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## Challenges and Barriers to Women's Access and Participation in the ASGM Sector in Macalder Region of Migori County, Kenya

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**Keywords:**

ASGM,  
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Artisanal Small-Scale Gold Mining (ASGM) is a significant source of income for millions of people in developing nations. Globally, women provide approximately 30 to 50% of the workforce in the ASGM sector. Women in developing countries face a number of challenges in access and participation in the ASGM sector. These include; social norms and taboos, inequalities in income distribution, discrimination in access to and control of mineral resources and exposure to gender-based violence. The objective of this study was to assess the challenges and barriers to women's access and participation in the ASGM in the Macalder region of Migori County in Kenya. This study was anchored on the Social Relations Gender approach to argue that the social construction of gender in African societies has tended to disadvantage women in the ASGM sector. This has created a system of subordination and exploitation of women miners in the Macalder region. This study adopted an explanatory research design. The study used both clustered probability and purposive sampling. A total of 100 respondents were selected for field interviews. Clustered probability sampling was used to select 90 men and women gold miners in the Osiri-Matanda gold mines in the Macalder region. Purposive sampling was used to select the lead 10 respondents who included officials of non-governmental organizations and the local administrators for interviews. This study employed both quantitative and qualitative methods of data analysis and interpretation. From the findings, the researcher concluded that cultural and societal notions inhibit women's access and participation in the ASGM sector in the Macalder region. The study recommends that the women miners be empowered to cushion them against exploitation by men. It is further recommended that both National and local governments institute policies and legislation to actualize gender mainstreaming in the ASGM sector to allow women miners to reap economic benefits for socioeconomic development.

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## INTRODUCTION

Mining of precious metals can be traced to Western Europe around the 5<sup>th</sup> and 16<sup>th</sup> Centuries AD. The mines in the Harz Mountains and Falun in Sweden date back to the 10<sup>th</sup> C AD (Gelther (2023). Nguyen Kim Dung (2001) documented that Southeast Asia's intense gold mining took place at Go Ma Voi and Go Mun-prehistoric sites in Southeast Asia as early as the 6<sup>th</sup> Century AD. Gabriele (2020), documented mining as among the most valuable economic activities in the Roman Empire. Valued precious metals included copper, silver and gold which were equally in high demand. The author adds that Ancient Romans mined gold through panning and paddling.

Scholars have commented on gold mining in pre-colonial Africa. According to Green (2024), gold mining was one of pre-colonial West Africa's oldest and most significant industries. Fenske (2014) and Amaldi (2015) note that gold mining in pre-colonial Ghana occupied a privileged status among the Asante, Denkyira and Akan people. Miller and Desai (2000) add that gold mining began in Southern Africa in the first century AD. They adduce evidence in the form of the late Iron Age gold mines in the region to support their arguments.

Gardner (2022), documents the gold boom of the 1930s in colonial East Africa. Chimhete (2018) adds that the sharp increase in demand for gold on the global market made the value of gold grow in the East African region during the 1930s. Marria and

Devuys (2013), note that the north-eastern Democratic Republic of Congo (DRC) was the region with the richest goldfields in Africa. According to Poncian and Kigodi (2018), gold was mined in the Sekenke mines in Tanzania as early as the time of German colonial rule in Tanganyika in 1909.

Studies on ASGM in Kenya abound. According to Shlaro (2007), western Kenya experienced a mining prospector surge with the discovery of gold reserves in Kakamega County. Accordingly, the discovery of gold in Kakamega significantly transformed the local economy. Alwang'a and Mabonga (2020) in a study on gold mining and environmental degradation in Kakamega County document that gold mining is a major income driver of earnings among rural communities compared to available options such as peasant agriculture.

In a study on the ASGM in Migori County, Palumbo-Roe and Bide (2020) establish that gold mining as an activity provides a considerable subsistence level of livelihood for many rural homes. They decry that the benefits brought by gold mining in communities are cancelled by the damage to the environment. The authors note the challenges involved in ascertaining the social effects of ASGM due to its largely informal character.

The gendered aspects of the ASGM gold mining sector have received considerable scholarly attention. Buss (2020) identifies a clear gender

division of labour among miners in ASMG in sub-Saharan Africa. Guimbeau, Ji-Nidhiya *et al* (2020) focus on the economics of gender differences in India's mining industry. The two scholars raise questions as to whether the gender-skewed benefits of mining in India have contributed positively to socio-economic changes among women. Aurther-Hol (2021), reports on the gender division of labour among Akan gold miners in Ghana. The author notes that women were assigned roles of gold panning while men did the actual digging and transportation from the deep mines.

Literature on the difficulties and restrictions that women experience in the ASGM industry in Africa abound. Hinton (2016) identifies social norms and taboos as militating against women's access and involvement in mining activities. Buss *et al* (2019) note that inequalities in income distributions between men and women in the ASGM sector are a serious challenge. Reichel (2019) zeros down on legal and institutional restrictions that stand in the way of women's access and participation in the ASGM sector. In some cases, customary laws deny women the legal documentation necessary to safeguard their possessions under statutory law. Discrimination in access and control of mineral resources influence access, participation and benefits for women miners. This happens despite the fact that women contribute the greatest percentage of labour in the ASGM sector.

Substantial literature exists on the gendered aspects of the ASGM sector in Africa. In recent years works have progressively shifted the negative effects of ASMG on women and children and associated labor violations to the potential economic of ASGM to women. As Lahiri-Dutt (2012) asserts before the 1990s, the ASMG was seen as illegal and a threat to the modern and lucrative industrial mining sector. During this period literature on ASGM tends to concentrate on extraction, emphasizing the miner's function in the economy. Women's contributions to non-digging tasks like food transportation, rock breaking, sluicing, washing, panning, and sifting

were noted. In this literature, women were portrayed as a readily available and inexpensive source of labour. Most African countries forbid pregnant women from working in mines in an attempt to safeguard mothers and children and lower their chance of exposure to mercury which is poisonous. Other countries placed restrictions on the types of positions that women can hold in the industry, presumably to safeguard them from the dangers of hard labour (Giz & Levin, 2019).

Exploration and subsequent discovery of Gold in the Macalder region of Migori began in the early 1930s. Since then the Macalder region has remained a major ASGM center where both men and women engage in mining activities for economic sustenance. This study specifically examines the challenges that women encountered in their endeavour to access and participate in the ASGM in the Macalder region of Migori County.

### Statement of the Problem

The ASGM has been identified as one of the informal economic activities in developing countries. In the developing world, the ASGM provides tens of millions of men and women with a significant source of income. Women constitute a majority of those who indirectly rely on the income from ASGM in the developing world. In spite of this, the contributions of women in the ASGM sector continue to be ignored and overlooked by society as well as the relevant authorities in terms of policy formulation.

Women in the ASGM sector face a myriad of challenges in their endeavour to improve their socio-economic positions. The challenges include social norms and taboos that militate against their access and involvement in mining activities. Among these are inequalities in income distribution and gender discrimination. Other challenges include access to and control of mines, prevalence of gender-based violence and exposure to health hazards. This study therefore examines the challenges that women encountered in their

endeavor to access and participate in the ASGM in the Macalder region of Migori County.

### Research Objective

This study assessed the challenges that women encountered in their endeavour to access and participate in the ASGM in the Macalder region of Migori County.

### REVIEW OF RELATED LITERATURE

Literature on the challenges and barriers faced by women in the ASGM sector abound. Hinton (2016) notes that the social norms and taboos militate against women's access and involvement in the ASGM sector. Women miners have in most cases been portrayed as drug addicts, unwed mothers, rebellious to their parents or husbands, widows, and irrational. Some cultural standards socialize girls to be socially subordinate to men. Women's access to digging tasks is also restricted by gender conventions (Ibid, 2016).

Hinton *et al* (2003), note of traditional customs that prevent women engagement in underground mining activities. They add that the patriarchal nature of the majority of African societies compelled women to naturally defer to men. This lack of autonomy worsened women's subordination in industries that are dominated by men such as mining. Women's engagement at mining sites is generally frowned upon in superstitious African communities. Botha (2015) claims that women are not permitted in Zambian gemstone mines due to apprehension that the stone's ghosts may push it further into the ground or make it vanish. The aspect is more anxious when women are going through their menstruation cycle. Lahiri (2011) adds that although women in Mozambique were only permitted to serve food and alcohol in mining areas. It was believed that women could summon evil spirits if they approached a mine. In New Guinea, women were permitted to carry and wash gold-bearing ore but not to construct trenches for mining (Moretti; 2006).

Inequalities in income distribution have been identified as another challenge in women's participation in the ASGM sector. Buss *et al* (2019) document that in the artisanal mining industry there is a sizable pay inequality between men and women. Women in mining sites work more hours than men do yet they only make roughly one-quarter of what men earn. Women in sub-Saharan Africa were paid significantly less for a day's work than men (Eshun, 2016; Lahiri-Dutt, 2018). Women also face challenges in accessing financial capital for mining activities. The situation is worse for women who are discriminated against in terms of access to credit facilities as compared to men. Women miners also have limited access to finance due to their lack of collateral, inadequate education, and the prejudiced attitudes of bankers.

Women in the ASGM sector also face institutional and legal limitations. According to Reichel (2019), discrimination in the control and access to natural resources has negative implications for women in the ASGM sector. Discriminatory behaviours and attitudes limit women's capacity to exercise economic independence and make independent decisions even when laws are in place that are supposed to protect women's rights to land or mineral resources. This puts women's ability to fully exercise their rights at risk.

Jiekak (2019) points out that women are periodically denied access to land, licenses, and other essentials for the sector. This happens despite the fact that the legal criteria for the mining business are gender-neutral. In general, laws lack specific provisions that would boost the participation of women in the sector. A majority of legal provisions do not specifically address discrimination based on inheritance law, customary practices, or women's rights in the ASGM sector.

According to EShun (2016), mining-related environmental and social risks disproportionately harm women more than men. Mines frequently enclose valuable agricultural fields that female food producers use. Women are more likely than males

to be exposed to health concerns associated with mining attributed to the use of mercury or cyanide to amalgamate gold and scavenge tailings, (Eftimieet *al.*, 2009). GIZ (2020) reports that GBV is a major problem for those women engaged in ASGM in the Southern and Eastern regions of Africa. The report takes into consideration the structural changes brought about by increased cash flows and labour migrations which ultimately result in GBV against women. Evidence is adduced of cases where women miners are forced to have sex with men in return for favours.

### Theoretical Framework

This study employed the Social Relations Gender Approach (Naila Kabeer, 1994; Mukhopadhyay and Wong (2007). The Social Relations Gender Approach analyses and offers a theoretical understanding of the challenges and obstacles that women face in access and participation in the ASGM sector in the Macalder region of Migori

County. The Social Relations Gender approach argues that the social process and the construction of gender in Macalder region has created a gendered division of labor between men and women which in turn has led to the subordination and exploitation of women miners.

### METHODOLOGY

This study took the form of explanatory research design where it sought explanations of observed phenomena, events and problems. In this case, the challenges and barriers to women's access and participation in the ASGM industry in the Macalder region were assessed. The study focused on Osiri Matanda gold mines located at Macalder town of Nyatike constituency in Migori County, Kenya. The targeted population in this study comprised both men and women miners in the Osiri Matanda mines. Purposive and probability sampling was employed in selecting 102 respondents as follows;

**Table 1.1 Distribution of Respondents**

No.	Category of Respondent	No. of Respondent
1	Men Miners	50
2	Women Miners	42
3	Officials of non-governmental organizations	5
4	Government Officials and local administrators	5
<b>Total</b>		<b>102</b>

Primary and secondary sources of data were employed in this study. Secondary data supplemented empirical results from primary data. Primary data was obtained from the informants from the selected sample size. Research instruments used included questionnaires and interview guides. Both qualitative and quantitative techniques of data analysis and interpretation were employed in the study.

### DATA ANALYSIS AND FINDINGS

This study attained a response rate of 100 out of 102 respondents representing 97.8%. This was attributed to the high concentration of miners within the Macalder region. This study identified a number

of challenges and obstacles to women's access and participation in the ASGM in the Macalder region of Migori County. Challenges identified included unequal power relations between men and women working in the mines, subordination of women in the mining sector and unequal working hours for men and women. Other challenges include; institutional and legal challenges faced by women, land inheritance rights and the prevalence of gender-based violence among women.

To begin with, this study sought to establish whether there were equal gender power relations between men and women in the ASGM sector in



Macalder, Migori County. The following were the results;

**Table 1.2 Gender Power Relations between Men and Women in the ASGM Sector in the Macalder Region**

	Frequency	%
<b>Agreed</b>		
Men	24	44.4%
Women	30	55.6%
<b>Sub-Total</b>	<b>54</b>	<b>60%</b>
<b>Disagreed</b>		
Men	14	56%
Women	11	44%
<b>Sub-Total</b>	<b>25</b>	<b>27.8%</b>
<b>Not Sure</b>		
Men	6	54.5%
Women	5	45.5%
<b>Sub-Total</b>	<b>11</b>	<b>12.2%</b>
<b>Grand Total</b>	<b>90</b>	<b>100%</b>

The results indicate that a majority of the respondents were of the opinion that women occupy a subordinate position compared to men in the mines. This could be attributed to the fact that the majority of the respondents in the gold mines were men. These findings should be interpreted with caution as they could represent the chauvinistic views of men and not the actual facts in reality. On the same note, those who disagreed with the

statement that women are not subordinate could be attributed to those who have been enlightened through formal education hence the view that women and men are equal.

Secondly, this study sought to establish whether men and women received equal incomes from the old mines. Table 1.3 displays the results.

**Table 1.3 Subordination of Women in Terms of Income from Gold Mines**

	Frequency	%
<b>Agreed</b>		
Men	24	44.4%
Women	30	55.6%
<b>Sub-Total</b>	<b>54</b>	<b>60%</b>
<b>Disagreed</b>	18	
Men	14	51.8%
Women	13	48.2%
<b>Sub-Total</b>	<b>27</b>	<b>30%</b>
<b>Not Sure</b>		
Men	4	44.4%
Women	5	55.6%
<b>Sub-Total</b>	<b>9</b>	<b>10%</b>
<b>Grand Total</b>	<b>90</b>	<b>100%</b>

Out of the 90 respondents interviewed 54 representing 60% agreed that there existed subordination in terms of revenue from the mines. Out of these numbers, 44.4% were men while 55.6% were women. 27 respondents disagreed that women were subordinated in terms of income from the mines. Out of these figures, 51.8% were men while 48.2% were women. 9 out of the 90 respondents indicated that they were not sure with men accounting for 44.4% while women accounted for 55.6%.

From the table above it can be deduced that a majority of the respondents agreed that there existed unequal sharing of gold proceeds. In this case, men got a larger share as compared to women. This could

be attributed to a function of specialization in the gold mines. The study noted function specialization in the artisan gold mine during the data collection exercise where men did the actual digging of the mines while women did the mixing of the raw gold with mercury. The end product is sold and each gets his/her equal share. However, those representing the contrary opinion could be attributed to the fact that after receiving an equal share from the gold mines, women spent much of their earnings on educating children and domestic purposes while men could spend their share on luxury.

Thirdly this study sought to establish whether both men and women work the same hours in the gold mines. The results are displayed in Table 1.4 below.

**Table 1.4 Women Working Equal Number of Hours as Men**

	<b>Frequency</b>	<b>%</b>
<b>Agreed</b>		
Men	22	62.8%
Women	13	37.2%
<b>Sub-Total</b>	<b>35</b>	<b>38.9%</b>
<b>Disagreed</b>		
Men	20	40%
Women	30	60%
<b>Sub-Total</b>	<b>50</b>	<b>55.6%</b>
<b>Not Sure</b>		
Men	2	40%
Women	3	60%
<b>Sub-Total</b>	<b>5</b>	<b>5.5%</b>
<b>Grand Total</b>	<b>90</b>	<b>100%</b>

Out of the 90 respondents interviewed, it was noted that 35 representing 38.9% were of the opinion that men and women do not work the same hours in the mines. Out of these numbers, 62.8% were men with women accounting for 37.2%. 50 respondents out of the 90 interviewed representing 55.6% disagreed that men and women work the same hours in the mines. Men accounted for 40% while women constituted 60% of those interviewed. 5 respondents constituting 5.5% indicated that they were not sure whether men and women work the same hours in the mines. In this category, men constituted 40% while women accounted for 60% of those interviewed.

From the results above it can be observed that the majority of the respondents disagreed that men and women work equal hours. This could be attributed to the fact that the actual mining starts around 3 am in the morning. Men begin the actual digging in the mines. At this time women are left asleep or preparing the children before they join the men in the gold mines after breakfast. The respondents noted that women left the gold mines earlier than men to engage in one of their triple roles cooking for the family. However, those with contrary opinions noted that at times both men and women

start the mining activities at the same time and end at the same time.

Fourth this study sought to establish whether women face institutional and legal challenges

inhibiting them from maximizing opportunities in the gold mines. The results are displayed in Table 1.5 below;

**Table 1.5 Women Face Institutional and Legal Limitations**

	Frequency	%
<b>Agreed</b>		
Men	32	45.7%
Women	38	54.3%
<b>Sub-Total</b>	<b>70</b>	<b>77.8%</b>
<b>Disagreed</b>		
Men	8	57.1%
Women	6	42.9%
<b>Sub-Total</b>	<b>14</b>	<b>15.5%</b>
<b>Not Sure</b>		
Men	4	66.7%
Women	2	33.3%
<b>Sub-Total</b>	<b>6</b>	<b>6.7%</b>
<b>Grand Total</b>	<b>90</b>	<b>100%</b>

Out of the 90 respondents interviewed, 70 representing 77.8% were of the agreement that women face institutional and legal limitations that limit their ability to maximize opportunities in the mines. Out of these numbers, men constituted 45.7% while women accounted for 54.3% of those interviewed. 14 out of 90 constituting 15.5% were of contrary opinion. In this group, men accounted for 57.1% while women constituted 42.9%. Only 6 out of 90 representing 6.7% were not sure with men accounting for 66.7% while women constituted 33.3%.

From the results, it can be noted that the majority of the respondents were in agreement that women face both institutional and legal limitations in maximizing opportunities in the ASGM sector in

the Macalder region of Migori County. This could be attributed to the impediments that inhibit equal access to resources for both genders. Women in patriarchal societies own land through marriage. Married women only access ancestral land including mines through their husbands. Unmarried women face a big challenge in accessing land and mining as compared to their married counterparts. On the contrary, those who opined that women don't have institutional and legal challenges could be attributed to modernization where both genders are treated equally and formal education.

Fifth, this study sought to establish whether land inheritance rights affect women's ownership of the mines in the Macalder region. The following were the findings;



**Table 1.6 Land Inheritance Rights Affect Women's Ownership of Mines**

	Frequency	%
<b>Agreed</b>		
Men	38	50%
Women	38	50%
<b>Sub-Total</b>	<b>76</b>	<b>84%</b>
<b>Disagreed</b>		
Men	6	54.5%
Women	5	45.5%
<b>Sub-Total</b>	<b>11</b>	<b>12%</b>
<b>Not Sure</b>		
Men	2	66.7%
Women	1	33.3%
<b>Sub-Total</b>	<b>3</b>	<b>4%</b>
<b>Grand Total</b>	<b>90</b>	<b>100%</b>

Out of the 90 respondents interviewed, 76 representing 84% were in agreement that land inheritance rights affect women's ownership of mines in the Macalder region. Both men and women accounted for 50% each in this category. 11 out of the 90 respondents were of contrary opinion. In this category, men accounted for 54.5% while women constituted 45.5%. Only 3 respondents indicated that they were not sure with men and women accounting for 66.7% and 33.3% respectively.

From the findings above it can be noted that land inheritance rights have been a barrier to women's

ownership of mines. The majority of the respondents were of the opinion that women did own land but only accessed and utilised it. This affected women in terms of ownership of mines. This had a negative impact on unmarried women who could not access gold mines in the Macalder region.

Finally, this study sought to investigate the prevalence of gender-based violence among women miners in the ASGM sector in the Macalder region.

**Table 1.7 Prevalence of Gender-Based Violence among Women in the ASGM Sector**

	Frequency	%
<b>Agreed</b>		
Men	28	42.4%
Women	38	57.6%
<b>Sub-Total</b>	<b>66</b>	<b>73.3%</b>
<b>Disagreed</b>		
Men	12	66.7%
Women	6	33.3%
<b>Sub-Total</b>	<b>18</b>	<b>20%</b>
<b>Not Sure</b>		
Men	2	33.3%
Women	4	66.7%
<b>Sub-Total</b>	<b>6</b>	<b>6.7%</b>
<b>Grand Total</b>	<b>90</b>	<b>100%</b>

Out of the 90 respondents interviewed, 66 representing 73.3% were in agreement that gender-based violence was prevalent among women in the ASGM sector in the Macalder region. Out of these numbers, men constituted 42.4% while women accounted for 57.6%. 18 out of 90 respondents disagreed that gender-based violence was prevalent among women working in the mines. Men accounted for 66.7% while women constituted 33.3% of those interviewed. Only 6 out of 90 representing 6.7% indicated that they were not sure with men and women accounting for 33.3% and 66.7% respectively.

From the results above it can be deduced that the majority of the respondents agreed that gender-based violence was prevalent among women gold miners in Macalder. On the contrary, a minority of the respondents felt that there was no gender-based violence among women gold miners. From the above, it can be concluded that gender-based violence existed in women gold miners. In the gold mine sector, gender-based violence was high as indicated by the findings. This could be attributed to the fact that the majority of African societies are governed under the patriarchal model which has been in existence for decades.

Some women miners noted that they were forced by circumstances to accept sexual advances from their men to be allowed to work and earn in the mines. Other women opined that some male miners asked for sexual favours before they bought the ore for processing. There was a general observation of helplessness by the women miners with respect to GBV.

As supported by the social relations theory, social interactions between men and women produce and reproduce disparities in the process of production, reproduction, distribution and consumption. These gendered processes tend to disadvantage women in the ASGM sector. Subsequently, women tend to encounter several challenges as opposed to men in the ASGM sectors.

## DISCUSSION

Migori County is abundant in minerals, which are dispersed across the county. As a result, artisanal mining is Migori County's primary source of employment. Migori County generates 34 tonnes of gold per year and employs approximately 40,000 Kenyans. Gold is the most common mineral in Migori County. Between 1910 and 1930, Europeans were the first to mine gold in Migori County. Further investigation began in the early 1930s, and by the mid-1930s, Falcon Bridge Africa had discovered copper, gold, zinc, and silver in Macalder.

The mining sector is socially organized in a way that imposes an unequal relationship between men and women which has led to subordination of women within the sector. Mining narratives on gender relations imply that women are invisible and devalued with respect to mining work (Lahiri-Dutt & Macintyre, 2006). The mining sector is also associated with complex processes such as cultural norms and societal processes on the notion of masculinity and femininity. There is gender segregation in the mines that has played an important role in organization and production activities within the mining sector (Waiganjo, 2019).

Anchored on the Social Relations Gender Approach this study analyzed the gendered processes of production, reproduction, distribution, and consumption as well as the institutions through which they are mediated, such as the family, the neighbourhood, the market, and the state. Second, the aspects of social connections that develop and reproduce disparities between men and women were specifically taken into consideration in understanding the subordination of women in the ASGM sector in the Macalder region.

Gender inequality is one of the most common kinds of social inequality, a nearly global asymmetry with large local and cultural differences (Wyrod, 2008). Women's demands, interests, and experiences,

however, continue to be ignored, misconstrued, or merged with those of males in development policy and planning (Kabeer, 2010). Kenya's national frameworks, policies, initiatives, and legislation have mostly addressed gender equality. However, these attempts do not reach the ground because they fight with customary norms, which, while not static, continue to prevail (Ifejika Speranza 2010).

On the same note, Amutabi & Lutta-Mukhabi (2001) postulates that gender relations in the mining sector in Kenya can be attributed to traditional social norms that have disempowered women through women's lack of land rights and the power to control mining pits. The ASGM sector in Kenya, which is mostly undertaken in rural areas has continually been affected by the changing gender roles. The working relations in the mining sector have created power dynamics leading to income disparities, unfair ownership of resources and unequal decision-making processes between the different genders.

Traditional gender roles have tended to sideline women from decisions about property ownership, the selection of land or site for relocation, and the administration of family finances (Global Rights Alert, 2013). There is also the problem of women's property rights, which remains unresolved in the mining industry, particularly in terms of compensation for land. Kenya has made some progress in this area by including a provision for "spousal consent" in any transaction involving marital property such as land and houses. The lack of such a clause has frequently given males an unfair advantage, allowing them to open bank accounts in their own names to receive compensation funds (Global Rights Alert, 2013).

The difficulty that women confront in the mining industry is their lack of participation in decision-making, which is most visible during the writing of benefit-sharing agreements. Women's participation in the formulation of laws and procedures that regulate the distribution of the benefits from extractive resources is rarely sought due to the

primarily patriarchal backgrounds that women are accustomed to, and where their opinions are rarely heard.

In a comparable manner on the local level, legal and policy frameworks such as the Kenyan Constitution of 2010, the Elections Act, the National Gender and Equality Commission Act, Vision 2030, the National Policy on Gender and Development, and the National Land Policy all include provisions advocating for gender equality. As a result, women and men enjoy equal access to political participation, property ownership, health, work, and education under the law. Despite the existence of the aforementioned policies, women continue to be underrepresented in the labour market in general and in the mining sector in particular, restricting their ability to reap full advantages from the sector.

There still exist a number of challenges and barriers faced by women in the ASGM sector in the Macalder region. A number of social norms and taboos militate against women's access and involvement in the ASGM sector. The involvement of women in the ASGM sector is surrounded by a variety of cultural taboos and customs, most of which are founded on the notion that women lack the physical and mental fortitude needed to effectively manage and utilize mineral resources. Women miners are portrayed as drug addicts, unwed mothers, rebellious to their parents or husbands, widows, and irrational.

As noted in this study cultural norms socialize girls and women to be socially subordinate to men. Women's access to digging tasks in the mines is restricted by gender conventions, which were occasionally used to limit work with machinery or in mine shafts for women (Ibid, 2016). The patriarchal nature of the Luo community compelled women to naturally defer to men. This lack of autonomy worsened women's subordination in ASGM.

This study also identified inequalities in income distribution as a major challenge for women's

participation in the ASGM sector. A big discrepancy in terms of pay between men and women existed due to gender-based inequalities. Women in mining sites worked more hours than men did, yet they only earned less than what men earned. The situation was even more complicated for women miners who were discriminated against in terms of access to credit facilities as compared to their male counterparts.

## CONCLUSION

This study assessed the challenges and barriers to women's access and participation in the ASGM in the Macalder region of Migori County. It was noted that women face a number of obstacles and challenges in accessing and participating in the ASGM sector in the Macalder region. These challenges include; unequal power relations between men and women working in the mines, subordination of women in the mining sector, unequal working hours for men and women, institutional and legal challenges faced by women, land inheritance rights, and prevalence of gender-based violence among women. Anchored on the Social Relation Gender Approach, this study argued that the social construction of gender in African societies has created a gendered division of labour between men and women among mining communities. This has in essence resulted in the subordination and exploitation of women miners in the Macalder region.

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