6
A West African Language of Subterranean Rights

In April 2014, Senegalese soldiers drove a fleet of bulldozers through the bustling town of Kédougou. One group diverted to the north, the other to the west. Over the next several days, soldiers bulldozed several of southeastern Senegal's largest juuras, or dry season mining sites.[1] Restrained at gunpoint, orpailleurs jeered as bulldozers shoveled dirt into hundreds of mine shafts. Some elderly women stripped naked to shame Senegalese armed forces. Senegal's President Macky Sall framed the juura closures as a security campaign (*campagne de sécurisation*) to restore public safety, protect the environment, and encourage farming in Kédougou.[2] National media coverage of the juuras marked a crescendo in a multiyear national news frenzy that presented Kédougou as a Wild West–style mining town characterized by crime, uncontrolled migration, and environmental degradation.[3] Journalists reported that the state was shutting down orpaillage in Kédougou. In fact, the army bulldozed only juuras approved to become corporate mines, leaving many other juuras untouched. In the next few months, the state legalized dozens of juuras by transforming them into orpaillage corridors (*couloirs d'orpaillage*), in which Senegalese citizens could mine for a nominal fee and with proof of citizenship status.[4] While juura closures accelerated the corporate enclosure of Senegal's goldfields, they also materialized a compromise: recognizing the claims of some orpailleurs to gold deposits.

Taking the 2014 juura closures as an entry point, this chapter tracks the emergence of a regional language of subterranean rights, centered on gold, that was innovated by Kédougou's residents in the mid-2000s. Some claims to gold were framed as "rights"; others, as moral entitlements. I place the word *rights* in quotes because orpaillage was almost entirely illegal during my fieldwork and remains so in many contexts. Behind closed doors, state officials expressed their desire to close all juuras, but they admitted it was untenable to eliminate the primary source of income for some of the country's poorest citizens.[5] Orpaillage was too established, widespread, and crucial to rural livelihoods to be criminalized altogether. Closing juuras is a risky enterprise for the Senegalese state. In the words of one official based in Kédougou, "When the hunger season hits, and people have no juura to mine, they will have nothing to lose."[6] The potential for violence on densely populated juuras forces the state and mining firms to make concessions to orpailleurs. I draw on the historian Gregory Mann's definition of *political language* to describe the "words, images, ideas, and expressions of sentiment that compose a common rhetoric animating uneven and inconsistent relations of power that exist between various parties."[7] While this chapter focuses on discursive elements of claims making, debates over subterranean rights are also waged by material means. Corporations speak through barbed-wire fences and security forces; the Senegalese state asserts its claims to gold with bulldozers and mining conventions. Orpailleurs, in turn, burn government property, block roads, and invade state-sanctioned permits. Orpailleurs may be the least powerful actors in these encounters, but they are an influential constituency that neither the state nor corporations can ignore.

In southeastern Senegal, a political language of subterranean rights crystallized in moments of upheaval—such as the juura closures—and through daily negotiations among orpailleurs, state officials, politicians, and the employees of mining and exploration firms. In Kédougou, orpailleurs assert their right to mine gold through four primary modes of redress. First are claims to discovery or precedence. Regional residents argue that they, not geologists, were the first to discover gold deposits now mined by corporations. Second, orpailleurs claim juuras as a subsistence right, a collective granary and famine resource that should remain available to future generations and to regional migrants. Third, orpailleurs argue that they are small and weak, capable of mining gold only at the surface, allowing corporations to mine gold at depth. Finally, orpailleurs argue they have a right to the region's gold because the colonial and postcolonial state marginalized Kédougou by failing to invest in its infrastructure while profiting from its natural resources. While orpailleurs are the primary authors of this language of subterranean rights, bureaucrats and mining company personnel also speak in its idioms, although they recognize some arguments as more legitimate than others. In Senegal's poorest region, both farmers and bureaucrats acknowledge the importance of juuras as subsistence resources. By contrast, orpailleurs' claims to gold based on the state's historical exploitation of Kédougou's natural resources are more controversial and thus more easily dismissed, as I show later.

Tracking this West African language of subterranean rights inserts new concerns into the scholarship on anti-mining protests in the global South, which have expanded in tandem with the internationalization of mining capital since the late 1980s.[8] Many conflicts around capital-intensive mining projects center on their nefarious effects on ecosystems and waterways, the marginalization of indigenous land claims, and the opacity of mining contract negotiations and environmental impact assessments.[9] Residents of Kédougou share these concerns. But they do not protest corporate mining altogether, as is common in Latin America. In fact, they concede that corporations have a right to some gold as sanctioned by the state. Orpailleurs seek entitlement to a share of gold, not its entirety. Consider the words of Neege Traoré, an elder of Duuta, a village where the mining firm, Bassari Resources, has operated its exploration camp for more than a decade. "When [Bassari Resources] came, they greeted us. It was the state who sold them this land. And we said, 'OK, we cannot say that we don't agree if the government said that you could have the land. We are all Senegalese. But you cannot come here and prevent us from surviving.'"[10]

The anthropologist Amiel Bize documents a similar dynamic of claims making in fuel siphoning along Kenya's northern trucking corridor. Truckers construct and claim an entitlement to a share of fuel—a "remainder" conserved by skilled driving—while recognizing the rights of truck owners to a much larger share of fuel. As Bize argues, the "right to the remainder" as a particular kind of share emerged "both from the contingencies of material [oil and driving] and through a preexisting social negotiation" that unfolded in an agrarian context marked by severe inequality.[11] Compared with fuel, which can be siphoned as it is moved across different access points and containers, orpailleurs lay claim to gold that remains lodged in its geological context underground. Orpailleurs thus negotiate with corporations for access to one of two kinds of gold shares: a parcel of the surface area of mining permits or a stratigraphic division of the underground, whereby orpailleurs work "on the surface" while companies work below. These two notions of rights—one segregated horizontally; the other, vertically—echo the two models of African customary mining rights codified in the fluctuating mining regimes of colonial French West Africa (see chapter 3).

Orpailleurs' claims to a share of Kédougou's gold do not emerge from a unified social group or central organization. In Ghana, many artisanal gold miners, known as *galamsey*, belong to unions.[12] But orpailleurs in Senegal rarely organize beyond the level of a single village or juura, which reflects the region's long history of political non-centralization.[13] Over the past two decades, however, conflicts with mining companies have given rise to new forms of collective affiliation. On one hand, a growing number of people in Kédougou identify their full-time profession as orpaillage. On the other hand, residents of Kédougou increasingly refer to themselves as "Kédovins," a portmanteau of Kédougou and the French verb *venir* (to come from). As a term that signals a pan-ethnic regional affiliation, *Kédovins* has gained political currency in the crucible of Senegal's gold-mining boom.

Senegal's Gold-Mining Boom

In the 1990s, rising gold prices and the depletion of more accessible deposits elsewhere on the globe inspired interest among mining investors in the gold of savanna West Africa. While geologists had spent decades mapping the region's gold-bearing Birimian rocks, it was only at the turn of the twenty-first century that exploration firms began marketing the idea of a West African "Birimian Greenstone Belt" as a regional geological formation with untapped mining potential.[14] In part, the marketing of the Birimian Greenstone Belt imposed an artificial unanimity on West Africa's diverse goldfields, each with distinctive histories of exploration. At the same time, it recognized the Birimian rocks that united these spaces, which had motivated the expansion of medieval West African empires and long-distance trading networks for gold across the savanna and the Sahel.

Most exploration and mining firms that ventured into savanna West Africa in the 1990s drew their expertise and capital from Anglophone countries with historical gold-mining industries that, in turn, grew out of nineteenth-century gold rushes and white settler-colonial projects. By decade's end, Australian, Canadian, South African, and British companies—including dozens of junior firms—held exploration permits across historical Bambuk, Buré, Poura, and Yaouré. Guinea opened the Léro mine in 1995, followed by Siguiri in 1998. In 1996, Mali entered a joint venture with a private firm for the Sadiola mine, with Luolo, Yatéla, and Tabakoto following suit. Senegal, comparatively late to the table, opened Sabodala in 2007.[15]

In part, these private mining investments were encouraged by the widespread adoption of pro-market mining codes by African states in the 1990s and 2000s, which offered massive tax breaks to foreign investors.[16] The region's mining boom was also built on earlier generations of scientific research—a fact often elided in media and scholarly coverage. The first wave of mines opened in Guinea, Mali, and Senegal were all "shelf projects": gold deposits that had been partially mapped in the colonial period or in the early decades of independence.[17] West African states jump-started their mining economies by tendering these shelf projects to competitive bidding by private investors who built on preexisting research. The geologists who staffed exploration firms working on West Africa's Birimian rocks in the late 1990s had techniques for mapping the subsurface that were unavailable to geologists of earlier decades. But they also consulted maps and reports from historical exploration missions held in state archives. As Sembou Danfakha, a Kédovin who worked for independence-era mineral missions, put it, "It is the old work that becomes the projects [Endeavor Mining, Resolute Mining, etc.] of today."[18]

The embrace of foreign mining capital by West African states reversed decades of policies aimed at nationalizing mining within the framework of African socialism. Economic decline weakened ideological investment in state-run industries. By the 1970s, most African states were operating on budget deficits. In Senegal, the declining price of peanuts, coupled with the Sahelian droughts of the 1970s and 1980s, stressed rural incomes, agricultural production, and state revenue.[19] In exchange for loan forgiveness, the World Bank and the International Monetary Fund pressured African states, and other states in the global South, to adopt budget austerity reforms known as structural adjustment programs (SAPs). Senegal was an early adopter of SAPs, which led to major cuts in state bureaucracy, agricultural subsidies, education, and health care.[20] The World Bank targeted the mining sector as a potential source of revenue and encouraged African states to shift their historical role from one of "owner-operator" of mines to "promoter-regulator" of private mining investments.[21]

In 1988, Senegal adopted a more "investor-friendly" mining code to promote the exploitation of its shelf projects in joint-venture arrangements.[22] Abdou Diouf, Senegal's second president, entertained two agreements to mine Sabodala with foreign partners. After they fell through, he authorized an agreement with a Senegalese company, Eeximcor, to mine a portion of Sabodala.[23] Eeximcor was financed exclusively by Senegalese capital and staffed by Senegalese technicians. In 1997, one year after it was opened, the state ordered Eeximcor's closure on the grounds that it had violated its permit. Suspiciously to some, this closure aligned with a renewed state-led campaign to promote private investments in Senegal's mineral sector with a focus on Kédougou's Birimian rocks.[24]

In 2000, Abdoulaye Wade, a long-term opposition candidate, became Senegal's third president running on a campaign of market liberalization. In 2003, he adopted a far more liberal mining code than that of 1988 and opened a bidding war for Sabodala. The Australian company Mineral Deposits Limited (MDL) won the bid in 2004.[25] Meanwhile, the state entered negotiations with Arcelor Mittal (then an Indian-based steel giant) to exploit another shelf project of the independence-era mineral missions: a massive iron-ore deposit along the Falémé River.[26] Kédougou's mining boom converged with a number of infrastructural and bureaucratic transformations. Construction began on a long-planned international highway between Dakar and Bamako that passed through southeastern Senegal. In 2008, Kédougou became an official region, which led to the opening of new state offices and the appointment of dozens of new bureaucrats to the region. Hundreds of geologists, mine managers, day laborers, merchants, truck drivers, and technicians moved to Kédougou. Orpailleurs from Mali, Guinea, and Burkina Faso also migrated to the region, drawn by juuras newly discovered by resident orpailleurs and by the exploration trenches of mining juniors. The influx of outsiders stoked concerns in Kédougou that coastal Senegalese and itinerant workers from abroad stood to benefit from the region's mining boom more than local residents. These grievances erupted in a protest in 2008, in which Kédovins accused government officials of overlooking regional residents for employment in mining camps—an event to which I return later.

Kédovins were not the only ones concerned that outsiders accrued the majority of the profits from gold mining. When Macky Sall became Senegal's fourth president in 2012, he criticized Wade for handing over too much revenue in the mining sector to foreign investors. Sall, a mining engineer by training, had spent time in Kédougou as Senegal's minister of mines from 2001 to 2003.[27] Shortly after entering office, Sall called for a review of all mining conventions and created pathways to partially legalize orpaillage, to which Wade had largely turned a blind eye.[28] In 2013, Sall introduced the couloirs d'orpaillage policy, which allowed Senegalese citizens, for a small fee, to mine as individuals or groups across multiple corridors. In 2016, Senegal's National Assembly ratified a new mining code that lowered fees for Senegalese entrepreneurs to access mining licenses.[29] Finally, in 2018, the state opened an official market board for gold in Kédougou, where for the first time orpailleurs could legally sell gold dust to the Senegalese state. Despite these pathways to legalization, most orpaillage in Kédougou remained illegal because it is conducted outside of state-defined corridors. In this context, orpailleurs defended their right to gold through a political and moral language, rather than one based on legal claims.

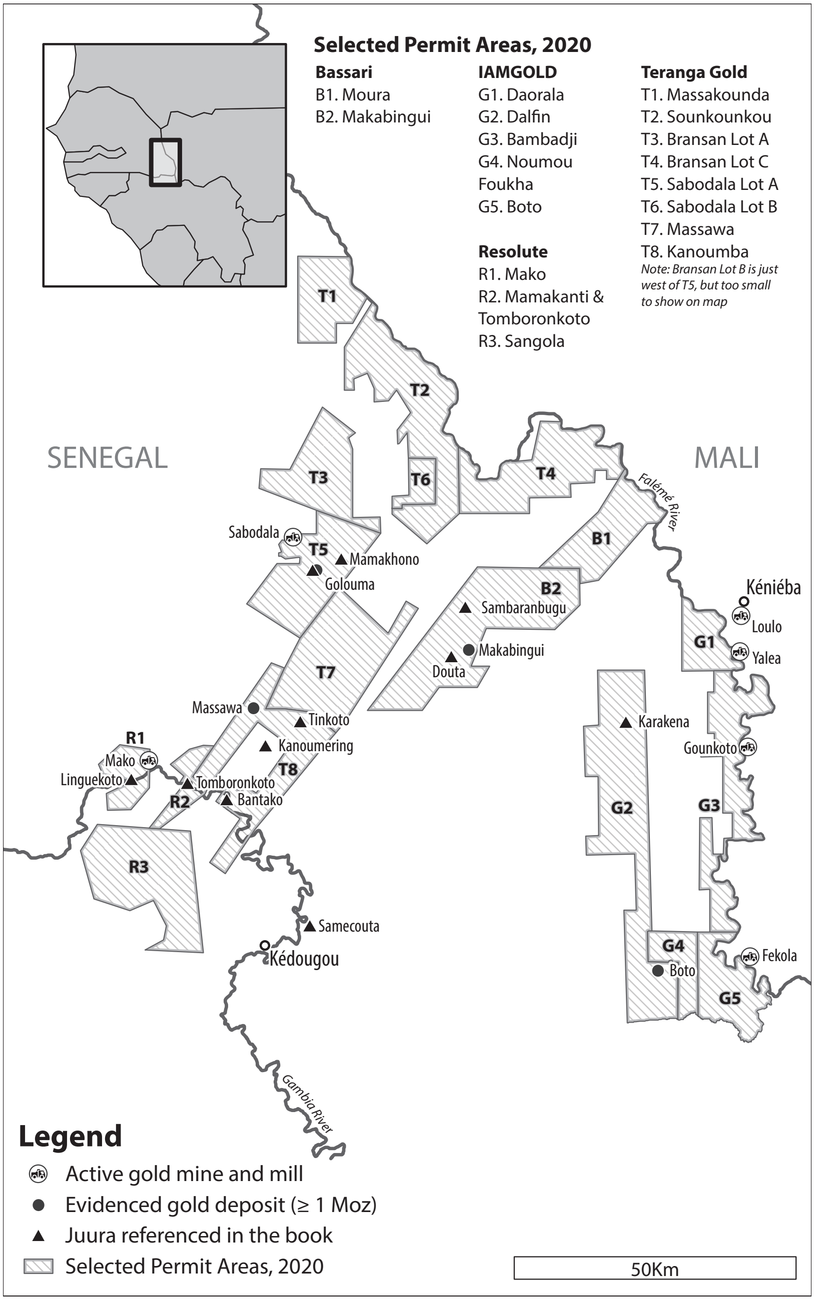
Claiming Discovery

> The tubabs [whites] did not show us the filon [lode-ore rock]. We learned the filon. The mining of filon in Kédougou started in Golouma; it was the year in which I was born. We call that the *kuru taki sono* [the year of breaking rocks].[30]

Moussa Tigana, the reader may recall, worked for several mineral missions in the 1960s and '70s. He was born in Mamakono—home of the Atlantic-era "slave king," Taubry Sidibé—in 1949, the year of kuru taki sono. At the time, Golouma was a juura mined by residents of Mamakono and other villages in historical Bélédougou. Alongside Tinkoto, Golouma was one of southeastern Senegal's most active juuras across the twentieth century. Today Golouma no longer exists: it is an open-pit mine excavated by Endeavor Mining. Tigana's declaration was part of a broad genre of arguments about precedence to gold discovery that I heard from orpailleurs during my fieldwork. Claims by Kédovins that they, or their ancestors, were "the first" to discover gold deposits now slated to be mined by corporations are core to the language of subterranean rights on Senegal's goldfields.

At first blush, the relationship between gold discovery and mining rights is a straightforward legal question. According to Senegal's current mining law, a person or corporation must be in possession of a state-issued gold exploration permit to be granted priority rights to mine a prospect they have documented.[31] But orpailleurs can neither afford the cost of exploration permits nor the geological staff required to legally prove the existence of a deposit within a permit (map 6.1). Senegal's mining law also allows the state to retract a permit if a deposit of greater value to the "public good" is discovered nearby.[32] In sum, even if rural residents acquire "artisanal" or "small mine" permits that align with a local gold discovery, they can lose the right to mine it if the holder of an exploration permit—a title far too expensive for village organizations in Kédougou—legally proves the existence of a prospect in the same zone. Further, none of the mining codes ratified in Senegal since independence legally recognize the contribution of orpailleurs, living or deceased to private or state-funded gold exploration. This is despite the fact that geologists working for private firms in Kédougou region today continue to sample local orpaillage shafts: a practice that dates to the colonial period (see chapters 1, 4, and 5).[33]

Because orpailleurs have virtually no legal protections for their—or their ancestors'—gold discoveries, they mobilize claims to precedence in negotiations with state officials and mining corporations that appeal to



Map 6.1 Mining permits, gold mines, and juuras in Kédougou, Senegal, ca. 2020.

ethical, rather than legal, registers. When a gold deposit was "discovered" is a complex ontological problem that pries open space for debate shaped by multiple and competing versions of history. Each gold-bearing ore body has a distinct history of use and discovery by multiple actors: orpailleurs, private firms, and the state. These histories can be mobilized to defend a moral vision for why a group of orpailleurs or a mining firm should, or should not, have a right to mine a given deposit.

The discovery of Sabodala, Senegal's first open-pit mining operation, offers a compelling view on these issues. Residents of the historical province of Bélédougou, in which the villages of Sabodala and Mamakono are situated, place Sabodala's discovery within a deep genealogy of regional land settlement. However, the geography of Sabodala in oral histories is slippery. For some, Sabodala refers exclusively to the present-day village of the same name, while others use Sabodala as a gloss for a much larger gold-bearing geological formation in which a range of juuras and villages are located. According to oral histories of regional Soninke and Maninka lineages, their ancestors settled Bélédougou due to its rich agricultural soils and the presence of gold and iron, the latter for blacksmithing. By the dawn of the first millennium, gold flakes mined from the runoff of laterite plateaus surrounding Bélédougou may have been mined and sold to Soninke Wangara traders (chapter 2). Oral histories suggest that Sabodala was first established as a juura, mined seasonally by residents of Bélédougou. Like many villages in this zone, including Tinkoto, Sabodala later became a year-round agricultural hamlet. During the interwar gold boom, orpailleurs from Bélédougou discovered new juuras in the vicinity of Sabodala, including Bambaraya, Kerekounda, and Sékoto-kô. For them, their ancestors, some within living memory, unambiguously discovered Sabodala and adjacent juuras, including Golouma.[34]

State archives, by contrast, credit independence-era mineral missions with the discovery of Sabodala. Yet even these sources recognize the importance of preexisting orpaillage sites to the exploration activities that documented the Sabodala deposit, on one hand, and point to the multitude of different geologists involved in this discovery, on the other hand. In the 1960s, the United Nations (UN) sampled soils and dug trenches in the vicinity of Mamakono and Sabodala, largely in alluvial deposits mined by local orpailleurs. While orpaillage workings guided the UN's work, it also relied on the reports produced by colonial-era geologists who, in the 1950s, dug exploration trenches in abandoned orpaillage shafts. While the UN provided evidence of the Sabodala deposit on maps, future geologists deepened knowledge of the deposit. In the 1970s, Soviet geologists working for the Sénégalo-Sovietique mission dug diamond-drill holes in gold-bearing quartz rock of the prospect 2.5 kilometers to the north of the village named Sabodala and the juura of the same name. In 1973, a French parastatal, the Bureau de Recherches Géologiques et Minières (BRGM), perforated more than fifty-three diamond-drill holes in the surrounding soil. From the mid-1980s to the mid-1990s, the Senegalese state, in a joint partnership with an Australian firm, conducted diamond-drilling and reverse-circulation drilling on Sabodala. By the close of the 1990s, Sabodala's gold reserves were estimated at thirteen tons. In sum, each generation of geologists expanded the geography incorporated under the place name Sabodala.

The discovery of Sabodala continued when, in 2004, the Senegalese state accorded a mining concession to the Australian firm MDL, to mine the deposit. The company updated the reserves through additional exploration and commenced mining Sabodala in 2009. In 2010, the Canadian-owned Teranga Gold Corporation acquired MDL. Teranga also acquired exploitation licenses and residual exploration licenses from several firms working adjacent to Sabodala, expanding the territory glossed as part of the Sabodala project.[35] Teranga Gold (now Endeavor Mining) offered its own account of the discovery of Sabodala. Under a section titled "History" in a technical report from 2017, the report's authors—a consultancy hired by Teranga—argued that "a soil sampling program carried out by BRGM in 1961 resulted in the discovery of Sabodala, which had not previously been recognized by the local artisanal miners, as the gold was fine grained."[36] The attribution of discovery to the BRGM is a highly selective telling of the multilayered geological labor that went into mapping Sabodala in the 1960s and 1970s. More interesting yet was Teranga Gold's engagement with the history of "local artisanal miners." The company recognized that orpailleurs mined Sabodala's alluvial deposits, which are visible to the naked eye, but differentiates these from lode ore, which is more "fine grained." For Teranga Gold, Sabodala was only "discovered" when its lode ore, not its alluvials, were mapped. Even mining firms recognize that orpailleurs excavated portions of Sabodala before geologists ever explored for gold in the region. The question is what discovery means and whose discoveries count.

When did this messy compendium of silts, quartz carbonate, albite-pyrite veins, and alluvial sediments come into being as Sabodala, an objectified gold deposit that is constructed and claimed as property? Did women from Mamakono discover Sabodala when they panned alluvial silts along a stream on its surface? Or when local men dug shafts into the hillside north

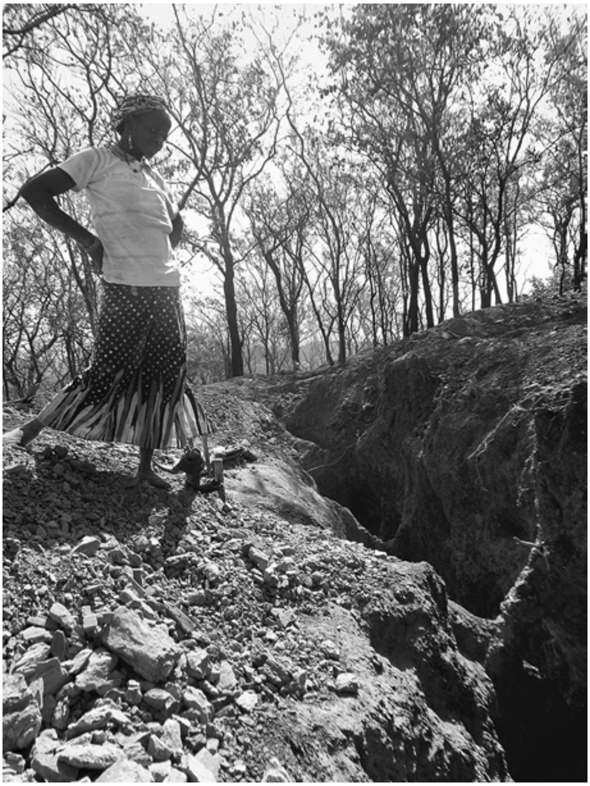


Figure 6.1 Exploration trenches near Tambanoumouya, Senegal, 2014. Photograph by the author.

of Sabodala village? When a juurakuntigi spilled the blood of slaughtered chickens into the soil in the name of the patron spirit of Sabodala's gold? When Soviet or French geologists sunk exploration trenches into its quartz rock? Or is Sabodala rediscovered each time a new set of human hands or modeling techniques touches or projects the mineralization of this stretch of earth glossed as Sabodala (figure 6.1)?

In ontological terms, there was no single moment when Sabodala was discovered. Even the legal definition of a mineral deposit or reserve is historically contingent. In legal terms, a mineral reserve is defined by the classification schemes of the countries in which exploration and mining firms list their stock, such as Canada, Australia, and South Africa.[37] Classification schemes differ from one country to the next, but they generally define mineral reserves as deposits known to exist with a relative degree of certainty based on geological studies and that are economically exploitable with available technologies.[38] Shifting market prices for minerals, infrastructure development, and mining laws in countries that host exploitation (and in which companies list their stock) thus shape the legal definition of a mineral reserve, and this definition can shift rapidly over time.

During exploration, firms benefit from the gold discoveries of orpailleurs, current and past, within their permits and employ orpailleurs as semiskilled laborers. However, once a company legally proves the existence of an economically exploitable mineral reserve, companies lean into a classic Euro-American ownership strategy based on promoting rights on the basis of exclusion. They exclude orpailleurs from their permits by erecting electrified barbed-wire fences and lobbying the state to bulldoze orpaillage sites. In Senegal, state-issued mining concessions restrict the claims of orpailleurs to the discovery of a gold deposit by restricting ownership to the final segment in the geographically and temporally diffuse network that often contributes to the "discovery" of a given deposit—such as Sabodala. Mining companies limit competing claims to gold deposits by emphasizing their adherence to Senegalese law and their contribution to Senegal's economy through the payment of taxes and permit fees and through employment creation.[39] By contrast, orpailleurs attempt to enroll corporations in webs of responsibility and exchange that go far beyond the spatial and temporal bounds of the mining concession. They embed companies in the region's history of mineral exploration and mining, and seek recognition for their role in discovery in the form of permission to mine a portion of the deposit or by receiving returns (in the form of employment or investment in infrastructure) from the mining of deposits that they, and their ancestors, helped to discover. As companies move toward exploitation, they narrow the geography of the communities to which they claim contractual and moral responsibility. Orpailleurs insert an ensemble of individuals, living and dead; sociopolitical institutions; and occult forces of the underground into the beneficiaries of gold. In negotiations with the state, orpailleurs also argue that orpaillage confers far greater benefits to a much wider network of people—men and women, citizens and migrants—than corporate gold mines, which employ a small fleet of skilled workers, and machines, most of whom are not from Kédougou.

Claiming Small-Scale

> We work with picks and shovels. We cannot touch what the mining companies search. They search hundreds of feet underground. . . . Those who search deep and those who search on the surface, is it the same thing?[40]

Mahamadi Cissokho, an elderly resident of Samaranbugu, articulates a common defense made by orpailleurs for mining gold within corporate permits. Orpailleurs construct themselves as small-scale and weak, often by emphasizing their use of "traditional" tools such as picks, shovels, and calabash gourds. Or, as Fadiyen Keita, the chief of Kharakenna put it, "When they came with the machines, we had the calabash."[41] Such descriptions set up scalar comparisons with mining companies: big versus little machinery, depth versus surface, and traditional versus modern technologies. By claiming a small-scale status, orpailleurs enroll corporations into moral obligations based on a patronage logic: those in power who monopolize most of a resource should give some of it to the less powerful.

Scales are not, however, fixed social realities. They are spatial and temporal categories, systems of observation and value, created by historical actors with divergent motivations and access to power. The production of scales—national, imperial, local, and geological—is emergent and relational. Scale can be created through discourse or produced materially through the movements, alliances, and activities of people and technologies.[42] But discursive and material scales do not necessarily align. On one hand, the scalar divergence of orpailleurs from mining corporations is self-evident. Orpailleurs work in ephemeral teams, rarely digging deeper than thirty meters; meanwhile bulldozers excavate open-pit mines up to two hundred meters in depth. However, while orpaillage is constrained in depth, it is geographically expansive. In a single dry season, orpailleurs often work across multiple juuras; recruit workers from Burkina Faso, Guinea and Mali; and use pneumatic pumps and jackhammers imported from Dubai and Shenzhen. Far from small-scale, the financial, social, and technical networks of orpaillage reach around the globe.

In advance of the state's closures of juuras in 2014, orpailleurs made scalar arguments in an attempt to assert some control over regional gold deposits. The closure of the juura of Golouma was particularly controversial because it served villages in historical Bélédougou, which had already lost several juuras to Teranga Gold. Aliou Diallo, the male head of a large Pular household in Mamakono, put it in the following terms: "We would like the mining companies to leave a small parcel so that people can survive, a little bit.... What we can work with our hands and what the mining company needs are not the same. The company has needs of tons, and we only need a few grams. We do not dig more than fifty meters, even if it is deep. And the companies dig up to one hundred meters or more."[43] Diallo proposed that companies either allocate a parcel of land for orpailleurs or allow orpailleurs to excavate the top fifty meters of a deposit, leaving companies to mine at depth. Bambo Cissokho, the chief of Tinkoto (chapter 1), made a similar proposition to Randgold in negotiating for access to a portion of its exploration permit. In his words, he asked company representatives to "let us work with the pick and shovel. We are small; we just want to dig the surface."[44] As the reader may recall, at the close of the nineteenth century, the first architect of French West Africa's mining laws imagined a similar demarcation of access to gold: Africans on the surface, with Europeans laboring below. This premise was challenged as early as the 1910s, when African orpailleurs proved capable of exploiting deposits the French initially thought were beyond the depth "they can reach with their current procedures" (see chapter 3).

Claims by orpailleurs that they work only at "the surface" are complicated by the shift, over the past two decades, toward orpailleurs exploiting more lode ore (*filon*, *sanukuru*). Mining companies are quick to point out that they have no problem with "traditional" orpaillage within their exploration permits, which they identify as the mining of alluvial deposits (*nara*) with traditional tools: a pickax and calabash. In their view, the problem is that orpailleurs now use industrial or semi-industrial tools to mine lode ore: the same deposits targeted by mining firms. In 2012, the Australian company Bassari Resources campaigned the Senegalese state to evict orpailleurs who they accused of invading Bassari's primary gold prospect at Makabingui. In letters and emails written to Senegalese authorities, Bassari emphasized the "industrial" character of the tools used by orpailleurs operating on their permits. This language is evident in a 2012 letter from the management of Bassari Resources to the Senegalese Ministry of the Interior: "It is clear that the illegal miners engaging in artisanal exploitation do not employ traditional methods, but, to the contrary, are sophisticated operators working with industrial mining equipment."[45] In January 2013, the managing director of Bassari wrote that the "illegal activities [of orpailleurs] are clearly reaching significant depth."[46] The emphasis on depth counters orpailleurs' claims that they dig "at the surface." As detailed in company correspondence, orpailleurs cut directly into Bassari's future profits by mining the lode ore of Makabingui.[47]

Senegalese officials also drew distinctions between "traditional" and "semi-industrial" orpaillage in permitting orpaillage in some contexts and not others. In the words of the prefect of Kédougou in 2014, "Orpaillage used to be in the image of other activities in the zone, such as agriculture and animal husbandry. But with the evolution of activities, it has become semi-industrial. It is no longer traditional. People use the same chemicals as the mining companies, such as cyanide and mercury."[48] Orpailleurs in Kédougou today clearly use tools that were unavailable to earlier generations of miners. At the same time, orpailleurs did mine lode ore prior to the region's corporate mining boom, as in Khossanto, Golouma, and Tinkoto in the 1940s–50s and again in the 1980s–90s (see chapter 5).

For state authorities and mining companies, the alleged transition of orpaillage from traditional to semi-industrial is also tied to the growing presence of migrants on Kédougou's juuras. In the words of a Senegalese coordinator of the environmental division for a British firm working in Kédougou in 2014, "We have no problem with orpaillage using traditional methods, like the calabash. The problem is strangers coming here with machines."[49] A 2012 letter from Bassari Resources also underscored the transition from "non-industrial small-scale traditional mining carried out by local Senegalese *orpeyeurs* [*sic*]" to a "professionally organized operation" managed by migrants from Mali and from coastal Senegal.[50] Bassari referred to these migrants as "illegal miners," differentiating them from "traditional *orpeuyers* [*sic*]."[51] For regional residents, however, regional migrants are crucial to the historical role of orpaillage as a collective drought resource.

Claiming Subsistence

> The juura is our granary [*kurukuro*]. It is how I nourish my family. What will I do if they take it? Wouldn't you rather risk death than let someone light your granary on fire?[52]

Boukari Kamara is the chief of Kerekonko, a small village along the Gambia. In February 2014, the village was negotiating with Torogold (now Resolute Mining) over where it could practice orpaillage within the firm's exploration permits. Arguably the most prevalent genre of arguments made by orpailleurs to Kédougou's gold consist of claims to subsistence. Juuras are described in Maninka either as a *kurukuro* (a granary used for storing harvested rice, sorghum, or millet) or a *feeto faate* (which translates roughly as "livelihood" in English).[53] In savanna West Africa, gold deposits have long been understood as a famine resource, a subterranean granary that can be tapped when drought or warfare depletes agricultural granaries. Within living memory, the discovery of gold in someone's agricultural field would convert a field, considered the property of a lineage, into a communal resource. "In the past," Moussa Tigana explained, "we would say, brother, our *feeto faate* [livelihood] has come out in your field, let us help you clear a new field so that we can get something out of this place."[54] When Senegalese officials informed villages of the juura closures in 2014, local residents argued that the state was depriving future generations of a granary. Such imagery was captured by a Senegalese journalist in the speech of an elderly woman from Sambaranbugu. She jeered at soldiers bulldozing the juura of Makabingui, exclaiming: "We live from this. We feed our children from this. Our grandparents lived from this. May Allah curse you and condemn you. This is our life. You come here and bring force and close our place of work. May Allah punish you. Next to this river, this is where we washed this gold. And you come here and take all of that by force."[55] Her condemnation frames the juura as an intergenerational subsistence resource.

This genre of claims making articulates with what James Scott described as a "moral economy of subsistence," drawing on E. P. Thompson's "moral economy" as one governed by forms of reciprocity and entitlements to resources that extend beyond financial transactions.[56] While there is not a unified agrarian ideology or "economy" on Kédougou's multiethnic goldfields, Scott's attention to entitlements to resources on which agrarian livelihoods depend shares a family resemblance to the claim of Kédovins to gold as a subsistence resource.[57] Mahamadi Cissokho deployed this idiom in recounting an exchange between village elders from Sambaranbugu and Bassari Resources. When the company first arrived in the zone, he said, "The chief . . . said you are welcome here because all of the population here is searching for something. But you must know that since our grandparents, we are digging and looking for gold. You, you have your papers from the state. If you say that we have to leave here, we cannot support you. That will be difficult. . . . We will try to work together, but do not prevent us from working."[58] Cissokho recognizes the company's right to gold, as authorized by the state, but not at the expense of local livelihoods. Similar to the elderly woman at Sambaranbugu, he frames gold as an intergenerational resource through his temporal reference to grandparents.

Senegalese officials readily acknowledged the legitimacy of claims by orpailleurs to juuras as a subsistence resource. Lamine Touré, the regional director of mines in Tambacounda in 2014, put it in blunt terms: "We would like to close all of the juuras, but this is an impossible social problem. People are poor here. Mining has made life more expensive here than in Dakar. And you cannot take a granary from a starving child."[59] Agents of the state and mining companies were, however, less tolerant of the historical role of juuras as a subsistence resource that also welcomes long-distance migrants. They pegged the ills of the juura—crime, semi-industrialization, and chemical use—on migrant miners while upholding regional residents as traditional, childlike, and easily deceived by outsiders.

For Kédovins, by contrast, a crucial component of juuras as a subsistence resource is their openness to strangers. Migrants are valued as a source of wealth in people, machinery, and expertise. "We cannot prevent Guineans, Senegalese, Malians from coming here," said Moussa Cissokho, a tomboluma based in Duuta, "Anybody who wants to come has the right to come. The richness came out here for everyone. Everyone can try their luck in the juura. It is for everyone."[60] Historically, welcoming strangers to juuras was adaptive to the reliance on orpaillage during times of drought and other environmental upheaval. Gold dust could be sold to Muslim merchants, juulas, in exchange for grain on regional markets. Because a given juura is rarely productive for more than two or three seasons, the host of a juura one year might be a stranger on a juura the next. Senegalese officials and mining companies embrace a narrow vision of orpaillage as a local subsistence activity carried out by regional farmers, mostly women, who pan for gold with calabashes seasonally along regional riverways. This is an attempt to freeze-frame orpaillage in a static and bucolic notion of traditional village life, as did the colonial and early post-colonial state. For residents of the savanna's Birimian rocks, there is no distinction between juuras as a subsistence resource and the incorporative ethic of the juura. Orpailleurs see the expansion of their households with Guineans and rock-crushing machines as a novel articulation of a long-standing practice of incorporating migrants and their expertise into regional juuras.

Claiming Marginalization

On the morning of December 23, 2008, a group of Senegalese students, radio hosts, bakers, migrants repatriated from Spain, shop owners, mechanics, and retired soldiers assembled in Kédougou's public garden. They began a protest march down the town's main thoroughfare toward the marketplace. The self-named Mouvement Citoyen pour la Défense des Intérêts de Kédougou (Citizens' Movement for the Defense of Kédougou's Interests) organized the protest after the prefect of Kédougou ignored repeated requests to meet to discuss problems surrounding the region's corporate mining sector. In an open letter to regional state officials and to President Abdoulaye Wade, the Citizens' Movement voiced concerns that Kédougou was not receiving adequate returns from mining revenues. It demanded greater transparency in the management of funds allocated by mining companies for regional development; employment for army veterans as private security guards at mining camps; and a review of the environmental impact assessment for the Sabodala mine. The authors of the letter framed their grievances within the state's historical marginalization of Kédougou, evidenced by "endemic unemployment" and enduring "socio-economic conditions." The opening paragraph of the letter establishes this rhetoric of marginalization: "Mr. President, the truth is that our locality, since independence[,] has always lived in injustice and . . . we estimate today that Kédougou, despite its visibility on the national level for its numerous riches, continues to see its population submitted to all types of injustice that are the deep causes of its poverty."[61]

Gendarmes deployed to stop the Citizens' Movement protest were quickly overwhelmed. They called on assistance from soldiers training at a local base. In the chaos that followed, a soldier fired on the crowd, killing a young man named Bana Sidibé. A riot ensued. While protestors carried Sidibé's lifeless body on their shoulders, they burned municipal buildings and gendarmes' vehicles. By nightfall, many protestors had fled to the remote villages of distant relatives. In Kédougou, gendarmes entered family compounds and beat suspected protestors until they identified the households of other participants. In total, thirty-three protestors were detained and jailed in Tambacounda. The riot, which became known in Kédougou as *les évènements de 2008* (the events of 2008), was part of a turbulent chapter of political protest in Senegal.[62] In the years to follow, hip-hop artists and activists launched a movement called Y'en a Marre (We've Had Enough in Wolof) that criticized economic stagnation and curbs on democratic practice during Wade's presidency.[63] While Y'en a Marre mobilized a broad-based urban constituency drawn from across the nation, the events of 2008 emerged from grievances distinct to Kédougou's history. Moreover, the protests articulated a modality of regional, not national, belonging. The riots marked the cumulation of tensions surrounding the growth of Kédougou's mining industry as it ran against the troubled history of the state's treatment of southeastern Senegal.

Early grievances in Kédougou centered on the role of state-appointed officials in the selection process for employment at Sabodala, then run by the Australian company MDL. In 2006, MDL began construction on the mine, mill, and camp facility—the most labor-intensive phase of open-pit mining. The company claimed to prioritize regional residents for unskilled labor and any skilled work for which they could be easily trained. Mineral Deposits Limited employed a rotation system for employment. Day laborers each worked for two weeks of the month, with the idea that some workers would transition into more permanent contracts over time. Every Saturday a committee met to organize unskilled labor recruitment at MDL. It was composed of representatives from the company, the chiefs of villages adjacent to the state-appointed subprefect of Saraya.[64] Each week chiefs presented to MDL a prioritized list of workers based on geographic repartition across villages.

Some Kédovins accused state-appointed officials involved in the committee of prioritizing their relatives from elsewhere in Senegal for positions as unskilled laborers at Sabodala. Rumors circulated that busloads of men from coastal Senegal were ushered through the gates of the Sabodala mine to fill positions reserved for regional residents. For many Kédovins, the favoring of outsiders for employment echoed a historical pattern of state bureaucrats and urban merchants profiting from Kédougou's natural resources while investing little in the region's infrastructure or people.[65] Residents of villages adjacent to the Sabodala mine compared the reportedly corrupt labor recruitment process to grievances against Senegal's Direction des Eaux et Forêt (Department of Water and Forests). Forestry guards are notorious for policing subsistence hunting, charcoal production, and timber use in Kédougou, home to Senegal's largest national forest—Niokolo-Koba National Park—and other protected lands. In the 1960s and 1970s, the forestry service carried out raids of villages near the park, searching women's cooking huts for illegal bush meat and arresting poor subsistence hunters. Adding insult to injury, for decades the forestry service accorded timber and charcoal licenses for southeastern Senegal primarily to wealthy merchants from the Muridiyya Islamic brotherhood.[66]

The governance of Senegal's gold-mining contracts further fueled suspicions that state officials were exploiting Kédougou for personal gain. Senegal's Mining Code of 2003 concentrated decision making in the hands of authorities in Dakar. Kédougou's residents and elected officials played no part in the mining contract negotiations between MDL and the state, represented by the Department of Mines and Geology. The only moment for local input was during the approval process for social and environmental impact studies (SEIS). According to Senegalese mining law, approval of the SEIS should always precede the granting of a mining concession. But for Sabodala, MDL conducted the SEIS after the state granted the company a mining permit. This effectively excluded regional residents from the one deliberative process associated with opening a mining project in Senegal.

The final chord of local discontent focused on the management of the so-called Fond Social Minière (Social Mining Fund).[67] Mining conventions and contracts signed between the state and mining and exploration firms in

Kédougou included provisions that these companies had to contribute set funds to social programs. However, in the mid-2000s, there was ongoing confusion as to where these funds resided within the state and how they were effectively spent. In November 2007, residents of twenty-four villages in the rural community of Khossanto, directly adjacent to the Sabodala concession, protested to demand greater transparency in the management of these funds. Roughly eight hundred men blocked the roads between Khossanto and Sabodala, the major access route for Sabodala, and set tires on fire in front of the gates of MDL's camp.[68] A year later, similar grievances animated the much larger and coordinated protests of the events of 2008.

In January 2009, the tribunal of Tambacounda tried twenty-nine of the original thirty-three detainees and condemned nineteen protestors to prison for sentences ranging from five to ten years.[69] The court's harsh sentencing inspired a political mobilization to "free" the protestors. Members of Kédougou's diaspora played a key role in the mobilization. They demonstrated before Senegalese consulates in Barcelona, Paris, and New York City and hired a lawyer to represent the accused protestors in the appeal process (figure 6.2).[70] Among its residents and its diaspora, the events of 2008 strengthened a sense of belonging to the region of Kédougou. Prior to 2008, most immigrants from Kédougou had convened in village- or ethnic-based organizations abroad.[71] For many immigrants, 2008 was the first time they self-identified as members of a Kédougou diaspora by referring to themselves as Kédovins. Members of diverse ethnolinguistic groups back in Kédougou also adopted the term *Kédovin* after 2008.

Senegalese officials challenged the claims to regional marginalization expressed by protestors in Kédougou and its diaspora. In contrast to claims to juuras as a subsistence resource, state bureaucrats were unsympathetic to appeals to regional exceptionalism. In part, Senegal has cultivated a sense of national belonging by violently policing regional political projects, such as the Casamançais separatist movement.[72] The events of 2008 were slotted into a similar narrative. Serigne Bassirou Guéye, the prosecutor who represented the state at the 2009 trial, challenged the claims of protestors that they and their ancestors were victims of state discrimination. Guéye inverted this logic to argue that the protestors, not the state, were "xenophobic" against citizens of other regions of Senegal. He reminded the court that Sabodala was supposed to benefit all of Senegal, not just Kédougou.[73] In March 2009, two months after the trial in Tambacounda, Wade issued a unilateral presidential pardon to release the nineteen detainees jailed for their participation in the protest.[74] The pardon was a bald political move, announced by Wade

Figure 6.2 March of Kédovins to liberate imprisoned protestors in Granollers, Spain, 2009. Photograph by the author.

while he was in Kédougou for the ribbon-cutting ceremony for the Sabodala mine and campaigning in support of candidates from his political party for upcoming regional elections.[75]

For roughly a decade following the presidential pardon, there was little activism or protest in Kédougou directed at the state or the mining sector. Rather, Kédovins retrenched their engagement in orpaillage. When I returned to Senegal for field research in 2013, many young people still sought employment at mining and exploration camps. But the locus of political debate had shifted from the loss of juuras to corporate encroachment. This shift was evidenced in the biographies of two men involved in the 2008 protests: Aliou Monékhata and Daouda Djiguiba. In 2008, Monékhata, known as "DJ Monex," was a popular host of a weekly reggae show on the region's most popular private radio station. On Wednesday evenings, DJ Monex took phone calls during his show, whose subjects ranged from dedications to sweethearts to commentary on regional politics.[76] During the summer of 2008, the show became a platform for exchanging information about employment in the mines. Monékhata traveled to Sabodala to investigate some of the claims from his callers, a trip that inspired him to join the 2008 protest. He was among the nineteen people sentenced to prison for his involvement. After receiving a presidential pardon, DJ Monex resigned from his radio show and left the public eye. He entered a business arrangement with a cousin in Spain who sent him gold detectors purchased from a hobbyist shop in Barcelona. Each morning, Monékhata sets out with a close friend by motorcycle to search for gold. He makes a better living as a self-employed gold prospector than he ever did as a radio DJ or in a previous job working for the state's economic control.

Djiguiba was born into a Jakhanke family in Kédougou and migrated to Spain in 2001 on a work visa. He found employment in the automotive industry in Barcelona but was laid off during the global financial crisis of 2008. He found part-time work in construction while volunteering for an organization that provides legal services to immigrants in Catalan. Djiguiba's brother was one of the protesters in Kédougou who was jailed and later freed by President Wade. Djiguiba was the lead organizer of a march to free the imprisoned protestors held in Granollers, Spain (see figure 6.2). In 2013, Djiguiba traveled from Spain to Kédougou to visit his family. Instead of purchasing a plane ticket, he bought a used car in Barcelona. He filled it with two-dozen gold detectors and drove across the Sahara Desert through western Morocco and Mauritania. He later returned to Spain, where he lives with his wife and young children. He invests in orpaillage teams managed by his relatives in Kédougou. Orpaillage generates a more reliable and regenerative source of income for Djiguiba's extended family than his remittances.

"A Region Abandoned by Senegal"

In April 2014, President Sall traveled to Kédougou for a special interministerial council on orpaillage. This meeting led to the state's decision to bulldoze a number of regional juuras. While the media coverage of this event focused on the juura closures, Sall legalized as many juuras as he closed during this visit by superimposing official orpaillage corridors onto a number of important regional juuras, including Tinkoto, Kharakenna, and Bantaco. Sall demonstrated his fluency in Kédougou's language of subterranean rights when, during an address broadcast on the regional public radio station, he acknowledged that Kédougou "was, in the past, a region abandoned by Senegal."[77] Sall framed the orpaillage corridors as one of several steps he was taking to address Kédougou's historical marginalization.

This chapter documents the language of subterranean rights innovated by orpailleurs—along with farmers, merchants, students, and radio hosts—in Kédougou, Senegal. Claims to discovery, scale, subsistence, and regional marginalization are the primary idioms in which this language was spoken during my research in the mid-2010s. Orpailleurs, state agents, and representatives of mining companies draw creatively on this language and different versions of the history of orpaillage to defend their claims to specific gold deposits. All sides omit inconvenient facts and embellish others. Like all forms of speech, this language is flexible and evolving. Some elements of this language are found on resource frontiers globally; others are unique to Kédougou. This language is distinctively West African, motivated by a historical notion of juuras as famine resources that should remain open to local residents, migrants, and future generations (see conclusion). It reveals how entitlements to the underground are constructed and defended in the face of corporate mining capital, which works to efface multiple and overlapping claims to gold.

Mining companies have developed their own language to defend their claims to subterranean resources in Senegal. When appealing to the state to expel orpailleurs from their permits, they reference their financial investments in Senegal through taxation and formal job creation while pointing out that orpaillage is largely illegal and generates little revenue for the state. The mining industry also makes moral appeals to its own legitimacy, pointing to its contributions to community development, environmental remediation, women's literacy programs, and antimalaria campaigns. For example, when requesting that Senegal's Ministry of Mines expel orpailleurs from the Makabingui deposit, the managing director of Bassari Resources carefully detailed the company's contributions to Senegal's economy; its investments in local infrastructure (a mosque, a school, grain mills, a clinic, and an ambulance), and the fact that nearly 100 percent of its employees were Senegalese. Kédovins appreciate corporate investments in public health and education, and they ask and expect mining companies to provide these services. But they do not see such expenditures as compensation for the loss of juuras for mining by future generations.

State-issued exploration permits, most of which are held by a few firms, now cover more than three-quarters of Kédougou region. Fresh gold discoveries present a range of possible outcomes for the Senegalese villages dotting the interior of these permits. The building of a new mine, or adding new pits to active mines and mills, could mean more formal employment opportunities for local residents or an increase in funding for regional development projects. But residents of villages adjacent to gold deposits are also at risk of displacement if the state deems the mining of a gold deposit in the interest of the "public good."[78] The discovery of the Niakafiri deposit, announced several years ago, could mean the eventual displacement of the entire village of Sabodala. One guaranteed outcome of the discovery of new deposits containing one million ounces or more of gold is that some juuras will be permanently closed. Whether or not any given juura will become the subject of corporate interest depends on the relative profitability of mining it compared with others maintained in the firm's pipeline. The destiny of many of Kédougou's juuras depends on global market prices and ever-evolving corporate strategy.

Orpailleurs are not powerless in negotiations with mining firms. State officials and mining companies are well aware of the potential for violence in densely populated juuras. Any visit to Sabodala by high-ranking officials in Senegal's Ministry of Mines is followed by meetings with leaders of the region's largest juuras. At the same time, because orpaillage remains illegal in many corridors, orpailleurs are constrained in what they can demand of the state. This chapter has concerned largely public-facing debates about mineral discovery and the law. Chapter 7 turns to intimate realms of concern unfolding in the households of orpailleurs and farmers in southeastern Senegal. In it, I return to another thread that winds through this book like the subterranean movements of Bida and Nininkala: how a centuries-old ritual geology shapes Senegal's contemporary mining boom.