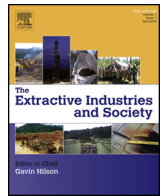




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Original article

Institutional exclusion and the tragedy of the commons: Artisanal mining in Matabeleland South Province, Zimbabwe

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ABSTRACT

This study analyses the institutional frameworks that govern access to mineral resources in Zimbabwe. It assesses the efficiency of these frameworks and highlights how institutions affect the management of other natural resources/ecosystem goods and services. The study was carried out in Matabeleland South Province, Zimbabwe; it was predominantly qualitative in nature and used multistage sampling techniques. The sample was the rural population of Matabeleland South Province, drawn from six of its case study wards. The districts, rural centres and key informants were purposively sampled on the basis of secondary data. The study findings showed that the institutional framework governing mining was sensitive only to formal mining operations but blind to rapidly-expanding informal artisanal and small-scale mining. Furthermore, formal institutions have become a major catalyst in converting common property into an open access regime that is susceptible to the Tragedy of the Commons. The study also showed that the reigning status quo had negative effects on other rangeland-inclined ecosystem services and compromised the ability to effectively manage them.

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1. Introduction

The access to, and governance of, natural resources has been a subject of interest in the social sciences for a considerable period of time. Entitlement to these resources, however, can only be guaranteed by rules and norms that govern the ways in which individuals in a society relate to each other (North, 1992). Because of costs, individuals cannot gather all the necessary information to make efficient choices and allocations (Williamson, 1985). Inadequate knowledge of the complete picture, can deteriorate trust between independent parties of a society. Thus, to minimise uncertainty, societies devise rules that govern their decisions (North, 1995).

This study analyses the institutional frameworks that govern access to mineral resources in Zimbabwe. Its main objectives are to assess the efficiency of these frameworks, and to highlight how they influence the governance of other natural resources/ecosystem goods and services. In this analysis, special attention is given to the 'Tragedy of the Commons' (Hardin, 1968).

The research drawn on in this paper was conducted in Matabeleland South Province, Zimbabwe. Before delving into the main objectives, the article begins by reviewing literature on the

institutional aspects dominant in environmental governance with a particular focus on property rights and social capital. The research methods used, together with a description of the study area follow a brief literature review that frames the concepts discussed. The study results are then presented, followed by a discussion of the major objectives of the article.

2. Conceptual framework: institutions and access to natural resources

North (1992) defined institutions as the rules of the game of a society, and more formally, the humanly-devised constraints that structure human interactions. He furthermore argued that institutions are composed of formal rules (statutory law, common law and regulations), informal constraints (conventions, norms of behaviour and self-imposed codes of conduct) and the enforcement characteristics of both. Access to natural resources has been contested from an institutional viewpoint often with connotations of ethnicity, race, political affiliation and gender (Fig. 1).

According to Mlambo (2005) and numerous other scholars (e.g. Moyo, 2006; Lebert, 2003; Mlambo, 2010), the Zimbabwean fast track land reform program (FTLRP) was necessitated by racial discrimination in land distribution that was rooted in colonisation. This institutional restructuring exercise attempted to adjust the

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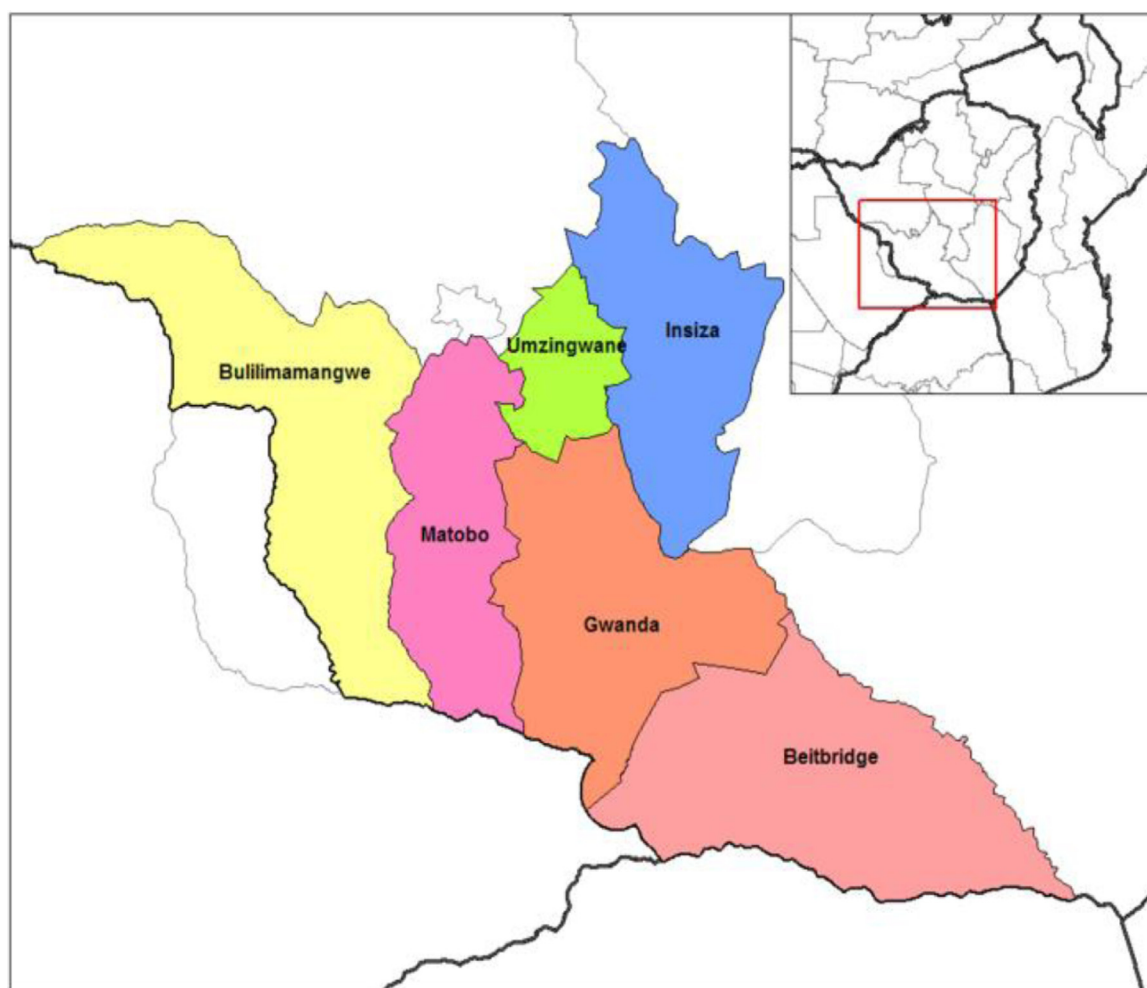


Fig. 1. Map of Zimbabwe showing the Matabeleland South Province and the districts of Gwanda and uMzingwane. Source: ZIMSTATS (2012).

legal framework (particularly property rights) to equalise access to natural resources by all the citizens of Zimbabwe (Moyo, 2006; Scoones et al., 2011). The example of FTLRP shows that the significance of property rights in the management of natural resources cannot be overstated.

In addition to the institution of property rights, as Dahal and Adhikari (2008) explain, the role played by social capital in the governance of collective natural resources such as forests is significant. Because of culture and tradition, which define most traditional structures, the knowledge of customary institutions and their interactions is fundamental for effective natural resource management (Uphoff, 2000; Dahal and Adhikari, 2008).

This section of the paper introduces the underlying themes of the cases, engaging, in succession, with the literature on property rights, social capital and the Tragedy of the Commons (Picture 1).

2.1. Property rights

Property rights appeal to the human self-interest and incentive system that shape individual preferences (Demsetz, 1964; Becker, 1977; Besley, 1995). The concept of property rights may be defined from a legal and/or economic perspective. Under continental civil law,¹ property rights relate only to physical objects or tangibles,

while Anglo-American common law likens them to both tangibles and intangibles (including patents, copyrights and contract rights) (Musole, 2009; Alchian 1965). Furubotn and Richter (2000) alleged that property rights could be absolute (practised universally for all parties) or relative (applicable only to certain parties). In defining property rights (especially from an economic perspective), concepts regarding the difference between a right and mere use



Picture 1. Tragedy of the commons unfolding. Abandoned ASM operations in Gwanda district Matabeleland south, Zimbabwe.

¹ Roman-based legal systems codified into a referable system that serves as the primary source of law.

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