



# Making Concessions: Extractive Enclaves, Entangled Capitalism and Regulative Pluralism at the Gold Mining Frontier in Burkina Faso

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**Summary.** — This paper studies the regulation of concessions in the global gold mining rush. The liberalization of the gold mining sector has given way to complex forms of regulation where non-state and illegal mining entrepreneurs compete in governing mining extraction. Taking the case of gold mining in Burkina Faso, this paper analyses the conditions and dynamics under which such complex regulation takes place. We draw on extensive ethnographic fieldwork conducted in Northern Burkina Faso, in particular the Burkinabè mining sector. We argue that enclave economies in the gold mining sector are co-produced by state and market regulation through a “plurification” of regulatory authority. This “plurification” is the effect of competition among different frontier entrepreneurs, who seek to broker regulatory authority in mining concession sites. We show that concession sites are not discrete extractive enclaves, but are better understood as indiscrete sites that are entangled in local politics and social relations. Rather than thinning social relations, as is often claimed, we observe that enclave economies thicken politics around concessionary regimes, where governmental bodies re-emerge as an arbitrating regulatory force. These findings problematize policy prescriptions to formalize the gold mining sector and draw attention to the role of the state in re/producing frontier entrepreneurs with unequal political rights to claiming concessions.  
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## 1. INTRODUCTION

During 2007–14, Burkina Faso experienced a remarkable gold rush: it jumped from sixteenth- to fourth-largest gold producer on the African continent. In 2012 alone, 941 mining permits and licenses were distributed. They have mostly benefitted international investors like those who have financed Burkina Faso’s eleven large-scale gold mines since 2008. This boom has also fuelled small-scale mining—*orpaillage* as it is called in francophone West Africa—which is mostly undertaken without any permit or license.<sup>1</sup> Alhamdou, a middle-aged man from Séguénéga, a small district town in North Burkina Faso, works as shaft owner in one such *orpaillage* mine in the nearby village of Bakou.<sup>2</sup> Originally a farmer, he is now one of the most successful and respected men in town. The illegal gold shafts he supervises are situated on SEGA, an area that was held under the mining exploration concession—extending over 313 km<sup>2</sup>—acquired by the Canadian Orezone Gold Corporation during 2002–12. When asked how he managed to secure his shafts on the corporation’s concession, Alhamdou smiles: “It is precisely because I helped the investor 10 years ago that I knew where to dig and that I was able to secure a line up on this hill.” Since Alhamdou explained this, the exploration concession has upgraded to an extraction project undertaken by the British Amara Mining Plc. Extraction lasted two years, and after the British investor left, Alhamdou was able to return to small-scale mining in the same area.

Our story evokes an unexpected entanglement of fortunes in the gold mining rush. A number of mining concessions have emerged as “extractive enclaves” or government-sanctioned spaces of mineral exploration and extraction. These mining concessions have created new configurations of “haves” and “have nots,” with small-scale typically losing out to large-scale miners. As Ferguson points out, enclave economies are characterised by private capital that lands—or rather hops—onto “non-contiguous ‘useful’ bits that are secured, policed

and, in a minimal sense, governed through private or semi-private means” (Ferguson, 2005, 381). Indeed, “intensified processes and patterns of uneven development are increasingly expressed in enclave spaces” (Sidaway, 2007, 332). Enclosing and “enclaving” space through externalisation and extra-territorialisation of resource regulation is a particularly forceful way to attract private capital and secur(itis)e resource production (Ferguson, 2006; Geiger, 2008; Harvey, 2004; Hendriks, 2015; Hönke, 2010; Sidaway, 2007).

A decade ago James Ferguson asserted that enclave economies of mineral-extraction connect “discrete points” scattered around the globe which have essentially thinned out state–society relations and “hollowed out” states in Africa (Ferguson, 2005, 379). Yet our story suggests that these enclaves are not actually discrete spaces—for here capitalism is entangled in much more nuanced ways in local political economics and social relations. Our objective is therefore to complicate the claim that state power crumbles under the weight of large-scale international private investments in the new resource rushes (Borras, Hall, Scoones, White, & Welford, 2011; White, Jr, Ruth, Scoones, & Welford, 2012). We start from the twofold observation that, firstly, private capital itself requires some regulatory framework to take hold on the ground; and, secondly, that *stricto sensu* state frameworks—laws and the practices of state officials—by no means exhaust the extent of regulatory relations that sometimes operate extra-legally and in “twilight” zones (Lund, 2006).

Through the case of Burkina Faso’s gold mining frontier and its concessionary landscape, we analyse actually existing social relations that make it possible to establish a mining con-

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cession. We argue that analysing the everyday politics of “making concessions” that cuts across conventional governmental divides—private–public, illegal–legal—helps to shed light on the actually existing social relations that entangle global capital in messy local struggles around regulatory authority, and thereby reproduce the indiscrete spaces of enclave economies. We show that, rather than a thinning of state–society relations, a concessionary mining regime emerges through a “plurification” of regulatory authority. Resource concessions in the gold mining frontier in Burkina Faso are sites characterised by regulative pluralism and intense politics (Hilson & Yakovleva, 2007; Keita *et al.*, 2008; Luning, 2012) where politics thickens, rather than thins out.

“Making concessions” requires more than the stroke of a pen or the threat of a gun—as Rasmussen and Lund put it in the introduction to this volume. Indeed, making mining concessions gives rise to political frictions—contest, disagreement, confrontation—and requires “making (political) concessions”—compromising, negotiating with, accommodating—between a number of actors. These concessions do not equally benefit all parties, and this is precisely why they are important to investigate. Not only do they help explain the seemingly contradictory configurations of extraction, such as the accommodation of Alhamdou’s illegal mining activities by the Canadian investor in the above vignette, but they also permit insights into the reconfigurations of state–society relations at the margins of the state.

Two overarching steps are taken in our analysis. We first show that the multiplication of mining concessions in Burkina Faso can be traced back to the production of a concessionary resource regime at the national level. This resource regime withdrew government regulation from sites of production. In the central government attempt to capture gold mining rents, mining concessions became sites of regulative pluralism, which involved a variety of mining frontier entrepreneurs in the struggle over regulative authority (Sections 3 and 4). Secondly, we probe the effects on state–society relations of the porous territorial and regulatory boundaries arising from mining concessions. We show that mining concessions are indiscrete spaces where regulative pluralism produces political frictions between different mining frontier entrepreneurs that, to a certain extent, enable government officials to reclaim some regulative authority in these sites (Sections 5 and 6).

We draw on extensive fieldwork conducted by the first author in Burkina Faso, including interviews with various branches of the central Burkinabè mining administration, with executive and technical staff of private national and international mining companies, and with a number of *orpaillage* miners who operate throughout Burkina Faso. We also draw on online material published by mining companies, which are integral elements of the “field of relations” in which making concessions takes place (Luning, 2008; Mégret, 2011). Ethnographic fieldwork was conducted on SEGA before, during and after a large-scale gold mining project was undertaken in Séguénéga, North Burkina Faso, including intensive fieldwork in 2011–12 and several visits to the site since then. This allows us to trace both the regulative framing of mining concessions within their larger macro-political configuration (Section 3) and the micro-politics of negotiating this regulatory space within and outside of these concession sites (Sections 4–6). In other words, it enables us to understand the thickening of politics as an effect of concessionary resource regimes on the gold mining frontier. Indeed, it is this kind of convoluted politics that made Alhamdou smile.

## 2. CONCEPTUALISING RESOURCE CONCESSIONS AT THE MINING FRONTIER

The gold mining frontier is an interesting case study of the entanglements between global capitalism and the politics of regulation “on site” (Spiegel, 2016). Resource frontiers are driven by a particular dynamic of “empty, but full” (Bridge, 2001; Eilenberg, 2014; Li, 2014a; Tsing, 2003): they emerge when sites are imagined as “empty” (of proper governance), but “full” of potential resources for extraction. A prerequisite in political formation at resource frontiers is to make these resources investible—both visible and governable. In Burkina’s mining frontier, a variety of government offices, central and local administrations, cadastral services, licensing departments and other bodies have material and political interests in making natural resources at once investible and taxable. Yet these are fragmented juridico-legal frameworks (Peluso & Lund, 2011).

First, this fragmentation reveals a contradictory dialectic. On the one hand, legibility and standardisation imperatives make resources investible; but, on the other hand, the messy, often violent politics of contestation and corruption erupts around the application of legible standards. Recent concerns over “land grabbing” portray dynamics of resource enclosures as discrete enclosed spaces of “accumulation by dispossession” (Borras *et al.*, 2011; White *et al.*, 2012). Yet these deals are also crucial to the reproduction of authority, territory, sovereignty and government subjects (Korf, Hagmann, & Emmenegger, 2015; Peluso & Lund, 2011; Wily, 2012; Wolford, Borras, Hall, Scoones, & White, 2013). The fragmentation of state frameworks must therefore be investigated through the social production of space, as occurs in contemporary resource concessions.

James Ferguson once claimed that what differentiates new from old enclosures in the extractive sector, is the expansion of an “enclave economy” model that seems to disembed resource extraction from the social context—local and national—in which it takes place (Ferguson, 2006). Many scholars agree that liberalisation reforms have fuelled dynamics of privatisation and informalisation of both economy and regulatory authority in the mining sector (Campbell, 2009; Hilson & Potter, 2005; Hönke, 2010; Spiegel, 2012, 2014). Yet overemphasising the grid-making capacity of transnational capital hides from view the entanglements of the extractive sector with local politics of regulation and extraction practice.

Studies that focus on misaligned government interests in mineral extraction, including those between central and local governments (Côte, 2013; Spiegel, 2015), have shown that political concessions, whereby central government officials concede certain regulatory powers to non-state actors, are an integral part of enclave economies. In contexts where national governments cannot afford to bring private capital to service national public good, the retreat of a bureaucratic apparatus, with the privatisation of regulation, has been analysed as a sort of “indirect discharge” that allows nation states to avoid bankruptcy (Hönke, 2010). Conversely, illegal small-scale mining is also often tolerated by state officials because it is considered as poverty-driven and as contributing to the safeguarding of livelihoods, although it is regulated through largely illegible mechanisms (Geenen, 2012; Maconachie & Hilson, 2011; Verbrugge, 2015). These political concessions should therefore not be analysed in isolation from the process of making resource concessions.

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