

FIGHTING FOR BLACK STONE



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Governance Reform → Peacebuilding?



**Bombali District,
Sierra Leone**



- Natural resource conflict stems from a “failure of governance”
- **Focus:** Institutional reform in the minerals sector
 - Formalization of access and tenure through licensing
 - Social & Environmental Impact Assessments
- **Objective:** Understand how & why reforms produced conditions that created violent conflict over tantalite extraction – the opposite of what we would expect
- **Argument:** Governance reform alone not sufficient to build long term peace; rather, peacebuilding requires unplanned processes of **institutional blending** (i.e., institutional hybridity)



Conflict over tantalite or 'black stone'



SLM-MIACCO

- local landowner cooperative financed by an Irish investor
- claim to have artisanal licenses to mine tantalite in Kamasortha
- supported by Environmental Protection Agency

Claim: MIACCO is made up of the rightful customary landowners; they do not consent to AMR-Gold's activities

Kamasortha Mining Site



AMR-Gold

- multinational company
- valid exploration license in Sella Limba
- supported by National Minerals Agency

Claim: holds exploration license and has sole rights to exploration and extraction in Kamasortha

Key: Both sides claim to be the one *actually* complying with the regulatory process dictated by Sierra Leone's mining laws.

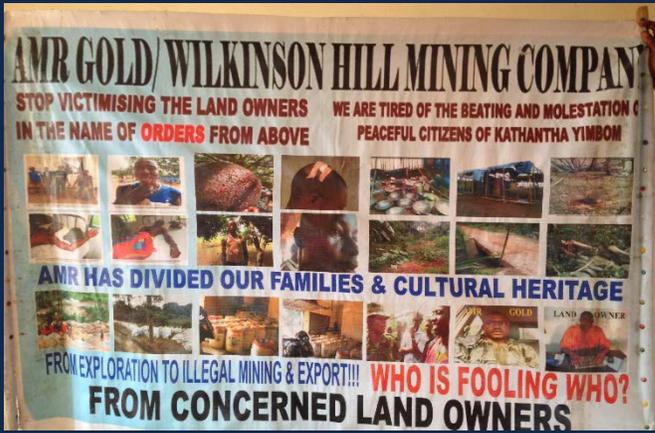




1. Who possessed extractive rights?
2. How should those rights be assigned?

- AMR-Gold (existing institutional landscape)
 - Makes claims through formal legal regulatory process that exists
- MIACCO (hybridized institutional landscape)
 - Melds customary land tenure systems/dispute resolution mechanisms with formal legal process
 - Argues that, according to Limba custom, AMR-Gold did not consult the rightful landowners and was not in compliance with the licensing process
- MIACCO says: “Not a mining, but a land rights dispute”
 - Process of institutional reform subordinates customary institutions





1. Who possessed extractive rights? 2. How should those rights be assigned?

Political elites respond to violence in the area (Pres & VP)

- Sella Limba MP assembles a “mediation committee” made up of 14 “non-partisan” citizens of the area
- MIACCO draws on informal customs to engage Sierra Leone’s political elites in a conversation about what *should* constitute the criteria for extraction
- 5 recommendations:
 - AMR should release Kamasortha to MIACCO, since they are composed of the *rightful landowners*

Kamasortha Mining Site



AMR says: To recognize MIACCO’s claims through a “hybrid” institutional process suspends the “rule of law” and “goes against what the law tried to change”





Where is the state?

- Formal regulatory process could not resolve this dispute
 - EPA backed MIACCO
 - Using exploration license to avoid conducting full EIA and to establish a monopoly in the chieftom
 - NMA backed AMR-Gold
 - AMR has been issued legal licenses, EPA is overstepping its authority
 - Need to foster an attractive investment environment to drive economic development
- Tantalite conflict serves as a proxy conflict between regulatory agencies battling for primacy





Argument: hybrid solution critical for peace

- Statebuilding may undermine peacebuilding
 - Reform produced large-scale reassignment of rights, mostly to multinationals – creates insecurity and injustice
 - Does not recognize the full array of “indigenous institutions”
 - Reforms contribute to ongoing slow, structural violence
- Hybridity addresses “misrecognition” in institutional design
 - Address distributional inequities by making landowner claims more visible
 - “Fills in the gaps” created by unsettled institutional terrain
 - Allows for conflict resolution without undermining formal systems



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Article: Fighting for Black Stone: extractive conflict, institutional change and peacebuilding in Sierra Leone

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Why write a whole article about this?

Institutional “blending” or “hybridity” remains controversial because:

- Peacebuilders have to compromise on functional aspects of good governance
- It is unplanned and thus introduces (investment) uncertainty
- At odds with “liberal” values

