewhere, the term ‘indigenous’ will be used to refer to indigenous peoples in general. The use of the term ‘Amerindian’ is also preferred due to the ongoing contention associated with the term ‘indigenous’ in Guyana. Currently, other ethnic groups (particularly Afro-Guyanese groups such as the African Cultural and Development Association (ACDA)) are contesting the fact that the term ‘indigenous’ is applied exclusively to Amerindians (Stabroek News 2017). This is because they claim that the arrival of African slaves in Guyana during the 17th and 18th centuries (Dunn 2012) predated the arrival of some later-arriving Amerindian tribes, such as the Wais Wais, who, it is claimed, only arrived in Guyana from Brazil in the 19th century (Kaieteur News 2017). Such an argument is however difficult to verify from existing anthropological accounts (see for example Edwards and Gibson (1979)).

2 The interior in Guyana refers to all areas away from the industrialized coast, but especially areas where gold mining takes place and where Amerindian villages exist.
Tasserene), this article shows how many of the disadvantages that Amerindians face are ultimately rooted in their contested incorporation into the Guyanese state through the colonial and post-Independence periods (Bulkan 2016; Grund 2016; Hilson and Laing 2017a). Central to this disadvantage is the predication of current village and mineral titles on the ignoring of the concept of ‘customary’ territories (Dooley & Griffiths 2014; Bulkan 2016) and the provision of inadequate titles for the Amerindian population (Hennessy 2013).

These findings provide an empirical illustration of how prevailing legal frameworks and national political discourses often exhibit an inherent bias in favour of mineral property interests and against other forms of tenure, particularly customary systems (Colchester 1997; Neumann 1997; Scott 1998; Ribot 1999; Hennessy 2013; Bulkan 2016; MacInnes et al. 2017). So, while Hilson and Maconachie (2017, p. 447) have (justifiably) celebrated mineral property rights for the “superior” tenure security that they offer for miners, the article renews suggestions for artisanal and small-scale mining (ASM) scholars to engage more closely with the justice dimensions of mineral formalization agendas (Kelly & Peluso 2015; Puztel et al., 2015; Damonte 2016; Andrews 2018). In employing original, tailored Geographic Information Systems (GIS) maps, the article also illuminates new perspectives on patterns of mineral expansion and tenure conflict in a specifically small-scale mining context, contributing to an emerging body of spatially-driven work (Spiegel et al. 2012; Bebbington et al. 2014; Mitchell 2016).

In seeking to explain the current stasis in resolving outstanding land titling issues and quelling mining-related conflict in Guyana, the article will also draw on political ecology perspectives that employ historical and ethnographic research to unpack dominant discourses (e.g. Fairhead & Leach 1996; Leach & Mearns 1996; Adger et al. 2001; Forsyth 2004; Rocheleau 2008). In this case, it will illustrate how the replication of false or partial
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narratives about land claims and mining livelihoods in Guyana is generating conflict and
guelling mistrust between groups. The explicit examination of discourses in critical mining
studies is still relatively marginal (cf. Hirons 2011; Tschakert 2016; Spiegel 2017) but has a
rich history in indigenous studies (as documented by Gibson-Graham (2004)). By applying
these tools within a combined ASM/indigenous case study context, the article makes a novel
contribution to the literature.

In examining the debate at hand according to this approach, the article will show how the
resolution of current tensions surrounding land claims is being hamstrung by the perpetuation
of discourses based on a binary framing of indigenous livelihoods (e.g. Bjørkan & Qvenild
2010; Martin 2015; Germond-Duret 2016). These discourses are replicated by both influential
indigenous advocacy organizations (who continue to maintain that Amerindians are purely
victims of gold mining (e.g. Dooley & Griffiths (2014)) and non-indigenous miners (who
argue that land claims are acceptable only when they are motivated by authentic, ‘traditional’
aims (Stabroek News (2012a)). Both groups thus perpetuate an idea that is implicit in much
of the literature on mining and indigenous peoples: namely, that indigeneity is – or should be
– synonymous with traditional, subsistence activities (Li 2003; Martin 2015; Germond-Duret
2016; Anthias 2017).

This article argues that there is a pressing need for indigenous scholarship to move the debate
about indigenous peoples and mining beyond the ‘victimising narrative’ (Hennessy 2015) and
to confront more directly Amerindian participation in extractive activity (as argued by
Hennessy 2015; Martin 2015; Lahiri-Dutt 2017, 2018). As a corollary, it must also recognize
and defend the heterogenous motivations for indigenous land claims (Robins; 2003; Martin
2015; Astuti & McGregor 2017). As a way out of the political-discursive impasse that
currently defines debates in Guyana, it proposes embracing the concept of indigenous
livelihood ‘hybridity’ – that is, a livelihood strategy that comprises a complex and dynamic mix of subsistence and profit-driven activities, thus dismantling the ‘unmodern’/’modern’ and ‘non-mechanized’/‘mechanized’ dichotomies that often characterize debates on indigenous livelihoods (Anthias 2017; Killick 2018).

The article is organized as follows. Section 2 first examines debates around the impacts of the expansion of formal mining activity in areas with multiple tenure types, focusing in particular on the expansion of ASM activity into areas claimed as customary indigenous land. It also situates the article within debates in the literature on the importance of unpacking dominant discourses, particularly those related to indigenous peoples and mining. Section 3 outlines the data collection and analysis methods that were used in this article. Section 4 introduces the small-scale gold mining context of Guyana, using GIS data to illustrate spatially the national trends in mineral and land demand over the past twenty years. It then focuses on the expansion of mining in two specific sites, the titled Amerindian village of Maicobie and the twinned untitled Amerindian village of Kangaruma-Tasserene. It explores different actors’ perceptions and experiences of both the inundation of villages by mining properties and apparent overlaps between mineral and Amerindian titles.

Section 5 examines the ways in which growing tensions and impacts are framed by some commentators in Guyana as ‘governance’ issues, resolvable through a better application of existing rules and laws. Section 6 problematizes this notion by exploring the ways in which mining-related tensions appear ultimately rooted in Amerindians’ contested incorporation into the state and to the ongoing bias in favour of mining interests. Section 7 shows how the resolution of land and resource conflict is being hamstrung by the perpetuation of binary discourses about Amerindian livelihoods. Section 8 concludes by summarizing the ways in
which the two cases have contributed insights to debates around the tensions that surround the expansion in small-scale gold mining activity in contexts with multiple tenure types.

2. Mineral formalization, property rights, conflict, and indigenous geographies

The implications of the recent global surge in mineral demand have attracted growing academic attention, especially among political ecologists and geographers (Bebbington 2009, 2012; Bridge 2004, 2009, 2014; Yakovleva, 2017). In these traditions (whose normative concerns this article shares), scholarship has variously focused on issues such as: the environmental and social impacts of expansions in extractive activity (Brain 2017; Jacka 2018); the unevenness of benefits that accrue to participating and affected communities (Hilson 2012; Childs 2014); and conflicts and struggles that these activities generate or worsen (Coombes et al. 2012; Engels 2017). Much of this work, particularly on South America/Amazonia, has tended to focus on the impacts of large-scale mining (LSM) companies on other land users, such as farmers, foresters, or indigenous villages (e.g. Bury 2005; Bebbington et al. 2008; Urkidi & Walter 2011; Arsel et al. 2014; Yakovleva & Vazquez-Brust, 2018). However, there is growing attention on the impacts of the specific expansion of the ASM sector itself (e.g. Bulkan & Palmer 2016; Hilson & Laing 2017a; Theije, de & Salman 2018), in line with a broader rise in attention on the ASM sector within critical mining studies (e.g. Geenen 2012; Verbrugge et al. 2015; Côte & Korf 2018; Peluso 2018). In recent years, modern GIS techniques have also opened up new perspectives on the layered interactions between institutional formations and political struggles in extractive sectors globally (Spiegel et al. 2012; Mitchell 2016).

Central to much of this analysis is a focus on the role of property rights in shaping patterns of extraction and exclusion (Cuba et al. 2014; Jaskoski 2014; Spiegel 2012; 2014). In contemporary policy debates on ASM reform agendas, the installation (and enforcement) of
property rights is considered fundamental in developing the sector (Hilson & Maconachie 2017). According to formalization logic, guaranteeing an inalienable property right is inherent to making extraction a profitable activity for the miner by providing tenure security and facilitating access to credit (Hinton 2005; Siegel & Veiga 2009). From a regulatory point of view, tenure security is considered essential in helping the state to minimize: conflict between land users (which is often caused by overlapping interests (Hilson 2002)); revenue loss caused by illegal and untaxed activity (Huggins et al. 2017); and unchecked environmental abuses (Vatn & Bromley 1997).

While acknowledging the importance of formal institutions in protecting investments and offering security for the mineral entrepreneur, scholars have recognized that state-led mineral formalization (both LSM and ASM) may have a number of negative social and environmental impacts on indigenous communities (Bury 2005; Verbrugge et al. 2015). Where new mining rights are declared in areas that indigenous communities were already occupying or using, these communities may be expelled, and their land use outlawed (Wainwright & Bryan 2009; Coombes et al. 2012; Andrews 2018). Indigenous or customary land holders are particularly vulnerable within these processes, as their rights are often trumped in favour of more powerful mineral entrepreneurs – frequently aided by state rules or actions (Peluso 1995; Acuña 2015; Kelly & Peluso 2015).

Where expelled communities are pushed into diminishing parcels of land, they may end up contributing to degradation as their land and resource use becomes more concentrated; indeed, the lack of ‘space’ for non-mining livelihoods may paradoxically leave them with no other choice but to mine (Bury 2005; Maconachie 2011). Where communities do attempt to co-exist with newly-arriving mining entities, they may nonetheless find their forestry or farming activities severely disrupted by the fact that, in order to access sub-surface resources,
miners must disrupt the topsoil (Bridge 2013; Andrews 2018). Where communities live on or close to the newly-created properties, they may be affected negatively by social and environmental impacts of mining, such as water pollution. This may be caused by mining regulations within the new properties being poorly enforced, either due to state under-capacity (Hentschel et al. 2002; Siwale & Siwale 2017) or corruption (Verbrugge 2015; Crawford & Botchwey 2017). The resentment at disruption to lives and livelihoods may generate resistance and conflict (Hilson & Yakovleva 2007). Indeed, as Hirons (2011, p. 352) argues, “the ideological dissonance behind much infrapolitics concerns systems of property rights... with egalitarian and communitarian societies struggling to adopt and accept the seeming inhibitions of private property.”

Some argue that negative impacts on pre-existing indigenous communities can be avoided – or at least mitigated – by better designed institutions (e.g. Weisse & Naughton-Treves 2016), stronger enforcement of existing rules and laws (e.g. Gilberthorpe & Hilson 2016), or greater community participation in extractive decision-making through adherence to measures such as Free, Prior, and Informed Consent (FPIC) (e.g. Aguilar-Støen & Hirsch 2015; MacInnes et al. 2017). Others argue, however, that indigenous disadvantage is inherent to state-led processes of territorialisation, which often see mineral properties super-imposed onto the landscape, both literally and politically squeezing non-individualized or customary land claimants out of the picture (Wainwright & Bryan 2009; Coombes et al. 2012). State-led indigenous land titling programmes can also meanwhile fail to respect indigenous land claims in full, granting incorrect or under-sized portions of land that do not ally with the area that was applied for (Anthias 2014; Larson et al. 2015). In such cases, the awarding of indigenous titles may merely be a ‘territorial fix’ that is intended to satisfy political demands while
failing to provide a realistic basis of subsistence or protection in the context of broader economic and institutional disadvantage (Finley-Brook 2016).

In recent years, such accusations have been made of Guyana’s own legal framework, which, some argue, has historically privileged mining (and other extractive) interests while ignoring indigenous customary land occupation and use (Colchester 1997; Hennessy 2013; Bulkan 2016). Howitt and Suchet-Pearson (2006, p. 323) attribute this tendency to the fact that formal property titles embody a “hidden cultural specificity” that is rooted in extractive colonial rationalities. State antagonism towards customary land claims therefore results from the fact that they are seen as inherent threats to the specific centralizing logic of colonial control and authority (Neumann 1997; Scott 1998; Ribot 1999). The overriding of customary property regimes may, however, not only disrupt pre-existing occupation and livelihoods but may also undermine alternative – particularly non-economic – meanings and experiences of land (Peluso 1995; Tsing 2003).

But while the apparent overruling of customary rights is often characterized as an example of a clear injustice against indigenous peoples (e.g. MacInnes et al. 2017), others have nonetheless cautioned against the adoption of over-simplified narratives about indigenous land claims and livelihoods (Bulkan 2006; 2011; Haalboom 2011; Astuti & McGregor 2017). Indeed, as Germond-Duret (2016) points out, political discussions about – and policy approaches to – indigenous peoples often perpetuate binary framings that counter-pose the supposedly noble practices of ‘traditional’, land-based indigenous communities against the less noble, ‘modern’ livelihood strategies of non-indigenous. However, such discourses often overlook the fact that indigenous lifestyles and livelihoods have always been dynamic and ‘hybrid’ as they adapt to changing political, economic, cultural, and environmental conditions.
(Killick 2018). They also overlook that there may be a diversity of motivations underlying indigenous lands claims, including those animated by securing and exploiting extractive wealth (Haalboom 2011; De Koning & Benneker 2012; Martin 2015; Martin et al. 2016; Astuti & McGregor 2017). The perpetuation of false or partial narratives about the motivations for indigenous land claims in the light of such complexity may, moreover, generate discursive illegibility, heightening confusion and inflaming conflict between competing land and resource claimants (DeVries 2011).

Against the characterization of extraction as purely an “environmental pariah” (Bridge & McManus 2000, p. 11) that victimizes indigenous peoples, a small number of scholars (e.g. Hennessy 2015; Martin 2015; Lahiri-Dutt 2017) have therefore urged a more dispassionate engagement with the important (and unavoidable) role that mining plays in both the livelihoods and land claims of many indigenous communities. Although these latter contentions go against populist narratives about indigenous peoples’ relationships with mining (e.g. Colchester 1997; Colchester et al. 2002; Dooley & Griffiths 2014), their empirically-supported insights resonate with broader scholarship in political ecology that emphasizes the importance of dismantling false narratives or wishful thinking about socio-ecological realities (Fairhead & Leach 1996; Leach & Mearns 1996; Forsyth 2004). The perpetuation of false narratives, which often serve the interests of powerful actors or interests, may not only contribute to ineffective policy interventions and wasted resources; it may also reinforce unjust outcomes for different groups and individuals or fuel conflict (Keeley & Scoones 2003; Forsyth 2004; Svarstad et al. 2018). While engaging with the undeniable justice dimensions of mineral property expansion within customary indigenous territories, it is thus ultimately to the unpacking of dominant narratives about mining, land claims, and indigenous communities that this article is addressed.
3. Methods

In exploring debates around the causes and consequences of conflict in a formalized small-scale mining environment – as well as examining the relatively under-explored dynamics of indigenous participation in ASM in the Amazon region – Guyana presents itself as a critical case. Guyana’s formalized small-scale gold mining sector is the site of a proliferating number of low-intensity mining and tenure-related conflicts (Hilson and Laing 2017a), including those between state-sanctioned mineral properties, legal (and pending) indigenous land claims, and emerging ‘green’ policy agendas (Lowe 2014; Bulkan & Palmer 2016). Guyana also affords new perspectives on how indigenous communities respond to contemporary challenges presented by growing resource and land demand on the one hand, and opportunities presented by global climate change programmes that prioritize indigenous participation on the other (Bulkan 2016). In this latter regard, Guyana is an important case as, since 2009, it has developed a national Reducing Emissions from Deforestation and Forest Degradation (REDD+) programme with support from the World Bank. This programme has been funded, so far, mainly through a US$250 million bilateral arrangement with Norway (Laing 2018). In Guyana, Amerindian communities have taken a central role in the consultation and policy development process and several REDD+ projects aim to address the land titling and livelihoods of Amerindian communities (Bulkan 2016). This greater visibility has coincided with Amerindians’ increasingly significant electoral importance within Guyana’s polarized racial politics, with Amerindians now holding the balance of power between the main Indo- and Afro-Guyanese political parties (Hilson & Laing 2017a).

In order to investigate the causes and consequences of mineral conflict in Guyana, a mixed methods approach was taken that engaged with spatial, quantitative, qualitative, and

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3 REDD+ is a globally endorsed scheme to channel financial payments to heavily forested countries in exchange for ‘avoided deforestation’.
ethnographic data. This mixed methods approach aimed to use spatial data as part of a powerful story-telling process that also involved other, more interpretative data collection methods (Sui & DeLyser 2012; West et al. 2017). This research design builds on a tradition in political ecology that has similarly combined the “simultaneous use and critique of mapping and engagement in empirical field research informed by theory” (Rocheleau 2008, p. 724). The main data collection methods were documentation and database analysis, semi-structured interviews, participant observation, and site-based case studies. These methods were applied during a fieldwork period that took place in Guyana between May 2016 and June 2017.

To begin the data collection process, a range of documents were examined that served to build a comprehensive picture of the historic co-evolution of the gold mining sector and land tenure system in Guyana. Documentation examined included laws, regulations, government and non-governmental organization (NGO) reports on mining, land tenure, environmental projects, and Amerindian issues, as well as media commentary on these debates. Mining data were also collected from a range of sources, particularly from Guyana Geology and Mines Commission (GGMC) Annual Reports. Raw mineral property data were gathered from a publicly available portal4. A dataset of GIS layers showing the spatial distribution of mineral properties and Amerindian titles was also gathered from the same portal. Using QGIS software, the GIS data were disaggregated and filtered to build tailored maps that could contextualize overlaps between land uses and users. This data enabled the article to build on other recent research on the extractive industries that has also used GIS data as a tool to contextualize patterns of mineral expansion and tenure conflict (Spiegel et al. 2012; Bebbington et al. 2014; Mitchell 2016).

The engagement with the different situated accounts of actors and communities is a key methodological commitment of political ecology (Leach & Mearns 1996; Nightingale 2003; Robbins 2011). In this spirit, the central part of the research design was the conducting of case studies in two Amerindian communities, Maicobie and Kangaruma-Tasserene. These case studies aimed to capture villagers’ perceptions and experiences of the causes and effects of institutional conflict. This approach aimed to illuminate historical accounts and a range of overlooked voices in order to overcome the inevitable ‘partiality’ of the mainstream accounts conveyed by official socio-legal texts, spatial data, and influential indigenous organizations (Rocheleau 1995, 2008).

These two communities were identified for several reasons. Foremost, as they represented different institutional contexts – titled and untitled villages – they would offer valuable comparative insights on the differentiated impacts and experiences between different tenure types. While Maicobie offered an opportunity to examine how rights and control are enabled (or not) by having a title, Kangaruma-Tasserene offered an opportunity to examine the implications of being ‘untitled’. Secondly, both communities had been the site of recent attention as a result of low-level land and resource conflicts. Thirdly, and most practically, the Village Councils in both villages were interested in the research project and granted the requested research permits for the visits. While in the interior, field visits were also conducted in around 50 different mining workgrounds in the Potaro and Mazaruni Mining Districts. These visits, which also involved numerous semi-structured interviews with miners and other informal interactions with mining sector actors, aimed to gather miners’ perspectives on the contentions of the Amerindian land titling process.

Finally, as well as conducting interviews in both Maicobie and Kangaruma villages and in the surrounding mining areas, further interviews were conducted with policy makers,
conservation professionals, and mining organizations, in order to capture further perspectives on this complex range of issues. These took place mainly in Georgetown. Across all sites, 143 semi-structured interviews were conducted with miners, Amerindian villagers, and policy makers. Interviews were recorded, transcribed, and analysed in NVIVO for theme and content.

4. Mining expansion, property rights, and differentiated impacts on two Amerindian villages

The small-scale gold mining sector\(^5\) has emerged over the past ten years in Guyana as the main engine of economic growth amidst rising global mineral prices. Following rapid gold price increases from 2008 onwards (gold rose from US$513 per ounce (oz.) in 2005 to US$1,658 per oz. in 2012), thousands of new entrants flocked from the coast (and from agricultural employment) into the mining sector (Hilson & Laing 2017b). By 2017, gold accounted for almost 60% of Guyana’s export earnings and a quarter of its Gross Domestic Product (GDP) (Guyana Bureau of Statistics 2017). Although there is still much informal mining in Guyana, most ASM does not operate “at the margins of state control” (Mitchell 2016, p. 1121) to the same extent as in other contexts\(^6\). Indeed, gold mining activity in Guyana is relatively formalized and structured, with small-scale miners privileged within the legal framework (Bridge 2002; Lowe 2003). According to GGMC estimates, only around 12% of ASM operations are operating illegally\(^7\), with the majority operating within the formal property framework (IHRC 2007; Clifford 2011).

\(^5\) Although most of Guyana’s gold mining comprises mechanized dredging activity – and therefore differs from the type of ‘artisanal’ mining discussed in much of the literature – the terms ‘ASM’ and ‘small-scale mining’ will be used interchangeably in this article.

\(^6\) For example, commonly cited figures suggest that around 80% of ASM activity globally is informal (IISD 2017). Veiga et al. (2014) moreover claim that only 1% of ASM operators may be formalized in some Latin American regions.

\(^7\) These estimates are based on GGMC monitoring reports for 2016 that recorded the number of operations that were shut down (otherwise known as being given a ‘Cease Work Order’) out of the total that were monitored.
The growth of the mechanized, (largely) regularized mining activity that constitutes the ASM sector in Guyana has been dramatic: while the number of licensed dredges\(^8\) increased by 924% between 1987 and 2015 (from 327 to 3,349), the number of small-scale claims increased during the same period by 4,312%, from 426 to 23,759. The number of medium-scale mining permits (MPs) meanwhile increased by 1,768% between 1992 and 2015, from 202 to 3,773; and the number of medium-scale prospecting permits (PPMSs) increased by 528% between 1994 and 2015, from 1,600 to 10,049.

Spatially, the expansion in land demand has led formal small and medium-scale mineral property coverage to increase from 11,736 acres (or 0.02% of Guyana’s total land area) in 1987, to 10.5 million acres (or 20% of Guyana’s total area) by 2015. As of the time of writing (in 2019), the formal mining sector was occupying around half of Guyana’s total land area. Figures 1 to 4 illustrate the growing occupation of Guyana’s land area by mineral properties since the late 1990s – where the properties that existed in the selected year are shaded in colour, and the orange blocks represent medium-scale properties.

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\(^8\) A dredge is a mechanized set-up for alluvial mining involving the use of hydraulic mining methods supplemented by a diesel-powered gravel pump that feeds a locally-constructed wooden sluice box.
The expansion in mining activities has led many titled indigenous villages (which are shaded below in pink in Figures 5 and 6 and which represent around 15% of Guyana’s total land area.

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across 96 titled Amerindian villages\(^9\) to become surrounded (and inundated) by mining properties (in orange in Figure 6). This proximity is a growing source of tension between villages and miners (Hennessy 2013; Bulkan 2016; Hilson & Laing 2017a). Indeed, although the recognition and regularization of Amerindian land titles offers villages some autonomy and self-governance, many villages are being affected by a range of issues related to the inadequacy (or absence) of the title and the impacts of mining (e.g. Finley-Brook 2016).

**4.1 Maicobie**

One village facing such mining-related problems is Maicobie, a titled Amerindian village comprising 23.5 square miles located in the Potaro-Siparuni administrative district and within the Potaro Mining District, as illustrated in Figure 7. Maicobie has a population of around

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\(^9\) While 96 villages have been titled, 141 are officially recognized by the state. A further 45 consider themselves as villages but are not officially recognized by the state (Dooley & Griffiths 2014).
540 people, most of whom work primarily as miners. The village finally obtained its title in 2006, having lobbied the government for several years prior.

Maicobie was established in the 1960s by an ethnically mixed group of elders who are today considered the ‘founders’ of the village. The majority of Maicobie’s elders belong to the Patamona tribe whose ‘traditional’ lands in Guyana were located in the upper reaches of the Potaro district – villages such as Chenapau and Kopinang (Butt Colson 2013). However, reflecting the inscrutability of reconceiving indigenous tribes according to the terms of the modern state, some of the Patamona themselves may have migrated from other locations that today lie both within and outside modern-day Guyana (Bulkan 2006). In the 1960s, these founders were dwelling near the Tumatamari waterfall, a mile or so above Maicobie’s current location, when they were met by British Guiana officials who were assessing indigenous lands in the 1960s as part of a promised Amerindian Lands Commission (ALC)\(^\text{10}\). They were advised by the officials to find a less flood-prone piece of land that was large enough to

\(^{10}\) Brokered by the first Amerindian MP, Stephen Campbell, the fulfilment of the Amerindian Lands Commission (ALC) was one of the promises of the British before they granted Independence to Guyana in 1966.
accommodate their growing community. In this way, several of the elders located the site of present-day Maicobie, proceeding to clear the land, build houses, and plant cassava and other crops.

By this stage, river mining had already commenced in Guyana, both through the British and through an increasing number of coastal Guyanese operations (Bulkan 1998). Although there was also significant agriculture in Maicobie in the 1960s, this activity dwindled during the 1990s with the expansion of land dredging opportunities for Amerindian males. Farming has since declined to such an extent that today it is reasonable to consider Maicobie as primarily a mining community. Indeed, although such activities are strictly illegal, more and more villagers began acquiring their own dredges in the mid-2000s and began operating them within the village in activity that continues up to the present day. In addition, the Village Council began to invite ‘outsiders’ onto the land in return for a tribute (or a fee) of around 10% of gold production. At its peak, in 2013, there were, according to villagers, around 45 dredges operating in the village, and the monthly high of (recorded) gold production within the village was around 90 oz. This number has since fallen to around fifteen dredges and only around two or three oz. per month, with most of these dredges now being operated by outsiders who pay the Village Council a tribute.

Mineral expansion and impacts

The massive expansion in mining activity since the early 2000s has meant that there is now a constant cultural, social-economic, and ecological pressure on Maicobie’s external and internal boundaries. Figures 8 to 11\(^\text{11}\) provide location-specific illustration of the gradual encroachment of formal mining properties around Maicobie since the late 1990s. The

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\(^{11}\) All maps are GIS layers adapted by the author using QGIS from data downloaded from Guyana GIM Unit portal. Available at http://data.gim.gov.gy/ Accessed 17 October 2016.
variously coloured blocks represent the mining properties that were in existence in the selected years\textsuperscript{12}.

\textit{Figure 8: Mineral property distribution in the Maicobie area in 1999}

\textit{Figure 9: Mineral property distribution in the Maicobie area in 2005}

\textsuperscript{12} Note that, although the current Maicobie village title is shaded pink in all maps for reference, the village did not receive its title until 2006, and so it is only in the 2010, 2013, and 2015 maps that the title was in existence.
For villagers, proximity to mining activity has meant that a range of ‘bad influences’, such as alcohol, drugs, and prostitution, have been brought into the village – as well as a range of environmental and health impacts. Villagers claim, for example, that they are suffering from an upsurge in malaria and a rise in birth defects, which they attribute to the contamination of creeks and rivers by mercury (e.g. Bulkan 1998; Legg et al. 2015; Guyana Chronicle 2017a). Creeks and rivers lying within the village’s title are also being polluted by tailings material that flows from mining operations lying outside the village. The subsequent river turbidity is reducing villagers’ ability to catch fish, harming diets and the viability of fishing as a
livelihood. The destruction of fish nesting spots by *dragas*\(^{13}\) is disrupting the ecosystem and forcing villagers to expend more fuel travelling further from their community to find fish.

**Legal (but resented) claims**

It is not only the proximity of the external village boundary to mining claims and activity that has become a growing source of tension for Maicobie; it is also the existence of mining claims ‘within’ its titled village lands. For sympathetic observers, such as international and national indigenous organizations, the existence of these mineral properties is evidence of the trampling over – and ignoring of – Amerindians’ pre-existing customary land claims (Colchester et al. 2002; Dooley & Griffiths 2014). However, within Guyanese law, miners have every right to continue mining on properties that were held prior to an Amerindian village’s application for its ‘Absolute Grant’ (the term for the official land title document). This is due to a clause in the Absolute Grant, derived from the State Lands Act,\(^{14}\) that is known as the ‘save and except’ clause.

The ‘save and except’ clause demands that legally held mining claims and concessions falling within the spatial boundaries of any village that existed *prior* to the date of the village’s title application are respected (Dooley & Griffiths 2014). The decision to allow such properties to stand was apparently a legitimate attempt by the Guyanese state to balance the interests of Amerindians with other ethnic groups and resource users (ibid.). Thus, for Maicobie, the yellow\(^ {15}\) mining blocks in Figure 12 that appear to be ‘within’ the village’s land should not be seen as ‘encroachments’ into Amerindian lands, but rather should be viewed as parcels of ‘State Lands’ that were *not included* in the village’s original title that it received in 2006. The legal legitimacy of such mineral properties within the village title nevertheless has ecological

\(^{13}\)A powerful type of river dredge, developed in Brazil.

\(^{14}\)State Lands Act (1972) Cap. 62:01.

\(^{15}\)The yellow mining blocks represent Medium Scale Prospecting Permits (PPMS). The blue blocks represent Mining Permits (MP).
implications that Bridge (2013) has drawn attention to in his discussion of the idiosyncratic character of ‘sub-surface’ rights: even though the miner is only leasing the sub-soil from the state\textsuperscript{16} in order to extract the minerals, the miner must necessarily disrupt the topsoil – making it unusable for the village for agricultural (or any other) activity.

\textit{Figure 12: Map highlighting mineral property overlaps with Maicobie’s title as of 2015}

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{image12.png}
\caption{Map highlighting mineral property overlaps with Maicobie’s title as of 2015}
\end{figure}

\textsuperscript{16} According to Guyana’s 1989 Mining Act, ‘subsurface’ refers to areas three feet below the topsoil.

4.2 Kangaruma-Tasserene

Clashes and apparent ‘overlaps’ between Amerindian communities and mineral properties are made even more complex by the additional existence of \textit{proposed} Amerindian land titles, which are village lands that have been applied for, but which are pending a decision by the state. These comprise a further twenty per cent of Guyana’s land area, representing a further 33 untitled communities, and on top of the fifteen per cent of Guyana’s land area that Amerindians already control (UNDP 2013). In several cases, including the twinned Amerindian village of Kangaruma-Tasserene (illustrated in Figure 13), mining activities have
continued in ‘proposed’ Amerindian titled lands\textsuperscript{17}, affecting villagers, and causing uncertainty for miners.

\textit{Figure 13: Kangaruma-Tasserene’s proposed titled area, highlighted in yellow in the map on the left-hand side}

\textbf{The disappearing title}

Kangaruma-Tasserene, which is located in the Cuyuni-Mazaruni administrative region and within the Mazaruni Mining District, comprises 300 people who belong predominantly to the Akawaio tribe. The Akawaio are originally from the Upper Mazaruni region of Guyana that borders Brazil (Butt Colson 2013; Hennessy 2013). As well as Akawaio, there are villagers from a number of other tribes living in Kangaruma-Tasserene, many of whom came to the area in the 1960s in order to find diving work\textsuperscript{18} on river dredges.

While impacts within Maicobie’s title could be disaggregated into those being caused by illegal activity that the village was sanctioning (and benefitting from) and legal activity

\textsuperscript{17} Proposed lands are represented in Figure 13 as the yellow areas. Titled villages are represented in green.

\textsuperscript{18} This dangerous occupation involved guiding the nozzle of the suction hose deep underwater for hours at a time while wearing a specially designed diving mask. Amerindians were favoured within the racialized division of labour as divers on river dredges because of their smaller physical stature and perceived high stamina (Colchester et al. 2002).
taking place on pre-existing claims, in Kangaruma-Tasserene’s case, such a distinction is not possible. Its untitled status means that there is no legal distinction between the ‘inside’ and the ‘outside’ of the village: all mining activity is taking place on State Lands and the miner is only answerable to the GGMC, not the village: the villagers are essentially ‘squatting’ (e.g. Colchester 1993) on State Lands.

The question of why Kangaruma-Tasserene is still untitled having made its application originally in 2007 is a mystery that, for villagers, stems back to the National Toshaos Council (NTC) conference in 2012. Indeed, at that annual meeting of all Toshaos (or village leaders) from every Amerindian village in Guyana on 9th August 2012, two new titles were awarded to Kangaruma and Tasserene, following several previously-unsuccessful applications. However, within 30 minutes of receiving the Absolute Grants in front of a room full of national and international observers, both documents and the rights they implied were, according to the Toshao of Tasserene, “taken back moments after… never to be seen again” (Stabroek News 2015).

The impacts of mining

Although not as covered in mineral properties – or actual mining activity – as other proposed titles owing to its more remote location, Kangaruma-Tasserene has nonetheless become inevitably embroiled in mining activity, as illustrated by Figure 14, which shows mineral properties within Kangaruma-Tasserene’s proposed title. These encroachments have been monitored powerlessly by the villagers, as they explained in a 2015 interview:

In 2014, there were 134 medium-scale prospecting and mining permits on Tasserene’s proposed titled area and in 2015 this rose to 380. Earlier this month, the Mines Officer

19 The yellow mining blocks represent Medium Scale Prospecting Permits (PPMS). The blue blocks represent Mining Permits (MP). The light yellow outline shows the proposed village title.
told them of the additional 60 prospecting and mining permits within the proposed area. Additionally, five large-scale prospecting and mining permits on the proposed titled area were added to the GGMC map for this year. In Kangaruma, there are 121 medium-scale prospecting and mining permits and two large-scale which amount to about three quarters of the community’s proposed titled area.

*Figure 14: Map showing mineral properties in relation to Kangaruma-Tasserene’s proposed title as of 2015*

As with Maicobie, Kangaruma-Tasserene suffers a range of environmental impacts caused by both historic and current mining activity occurring within and around the proposed title. These impacts are an inevitable consequence of both its location within a mining area and the weaknesses of enforcement – the result of under-capacity and corruption within the GGMC (IHRC 2007). In Kangaruma’s case, this degradation (illustrated in Figure 15) includes the destruction of fish stocks and hunting grounds, the pollution of waterways and rivers (which affects drinking water and fishing), and the degradation of forests and traditional thoroughfares and trails.
Vulnerability to future threats

Despite its limitations, Maicobie’s Absolute Grant gives it the ability to veto any future mining activity within its titled area with a two-thirds Village Council majority. Kangaruma-Tasserene’s lack of title however means that it lacks such an ability. As such, the village has watched helplessly as an increasing number of properties have been added to successive mineral maps that they have collected from the GGMC in recent years. Although former GGMC Commissioner, Joe Singh, tried to enforce an armistice on giving out new properties within ‘proposed lands’ in 2012, such a proposal was knocked back by the mining lobby (Stabroek News 2012b). Such a scenario means that, technically, a miner could locate a property anywhere in the proposed title, even next to the school or the health centre.

Concerned villagers explained:

What is really troubling is that…the community falls within a block that was issued and now we have the majority of blocks that was given in the immediate environment of the community… If mining occur within that area, it gon’ directly affect the community
because the blocks are not like at the end of the boundaries, it is direct around the community itself\textsuperscript{21}

Lack of benefit

As well as not being able to control or veto mining activity on its proposed title, Kangaruma is also unable to benefit from either current or future mining activity. Whereas Maicobie has used its moral case as the title holder to enter into several cooperative (though illegal) arrangements with pre-existing claim holders, villages such as Kangaruma are in a weaker moral and political position to do this, with most miners feeling under no obligation to compensate what they see as a non-legal occupier devoid of state-sanctioned rights. Though a few mining operations encountered during fieldwork in Kangaruma were providing jobs for villagers by sourcing labour from the village (as in Figure 16), they were under no obligation to do so and so these arrangements are extremely unstable.

Although the Kangaruma Village Council claims not to be investing in mining, there were, however, rumours that villagers had started operating a few small 4-inch\textsuperscript{22} dredges within Kangaruma’s proposed title. These rumours are comprehensible in the context of the pressure that villagers feel to extract some minerals before they all get extracted by others. As one villager explained:

How will Kangaruma benefit in future if gold has been already extracted from our proposed land? Nothing’s been left there… If we want to do that… to mine… in future… the gold will be all gone… So, even if we decided to go into mining, nothing would be

\textsuperscript{21} See interview in Stabroek News (2015).

\textsuperscript{22} The ‘inch’ measurement refers to the diameter of the pipe that sucks up the gold-bearing gravel and sand from the mining pit. The greater the diameter of the pipe and the more powerful the engine, the greater the amount of material that can be passed over the sluice box, and – theoretically – the greater the velocity of gold extraction. The 4-inch dredge is typically used by poorer miners in Guyana.
left to benefit from… Where is it we’re going to find our blocks? Every day they are seeing minerals extracted and it breaks my heart…”

Figure 16: A small-scale gold mining operation works legally within Kangaruma’s proposed title

The fact that Kangaruma is being pushed into mining is also comprehensible in the context of the village’s lack of access to donor funds to support livelihood projects, with many of these funds only available to titled villages. At least one development project in Tasserene had reportedly not happened as a result of the village not having the title to its land (Stabroek News 2015).

Future options

Faced with limited other livelihood options, the Village Council in Kangaruma has not meanwhile ruled out expanding its extractive activities in future, or else moving into logging. However, several villagers in Kangaruma agreed that Amerindians in Guyana were generally concerned to appear to be doing the ‘right things’ in the eyes of observers in order to

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23 Interview, Amerindian villager, April 4th 2017.
maintain a consistent cultural representation of themselves (e.g. De Koning and Benneker (2012)). As these Kangaruma villagers explained:

Yes, people are frightened to get into mining. The government is telling people them not to do it, not to do the wrong thing… Telling us, like, “you can’t be cutting your wood”. They’ve been telling us not to mine… People friken fuh24 do the wrong thing25

I’ve been encouraging the VC [village council] to do it [apply for mining claims] before land gets taken… But they want to wait until they have the title… so it doesn’t look bad26

Such concerns reflect the extent to which mining has come to be powerfully constructed by NGOs and the state as an almost shameful activity rather than what many argue it really is: a commonplace livelihood activity that many Amerindians both reluctantly – and willingly – engage in (Gregory & Vaccaro 2015; Hennessy 2015).

5. Resolvable governance problems?

These two cases clearly illustrate how the expansion in mineral properties has had serious impacts on Amerindian villages, which are now surrounded (and in some cases also occupied) by mining activity. These impacts are different for both villages, with Kangaruma’s lack of title reducing its control over future activity and undermining its ability to access state resources. For some commentators in Guyana, however, mining-related challenges – such as environmental impacts, conflicts over overlapping titles, and the lack of title altogether – are regrettable, but avoidable, governance problems that could be solved within the current legal framework. They claim that (i) improved monitoring of mining, (ii)

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24 Frightened to.
26 Interview, Amerindian villager, 4th April 2017.
better exercising of existing rights, and (iii) swifter implementation of land titling, would all mitigate current problems. These factors will now be examined.

5.1 Mining impacts and lax enforcement

Some observers blame the environmental impacts that were discussed in Section 4, not on the nature of laws or regulations themselves, but on weaknesses in enforcement that could be redressed through greater investments in regulatory capacity. Such a view was conveyed by Guyana Gold and Diamond Miners Association (GGDMA) executive member, Edward Shields, in a Stabroek News (2016) article, where – while admitting that “mining disturbs the environment” – he stressed that people “need to ask the officers at GGMC why they are not implementing the environmental laws and stop blaming the miners…” Shields further pointed out that the environmental regulations were established in 2005 and he questioned why they are not being complied with (Stabroek News 2016).

Despite a comprehensive range of regulations in an ASM sector that is relatively more ordered in Guyana than many other ASM contexts (Hilson & Maconachie 2017), empirical evidence of vast ecological damage to rivers and river banks suggests that the scale of regulatory transgressions may be much higher than official estimates (IHRC 2007; GHRA 2017). Indeed, degradation may be a result of both human resource under-capacity and endemic corruption. At the time of writing, for example, 35 officers were tasked with monitoring more than 3,000 licensed dredges across an area of 83,000 square miles. However, none of these officers were permanently based ‘in the field’ at mining stations but were sent out for monitoring trips periodically throughout the year (GGMC 2015). The sector’s ubiquitous association with corruption has meanwhile long been documented, with weak enforcement attributed to bribes being paid to poorly-remunerated staff in return for overlooking abuses of the mining laws (IHRC 2007; Clifford 2011).
Whatever the causes of lax regulation, the impacts are dramatically illustrated in Figure 17, which highlights degradation on the Potaro River close to Maicobie caused by illegal river bank mining (Lowe 2006). Considering this historical degradation, even the immediate cessation of this type of illegal mining would still not be able to undo the disruption to Amerindian livelihoods that has already occurred (Colchester et al. 2002). While it is likely that strengthening monitoring capacity would have a positive effect, in the light of institutional corruption, remediating such weaknesses will clearly not be an easy task (Clifford 2011; GGMC 2015; Bulkan & Palmer 2016).

*Figure 17: Degradation caused by mining near the banks of the Potaro River near Maicobie*


5.2 A failure to negotiate

Other commentators meanwhile argue that the legal framework in Guyana contains adequate provisions for protecting Amerindian rights, but that available mechanisms are not being effectively exploited by villages. One example of this is the alleged failure of villages to properly negotiate with resource users who have pre-existing rights to parcels of land within new Amerindian village titles. Indeed, although the ‘save and except’ clause rules that pre-
existing properties must stand in the event of a village title being issued, some have pointed out that there is space for negotiation between property holders, miners, and the state that is often not taken. As the lawyer who helped draft the Amerindian Act argued about the conflict between gold miners and the Amerindian villagers Isseneru:

Mining concessions have been issued for decades over the Isseneru land – long before the Amerindian Act 2006 came into force. So it is not clear why Isseneru did not insist on a negotiated settlement with each miner or cancellation of the concession (with whatever compensation might be due), before accepting the title. The Amerindian Act 2006 allows an Amerindian community, which is dissatisfied with the proposed title, to reject the title and bring a challenge in court. Isseneru did not.27

There are however clear limits to negotiation, as when no settlement can be reached between miners and villagers, the laws tend to favour mining interests over Amerindian interests – as several villages (including Isseneru) have discovered when they have attempted to censure mining activity (Stabroek News 2012c, 2018; Kaieteur News 2013a, 2013b). In Maicobie, much the same has occurred: while most miners and loggers voluntarily gave up their concessions lying within the spatial boundaries of the village’s title when Maicobie received its title in 2006, several miners refused to give up their claims, and one in particular continues to ply the river with his dragas. When the miner in question refused to give up his claim in 2017 in the face of accusations by the village that he was illegally mining river banks, the village was forced to expend resources taking the miner to court, in a case that remains unresolved up to the present day (Guyana Chronicle 2017b).

Furthermore, even if these negotiations had been successful in Maicobie’s case, they would still not have helped it to overcome a more serious problem which emerged in 2017: namely,

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the discovery that the true extent of mining claims lying on their title may have been kept hidden from them by the state. A copy of the map that was discovered on one of the *dragas* operating on the Potaro River which runs through the village is shown in Figure 18. This map shows that almost the entire village lands north of the Potaro River are covered in claims (illustrated by the red gridlines) – claims that do not feature on any of the ‘official’ maps (e.g. Figure 12). Although it is possible that the situation could have arisen as a result of a bureaucratic oversight, the suspicion of the village is that complicity between the miner and the regulator is to blame.

**Figure 18: Map found by villagers in 2017 showing the apparent extent of mining claims within Maicobie’s village boundary**

*Source: GGMC*

### 5.3 Slow progress with titling

Finally, as many of the most serious problems associated with mining in and around communities relate to the delayed issuing of village titles (during which mineral properties accumulate within the proposed title), others argue that these issues could be avoided if the titling process was implemented more efficiently. The failure to secure the issuing of
Kangaruma-Tasserene’s title has variously been blamed on the state, Amerindian advocacy organisations, and the villages themselves.

In terms of the state’s role in fulfilling the obligations of the 1969 ALC report (to provide requested land titles for Amerindian villages), it is widely recognized that the titling process is resource-intensive and time-consuming (Dooley & Griffiths 2014). These constraints explain in part why, since the ALC Report was delivered, only 96 out of the 141 recognized villages have been titled; and why 77 of these were issued in 1991 without field surveys (meaning that they now require further official surveying and demarcation) (UNDP 2013). They also explain why US$10.7m of REDD+ funds were set aside in 2009 to expedite the land titling process (Government of Guyana 2013).

Beyond resource constraints, however, political factors have also been blamed for the slow progress. For example, in speculating on the reason for the withdrawal of its title, Kangaruma’s villagers have alleged that powerful miners within the GGDMA threatened to sue the GGMC if they granted the title, leading the GGMC to get the titles withdrawn. The issue was drawn into further controversy in 2015 when it was discovered that a newly-elected Junior Minister for mining was a property holder within the proposed titled land area (Guyana Chronicle 2015). For the village, this suggested that there may have been additional political-economic forces blocking their title.

While the government has historically made minimal efforts to educate villagers about the land titling process, others have blamed indigenous organizations in Guyana (and abroad) for holding up the process by actively dissuading villages from engaging with it. These bold claims are attributed to these organizations’ (alleged) broader ideological objective: of upholding the principle of indigenous customary territories and rejecting the ‘Western’ notion
of delimited communal land. In this regard, the Forest Peoples Programme (FPP), a major partner of the influential Guyanese lobby group, the Amerindian Peoples Association (APA), is often cited in private discussions in Guyana as an unhelpful external influence. As one interviewee explained:

Many of the problems that we have in that sector, with the political controversy, come from the FPP and the APA, because that’s what they know to do… They’re not problem solvers, they are advocacy people… They need to make a lot of noise in order to get people’s attention, in order to get funding, in order to say there’s a problem.

6. A deeper institutional and political bias?

Some therefore argue that, if the political – and technical – obstacles to a better application of existing rules and laws were overcome, the existing framework could be sufficient in securing Amerindian rights. For others, however, even the perfect adherence to – or enforcement of – existing rules and laws would still fail to mitigate fundamental disadvantages that are caused by Amerindians’ adverse historical incorporation into the Guyanese state (Colchester 1997; Bulkan 2013; Hennessy 2013). Moreover, the very ongoing failure to apply and implement existing rules swiftly and properly is, for some, itself the result of a deeply-rooted ambivalence by the state towards committing further resources to Amerindians (Bulkan 2011). Three elements of this alleged systemic bias will now be examined: ‘villagization’; the pre-eminence of mineral interests; and ongoing ethno-political marginalization.

28 These allegations were made by several interviewees.
29 Interview, civil society actor, 14th June 2016.
6.1 ‘Villagization’

Some argue that the inherent disadvantage that Amerindians face vis-à-vis mining is a result of the fact that their village titles are small, discontiguous parcels of land that bear little relation to ancestral territories (Colchester et al. 2002; Dooley & Griffiths 2014). Indeed, as was seen in the case of Maicobie, even if mining regulations were better enforced, it is likely that mining impacts would still be significant because its small title means that mining activity takes place so close to the village settlement. If the area requested in the village’s original land application had, on the other hand, been accepted, it would have provided a wider buffer zone between the mining activity and the village, potentially minimizing mining impacts (e.g. Weisse & Naughton-Treves 2016). But how and why did Amerindian villages across Guyana become hemmed into such small parcels of land?

For Hennessy (2013), the origins of the patchwork of atomized village titles that today constitutes ‘Amerindian land’ is the product of a gradual process of ‘villagization’ that began in the colonial period. While governing from the coast in the 19th century, the British became increasingly interested in the natural resources in British Guiana’s interior, and, as a strategic response to the threats to the territory from Portuguese ranchers from Brazil, they sent teams into the interior to map the land and demarcate its boundaries (Bulkan 2013). Under the pretext of ‘protecting’ the Amerindians they thus absorbed the previously autonomous Amerindians into the colonial administration as ‘subjects’ and declared their hitherto ancestral territory as ‘Crown Lands’ (Colchester 1997). Thereafter, the British began subdividing the land, shepherding Amerindians into new, discontiguous islands termed ‘Reservations’ (Bulkan 2016).

At Independence in 1966, ‘Crown Lands’ simply became ‘State Lands’. Amerindian hopes remained alive, however, that the ALC would return their vast tribal territories (and associated rights) to them (Colchester 1997). On the contrary, the ALC and all subsequent
land titling programmes have been “grounded in the prevailing legal framework” (i.e. the one established by the British and continued by successive governments after Independence) (Bulkan 2002, p. 32). Such a titling process echoes common experiences of indigenous communities whereby their political demands for the recognition of their customary lands have been met with the granting of much smaller parcels of land (Anthias 2014; Anthias & Radcliffe 2015; Larson et al. 2015). The main current proposal for resolving this predicament (advocated by organizations such as the APA) is for the state to simply grant the vastly increased land title applications that many villages have made in accordance with the 2006 Amerindian Act.

6.2 The historic privileging of mineral properties and laws

As well as tensions around the contested normative basis of current village boundaries, there is further dissatisfaction among Amerindians about the fact that mineral properties appear to have pre-eminence over village titles. This claim is illustrated most clearly in the issues surrounding the ‘save and except’ clause in Maicobie (highlighted in Figure 19). Indeed, even if Maicobie had been able to negotiate successfully with the pre-existing mineral rights holders, for scholars such as MacInnes et al. (2017, p.154), the fact that the overlaying of mineral properties on claimed indigenous lands is considered legal at all is evidence of the entrenchment of “colonial domination and institutionalized racism”. In-built injustice is also illustrated by the fact that Amerindian land titles exclude the rivers and waterways, which remain the property of the state (Janki 2009).

This bias is also evident in the way that mineral properties continue to be given out on proposed titles, as was seen in Kangaruma, in spite of the fact that Section 111 of the Mining Act 1989\(^\text{30}\) recommends (though does not stipulate) that claims are not issued on customary

\(^{30}\text{Mining Act Cap 65:01.}\)
Amerindian land where it may interfere with pre-existing occupation or resource use (Bulkan 2016). In attempting to address these perceived expressions of entrenched legal bias favouring mining within the Amerindian Act, there are current attempts to amend the Amerindian Act to enable villages to have greater control over mining activity. Proposals include, *inter alia*, making it illegal for the GGMC to issue mining permits in pending or proposed land titles (Kaieteur News 2016).

*Figure 19: A copy of Maicobie’s Absolute Grant, with the ‘save and except’ clause highlighted*

![Copy of Maicobie’s Absolute Grant](image)

Source: Author

6.3 The persistence of ethno-political bias

Finally, while progress in addressing Amerindian titling and other mining governance issues has clearly been undermined by a lack of state resources and resistance by political-economic mining interests (as explored in Section 5.3), for some scholars the ultimate reason that laws and regulations are not being implemented (or reformed) in line with Amerindian demands is
due to a long-standing ethno-political bias against Amerindians in Guyana (Hennessy 2013; Bulkan 2016; Hilson & Laing 2017a). Moreover, for Amerindian organizations and advocates, confronting this bias invariably ends in defeat and disappointment (Bulkan 2013, 2016; Butt Colson 2013). Several key events are often cited as emblematic of this bias. One major event was the failure of President Burnham’s post-Independence government to ‘return’ the territories requested as part of the ALC process back to the Amerindian tribes. For Hilson and Laing (2017a), this failure solidified Amerindian perceptions that the modern state would continue to favour the interests of non-Amerindians, who Amerindians (often) pejoratively refer to as ‘coastlanders’. Amerindian anger at this failure led to the emergence of an incipient secessionist Amerindian movement, which was swiftly and violently repressed by the state in the Rupununi Uprising of 1969 (Hennessy 2013). Repression of Amerindians by the state continued during the 1970s when Amerindians protested the building of a proposed hydropower dam in Upper Mazaruni (Butt Colson 2013). Hennessy (2013, p. 1256) alleges that, as well as using extreme violence against communities, the government contested this resistance by constructing Amerindians as “inferior peoples, as anonymous foreigners akin to Mexicans, as mindless, compliant sheep, as impressionable waterfowl, and – above all – as only loosely attached to the landscape of their ancestors”.

As was examined in Section 6.1, these events occurred against the backdrop of a longer history of perceived injustice and discrimination by the state against Amerindians, which can be traced to the 19th century, when the British colonial administration first began re-organizing Amerindian life in the interior in line with British ideological and economic interests (Menezes 1979; Hennessy 2013). Thus, contemporary Amerindian struggles over land and mining resources are merely the latest articulation of historic struggles with those
‘coastlanders’ who have attempted to both govern Amerindians from afar and contest their claims on Guyana’s interior space\textsuperscript{31} (Hennessy 2013; Bulkan 2016; Hilson & Laing 2017a).

Today, low-level ethno-political contestation has escalated once again in the form of growing ideological objections to Amerindians’ claims of ‘indigeneity’ and ‘prior occupation’, particularly since the 2015 election of the majority Afro-Guyanese ‘A Partnership for National Unity’ (APNU) coalition. The new government supported the case for including Afro-Guyanese within the category of ‘First Peoples’ and stalled on issuing further significant Amerindian titles (Stabroek News 2017). In this spirit, many miners (who are historically of African descent) have argued that, as their occupation of Guyana’s interior predates many later-arriving Amerindians, their claims on the land are just as strong (Josiah 2011). An Afro-Guyanese miner explained the source of his indignation about current Amerindian land claims:

The extensions that Amerindians are asking for… is for land that have mineral wealth… They see my land there and that’s what they want… they haven’t had a village there before, they never lived there before… Now, what’s happening now to the miner who been in Kurupung for the last hundred years? Why can’t he get his land there? What’s happened to the miner who’s been in Port Kaituma, who build that town? Why can’t they get their lands? What happened to all these mining communities where miners build roads, do development? Why can’t they get their lands?\textsuperscript{32}

For miners, therefore, villages such as Maicobie (which have no written record of ancestral occupation) are guilty of opportunism for having deliberately ‘located’ their villages in mineral-rich areas in order to exploit the resources therein. Similarly, the fact that

\textsuperscript{31} Hilson and Laing (2017a) claim that tensions between Amerindians and Afro-Guyanese may be traced back even further to the 18\textsuperscript{th} century, where colonial powers paid Amerindians to capture African slaves who had escaped into the interior from coastal plantations.

\textsuperscript{32} Interview, miner, 7\textsuperscript{th} June 2016.
Kangaruma-Tasserene was left out of the ALC report (according to villagers, because their representative did not show up at the hearings in Georgetown on the day of submissions in 1966) generates scepticism among miners about the validity of the village’s claim. The considerable land area that Kangaruma-Tasserene has requested (around 500 square miles) meanwhile invites cynicism about its motivations, especially in the light of similarly large land requests from Amerindian villages who have gone on to become major mining communities.

For Amerindians, on the other hand, the failure to honour Kangaruma-Tasserene’s land claim is simply a further example of the arbitrary process through which their rights are denied in Guyana. The success of miners in rebuffing Amerindians’ complaints about mining activity moreover illustrates that, even though Amerindians attained greater legal rights through the 2006 Amerindian Act, they face ongoing discrimination whenever they actually attempt to realise these rights (Bulkan 2016). As well as expressing itself in the ongoing mining-related conflicts examined in this article, Amerindian groups today draw attention to multiple other examples of bias, including repeated failures of governments to adhere to FPIC when carrying out consultations for programmes such as REDD+ (Dooley & Griffith 2014; Airey & Krause 2017).

7. Resolving tensions, beyond binaries

While the ultimate source of much current Amerindian disadvantage vis-à-vis mining may well be explained by the deeply rooted biases identified in Section 6, the identification of these factors is arguably proving of limited use in guiding approaches towards resolution of

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33 Isseneru village, for example, featured on the Guyana Gold Board (GGB) Top 100 producers for 2015, having registered itself with the GGMC as an official gold producer (IADB 2015). It only acquired its title in 2007, and, according to many observers, has only occupied its land area since the 1970s.
conflicts in Guyana today. This is largely because the populist indigenous’ demands that stem from the identification of historical grievances are fixed narrowly on securing more lands, bigger titles, and more control over mining. These demands are being met with considerable resistance by both miners and the state (Hilson & Laing 2017a). This resistance has led the titling process to stall, further harming communities such as Kangaruma-Tasserene, who must then watch powerlessly as further mining properties accumulate in their proposed title (Stabroek News 2015).

On a practical level, this resistance to land titling is understandable considering that bequeathing large new areas of land to Amerindians would be a huge practical (and political) challenge (Bulkan 2006). Indeed, not only would reconstructing indigenous territories be a challenging task given the lack of written evidence of occupation and the dynamic and ethnically ‘mixed’ nature of modern communities (Bulkan 2011); it would also mean having to negotiate thousands of resource rights with pre-existing holders (Hilson & Laing 2017a). Considering that there is already the perception that Amerindian rights have now unfairly surpassed those of all other ethnic groups in Guyana with the rights they gained in 2006, it is likely that there would be broad resistance within Guyanese society to significant further redistributions (Bulkan 2011; Hilson & Laing 2017a).

More crucially, though, there is, in many eyes, a kind of discursive dissonance between the justification invoked by indigenous organizations for being granted more land and the actually-existing realities of Amerindian livelihoods today. Indeed, the evolution of Amerindian livelihoods means that their strategies and aspirations are no longer necessarily centred around the kinds of land-based, communal, subsistence existences that may have characterized prior Amerindian societies (Killick 2018). On the contrary, as has been the case for several decades in Guyana, they are rather ‘hybrid’, combining market, subsistence, and
significant migratory components – and deep participation in the mining sector (Colchester et al. 2002; IHRC 2007; Clifford 2011). Participation in gold mining is widespread, especially across regions one, seven, and eight (IHRC 2007). One village, Jawalla, in Upper Mazaruni, for example, was said to have had over 80 dredges operating within its titled land as of April 2017, controlled exclusively (and illegally) by villagers. Many young Amerindians meanwhile “scoff” at remaining in communal villages and aspire to move to towns and cities to engage in tertiary education and training (Hennessy 2015, p. 141). These Guyanese environmentalists highlights the dissonances between APA-driven discourses on the justifications for land titling and the realities of Amerindian livelihoods:

People tend to speak about indigenous lands as… once its secured… for an indigenous community… that natural choice will be conservation, hunting, fishing, and so on… That is no longer our reality here… and so we should stop speaking about these things in these very simplistic ways.34

The conversation about mining and indigenous people usually happens as if indigenous peoples don’t mine… and they’re the victims of mining… whereas in many communities… they are the miners… And, while, it does not benefit the community as whole… its indigenous people who drive the mining in many communities.35

In the light of this broad participation by Amerindian communities in gold mining (including on their own land titles), the state has therefore been put under pressure by the mining lobby not to sanction further titles or to give Amerindians stronger rights in terms of mining (Kaieteur News 2014). The mining lobby’s resistance is undoubtedly connected to the rise in value of mining land amidst a rise in the world gold price. However, the perception that these land claims are somehow being framed dishonestly – under the pretext of conservation but

34 Interview, conservation professional, 2nd June 2016.
35 Interview, conservation professional, 7th June 2016.
with the aim of resource exploitation (e.g. Astuti & McGregor 2017) – is also a key grievance. In this regard, it could be argued that the indigenous lobby has made itself vulnerable to criticism in forwarding a discourse\(^\text{36}\) according to which communities need land in order to conserve it, when in reality many wish to mine. The state has also played its own part in perpetuating the false idea that Amerindians do not participate in extractive livelihoods\(^\text{37}\). Indeed, such sentiments regularly find their way into policy documents and statements – including, most recently, REDD+ programme proposals\(^\text{38}\). As Bulkan (2011, p. 469) points out, even the 2006 Amerindian Act itself perpetuates these “essentialist stereotypes of indigenous peoples” by denying Amerindians the right to practise mechanized mining in their titles, assuming they will naturally prefer ‘subsistence’ activities.

What is clearly causing the impasse in resolving land titling and many of the mining-related issues that indigenous communities face in Guyana today is therefore the idea that gold mining is neither a legitimate livelihood for Amerindian villages nor a legitimate justification for applying for land. This reflects a binary mode of thinking according to which indigenous land claims and livelihoods are only legitimate when they adhere to ‘traditional’ (rather than ‘modern’) modalities (Bjørkan & Qvenild 2010; Baker et al. 2013; Martin 2015; Germond-Duret 2016). Paradoxically, these binaries are replicated by both pro- and anti-indigenous organizations in Guyana in their political demands. Indeed, while indigenous organizations argue that Amerindians should be given further land and control over mining in order to enable them to ‘conserve’ the forests (e.g. Dooley & Griffiths 2014), miners argue that such demands are legitimate only when they are indeed animated by ‘conservationist’ motivations\(^\text{39}\) (Stabroek News 2012a). What unites both is therefore a failure to confront the

\(^{36}\) See, for example, Colchester et al. (2002) and Forest People’s Programme (2014).

\(^{37}\) Indeed, on entering the Ministry of Indigenous People’s Affairs in March 2017, the author was promptly reminded that Amerindians were ‘natural conservationists.’

\(^{38}\) See, for example, Government of Guyana (2009, 2013, 2014).

\(^{39}\) These views were conveyed by many miners in interviews for this article.
actually-existing ‘hybridity’ of contemporary Amerindian livelihoods (Anthias 2017; Killick 2018) and the legitimacy of Amerindian participation in mining (Hennessy 2015; Lahiri-Dutt 2017). This hybridity is perhaps best summed up by a Kangaruma villager, who reflects on the contrasts between the way Amerindians are perceived in Guyana and the realities for villagers on the ground:

People assuming Amerindians are pre-modern and don’t need medicines and cash incomes… but this is a modern state… Even if villages are thinking about gold, it doesn’t make a difference. We should be able to use resources on our lands anyway we want… Being an Amerindian is not about mining or not, it’s about being independent… we don’t need to buy food, gas, light, etc. We do as we please

8. Concluding remarks

Across two site-specific cases this article illustrated how an expansion in ASM properties in Guyana amidst a gold rush in the 2000s led to an intensification of existing – and the generation of new – forms of conflict between miners, indigenous communities, and the state. In this regard, the article contributes to a body of work in the political ecology tradition that has examined similar ASM-specific dynamics, in both South America/Amazonia (Hilson & Laing 2017a; de Theije & Salman 2018) and beyond (Kitula 2006; Verbrugge et al. 2015; Hilson 2016; Engels 2017). As much previous scholarship on mining and indigenous peoples has focused on the negative impacts caused by large-scale mining companies (e.g. Bebbington et al. 2008; Urkidi & Walter 2011; Arsel et al. 2014; Yakovleva 2017), this article has provided an illustration of the additional complexities that relate to the expansion of small-scale mining activity in which indigenous peoples are also active participants. In

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40 Interview, Amerindian villager, 14th April 2017.
complementing spatial, GIS-led work with an on-the-ground investigation (where prior spatial work has only examined mineral tenure conflict ‘from above’ (e.g. Spiegel et al. 2012; Bebbington et al. 2014)), the article provided a novel empirical and theoretical contribution to understandings of how conflict plays out in specific sites where mineral and indigenous properties overlap.

While mining impacts and conflicts appeared partly related to ineffectively enforced rules and laws, the article showed how these impacts were ultimately rooted in a normative tenure system that fails to account for the Amerindian notion of ‘customary territory’ while also privileging the rights of mineral property holders above all others (Colchester 1997; Bulkan 2011). Indeed, even though proponents argue that the Amerindian Act 2006 has managed to balance Amerindian land claims with the rights of other ethnic groups, this article highlighted how Amerindian titled areas are under-sized (Hennessy 2013), Amerindian rights in terms of mining are limited (MacInnes et al. 2017), and Amerindians’ political voice is being ignored (Bulkan 2016). The ongoing failure to address these issues is meanwhile connected to deeply-seated racial prejudice and suspicion that underlies Amerindian–non-Amerindian relations in Guyana (Hilson & Laing 2017a).

So, while Hilson et al. (2017, p. 82) ask why (in general) “the rights of indigenous communities seem so robust, and why… their leaders [are] able to wield influence over small-scale mining activities”, this does not seem to ring true for Amerindians in the Guyanese context examined in this article. On the contrary, the findings support the observations of scholars who have drawn attention to the ways in which indigenous communities are systematically disadvantaged or excluded by mineral formalization agendas (Kelly & Peluso 2015; Puztel et al., 2015; Bulkan & Palmer 2016; Damonte 2016; Spiegel 2016; Andrews 2018). These findings therefore reassert the need for ASM scholars to
recognize the complex and contested histories that underlie the formal mineral property grid-lines that are superimposed onto the map (Rocheleau 1995; Bridge 2007; Peluso 2012). They also suggest that scholars must pay more attention to the justice dimensions of ASM formalization and to the contested bases of tenure upon which mineral properties are based (Colchester 1997; Hennessy 2013; Bulkan 2016; MacInnes et al. 2017). On a general level, the case nevertheless highlights the complexities and challenges associated with integrating two competing modalities of land tenure – legal-formal and customary – within a modern, multi-ethnic state (Cleaver 2017).

But while the adverse incorporation of Amerindians into the state may well be the ultimate source of Amerindian disadvantage vis-à-vis mining, it was found that contemporary debates on these issues in Guyana are being hamstrung by their predication on outdated, binary framings of Amerindian livelihood aspirations (e.g. Germond-Duret 2016; Killick 2018). Indeed, contrary to narratives forwarded by indigenous advocacy organizations (and replicated by government and NGOs), commercial ASM plays an important role for villages such as Maicobie and Kangaruma-Tasserene, both as a source of in-village economic activity and migratory labour (Bulkan 1998; Hennessy 2015; Hilson & Laing 2017a). This highlights the ‘hybridity’ of contemporary Amerindian livelihood strategies that is relatively rarely acknowledged in Amerindian scholarship (Killick 2018). It also supports the call by those such as Hennessy (2015) and Lahiri-Dutt (2017, 2018) for a wider recognition of indigenous communities’ (active and willing) participation in ASM globally. Kangaruma is a village that has admittedly tried to avoid pursuing an extractives-centred livelihood pathway. However, the fact that it has not ruled out using its land title to secure access to mineral resources in future underlines the heterogeneity of motives that may animate indigenous land claims (Robins 2003; Martin 2015; Astuti & McGregor 2017).
The article therefore argued that there is a clear contradiction between the narratives about the land-based, subsistence nature of indigenous livelihoods (and the ‘noble’, conservationist motivations for land claims (e.g. Li 2003; De Koning & Benneker 2012; Anthias & Radcliffe 2015)) and the reality of widespread Amerindian involvement in gold mining. Crucially, it argued that this discursive dissonance is sharpening the already-existing suspicions between miners and Amerindians in Guyana today (e.g. DeVries 2011) and causing the process towards resolving these issues to stall. And while protests from miners are inevitably rooted in political-economic self-interest, the illegibility of the mainstream treatment of indigenous livelihoods and land claims has contributed considerably to the ill-will between miners and Amerindians (Hilson & Laing 2017a). As was seen, modern-day conflicts have become inevitably refracted through the lens of the historical ethnic tensions that characterize many aspects of Guyanese society (Hennessy 2013; Bulkan 2016; Garner 2016). The consequences of this impasse are not merely academic, as the example of Kangaruma-Tasserene showed. Indeed, contestation surrounding the titling process has led Kangaruma-Tasserene’s title to be withdrawn. This has left it vulnerable to further incursions by gold miners and has compromised its ability to exploit the resources on its land – either for profit or subsistence.

A challenge for scholarship in interpreting land and mining-related conflicts must therefore begin with a more direct confrontation with realities ‘on the ground’ and the eschewing of simplistic narratives (Fairhead & Leach 1996; Leach & Mearns 1996; Keeley & Scoones 2003). This means engaging more directly with both the realities of contemporary Amerindian participation in small-scale gold mining (as argued by Hennessey (2015)) and the heterogenous motivations behind indigenous land claims (as argued by Astuti & McGregor (2017)). Confronting such realities is certain to be contentious because it threatens long-standing, hegemonic discourses that frame mining as perennially “victimising a group of noble savages”, rather than an activity that indigenous peoples are often active participants in.
(Hennessy 2015, p. 141). However, disrupting dominant narratives could be an important step towards a more constructive dialogue within geographic scholarship on mining, land titling, and Amerindian issues – in Guyana and beyond.

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