

Chapter 10

Alternative Dispute Resolution Techniques for Intertwined Artisanal Mining–Communal Farming Conflict

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ABSTRACT

The chapter discusses challenges of artisanal mining (AM), a nature-based livelihood strategy, in promoting sustainable agricultural practices. It highlights how AM competes for biodiversity and ecosystem services and causes environmental damage and a shift from traditional sustainable agricultural practices land-use tenure to uncontrolled itinerant AM. Methodologically, the chapter reviewed secondary systematic-literature review (SLR) of articles articulating the use of alternative dispute resolution (ADR) techniques. These include facilitated mediation, negotiation, and arbitration that yield land-use zoning agreements (conciliation) to attain synergy and market convergencies. It recommends transforming negative-synergy and implementing zoning strategies that prevent land-use conflicts, conserve biodiversity, and extricate competing AM from communal farming to attain sustainability. The resultant, unbridled development would protect ecosystem-service producing biodiversity, converge AM-agricultural markets and sustainably, leading to sustainable agricultural growth and conservation.

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1. INTRODUCTION

Artisanal mining and communal farming are two nature-based livelihood strategies inextricably embedded on biodiversity's provisioning, regulating, supporting and cultural ecosystem services. They have however not been entirely socially, economically and environmentally compatible, raising sustainability of biodiversity at the centre of the seemingly polar opposite livelihood strategies whose interaction often sparks conflicts large and small among rural communities (Chari, Novukela & Ngcamu, 2022; Funoh, 2014). Tracking the drivers of land-use conflicts is necessary if lasting resolutions are to be achieved among actors involved in the dichotomised rural economy. Prime among the often-hidden factors driving conflicts among artisanal mining and communal farming communities is the pursuit of, and abuse of structures of power whose occupation results in classifications. These predispose such power structures to access to resources for self-aggrandisement. Kamncube's SPCR 4Δs Conflict Model depicted in Figure 1 below indicates various interdependencies among factors driving conflicts, including among artisanal miners and farming communities' land-use conflicts.

2. BACKGROUND OF THE STUDY

Individual and community access and use of natural resources in rural communities is under an ever-demanding global trends more focused on extraction and economic gains among competing livelihoods (Shackleton, 2020). People derive livelihood benefits from agriculture, livestock, and natural resources in ecosystems governed by a number of ecological (e.g., drought, floods, exhausted soils) and social factors (e.g., legislation, privatization, over-exploitation) factors (Moyo, Ncube & Mamhute, 2021; Shackleton, 2020; Agrawal and Ostrom, 2001; Chimhowu and Woodhouse, 2006). Losing access can render such communities vulnerable and have a negative impact on their resilience and general well-being (Shackleton, 2020).

Mining has negative impacts on rural farming communities and their means of subsistence worldwide, contributing to social-ecological change and conflict (Harlow, Hurley, Fox, Vargas-Guerra & Gibson, 2019; Bebbington, Bebbington, Bury, Lingan, Muñoz & Scurrah, 2018; Mtero, 2017; Andrews, 2018; Issah and Umejesi, 2018; Mnwana and Bowman, 2018; Kitula, 2006; Hilson, 2002). This is one factor influencing land-access and people's capacity to use natural resources. Across the world, rural farming communities depend on access to land and natural resources it offers for their subsistence. Livelihoods of millions of people are dependent on crop and cattle production, and the exploitation of non-timber forest products (NTFPs) on communal lands (de Sherbinin, VanWey, McSweeney, Aggarwal, Barbieri, Henry

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