

The Paradox of Gold Mining in Gem Constituency, Siaya County-Kenya (1920-2025)

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ABSTRACT

Gem constituency is one of the six constituencies in Siaya County. The terrain of the land is well drained, and this has advantage settlement leading to favorable population density by the natives. The fauna and flora of the area is attractive and adoptable for human settlement hence leading human attraction. The historical evidence has shown Gem to be one of the most adoptable land in Nyanza. When the Mill Hill Fathers arrived in Nyanza, they settled in Allor mission which was the first settlement area in Gem 1913. The arrival of the missionaries led to an increase in the number of visitors in the area. This made the British settlers to send prospectors to search for Gold in the area. They started gold rush in places like Ramula in East Gem, Rera in South Gem, Panyako in South Gem, North Gem, Central Gem and West Gem. The mining collapsing and most site had to close afterwards due to the interference of the Second World War and the economic depression of the Second World War. There were effort to sustain the mining activity, however the whole mining activity declined drastically in 1963 due to independence. Immediately after independent, more focus was based on the practice and process of making decisions through representation in national assembly. It involved the use of power, authority, and influence to govern or manage public affairs. Historically, politics limited human activities and was not only part of modern government. It affected development in all parts of society and slowed economic growth in Gem. Mining activities were faced with new policies which did not allow unlicensed person to practice mining. At the same time Section 210 of the constitution (Chief Act) mandated the provincial administrators to arrest and prosecute the small scale miners. These miners were treated as smugglers by the authority. The only person who could sign the permit for small scale miners were the Provincial environmental office under the supervision of the Provincial commissioner. However, the 2010 constitution, opened a window for accessing the permit through the ministry of mining. This has attracted the most resent emergence of small scale miners in Gem which have affected the area positively and negatively. This study investigated both positive and negative implication of gold mining in areas like; Bar-kalare, Uranga, Sirodha, Ramula, Rera, Wambusa, Kaudha Odendo and Wangbith. The study also gives recommendations to the relevant authorities in regard to positive trajectory towards gold mining in the region.

INTRODUCTION

The history of gold mining in Kenya dates back to the pre- colonial period. During this period the communities living in western Kenya such as the Luo, Luhya and the Abagusii used to engage in artisanal mining. Mining is one of the economic activity practiced globally, however gold mining has recently emerged as the only well pronounce mining activity in Gem County, Siaya County in Kenya. Economically a part from agriculture, gold mining has emerged as one other greatest economic background in the area. Geographically, this region has large deposits of gold which evidently existed since colonial period. When the British Colonialists arrived in Gem in 1894, they found gold as the most treasured economic resource. However, their main interest was to consolidated authority through the native leaders. At that time the region was still Uganda protectorate governed as a province. During the same period the Church Missionary settled at Maseno in 1906 and this was followed by the arrival of the Mill Hill Fathers catholic missionaries who settled at Aluor mission which was the first settlement area in 1913. They found that the region was blessed with two season rains which made it agriculturally potential. The terrain of the land is well drained and this has advantage to settlement leading to favorable population density by the natives. The fauna and flora of the area is attractive and adoptable for human settlement hence leading human attraction. The historical evidence has shown Gem to be one of the most adoptable land in Nyanza. After Kenya had become a colony in 1920, the British invited some prospectors from South Africa to search for gold

in the area. When they met the missionaries at Aluor mission they got information about a place named “Ramula” Which is a Luo word Meaning (Palace full of gold). This encouraged them to reach the place. These companies started gold mining in places like Ramula in East Gem, Rera in South Gem, Pioneer Company “Panyako” in South Gem, North Gem, Central Gem and Barkalare. Due to the interference of the Second World War and Economic depression of the Second World War, the mining started collapsing in several sites in Gem. However, the effort of sustaining the activity declined and ended in 1963 due to independence. Immediately after independent, more focus was based on the practice and process of making decisions through representation in national assembly. It involved the use of power, authority, and influence to govern or manage public affairs. The historical politics limited human activity and this was not limited to modern institutions of government. Politics controlled development in every societal set up (Lonsdale, 1970). It emerged that politics had automatically drowned its ineligible marks in economic development in Gem. Mining was thwarted by the new policies which did not allow unlicensed person to practice mining. At the same time Section 210 of the constitution (Chief Act) mandated the provincial administrators to arrest and prosecute the small scale miners. These miners were treated as smugglers by the authority. The only person who could sign the permit for small scale miners were the Provincial environmental office under the supervision of the Provincial commissioner. This was relaxed when the 2010 constitution, opened a window for accessing the permit through the ministry of mining. This move has attracted small scale miners in Gem, improved economic stability of the region at the same time there are negative results like: accidents, child labor, school dropout, broken families, prostitution and increase of HIV infections.

Early Gold Discovery

Gold was first discovered in Kenya in the late 19th century, with early signs of gold reported in western Kenya, especially in Kakamega, Nandi, and Migori regions. These early findings were mostly small –scale and was done by local communities, particularly the Luhya and Luo, who had some traditional knowledge of panning for gold. The 1920s and 1930s marked the beginning the prospection of gold in the region. The history of gold mining in this region dates back to pre-colonial period when communities living near the river engaged in artisanal mining. The Luo, the Luhya, and the Abagusii extracted gold from rivers and streams using rudimentary methods, and the precious metal held significant culture and economic value.

Rise of Colonial Gold Mining (1920-1940)

The 1920s and 1930s marked the real beginning of formal gold mining operation under British colonial administration. The Kakamega Gold Rush (1932-1940) was the most significant period of gold exploration. This was triggered by rumors and discoveries of large gold deposits in Kakamega District (Ikolomani). It attracted the British settlers, speculators, and prospectors from as far as South Africa and Australia. The British Colonial government set up infrastructures to support gold extraction, including roads, administrative centers and police outposts. Major mining companies were granted exclusive concessions, sidelining Africans from profitable ownership. A good example included Lupa Goldfields Company and Kakamega Goldfield Ltd. Gold was mined also in Migori, Macalda and Rosterman (a significant mine near Kakamega). Gold mining in Kenya underwent a significant transformation. British colonial authorities established large scale gold mining operations, such as the Kakamega Gold mines, in the early 1930s. These mines brought technological advancements and increased production, solidifying Kenya’s place on the global gold trade.

Involvement of the Natives in Gold Mining

The natives of Gem were involved as workers who provided the companies with manual work. They were extensively used in the mines, often under poor working conditions and low wages. Many laborers were recruited from local communities or were recruited from neighboring communities. These local workers were restricted to low-level jobs like digging or transporting ore, and were prohibited from owning mines or even advancing towards mining tools and final stages of mining process (Musa Rajula Oral interview 2025).

According to Olale Nyondhoro (senior native who participated as a laborer at Rera Gold Mine between 1945 and 1950), the Lupa Gold Mining Company exploited former World War One soldier as supervisors (Nyapara). Those people were inhuman and very brutal. The workers dug a tunnel which could extend even beyond ten kilometers. These tunnel were dug in six feet high and four to five feet wide. They were stretching toward the

reef within the rock with gold ore deposits. In case the reefs projected beneath a stream or a river, they proceeded deeper leaving the river to flow above the tunnel. According to the FDG, 2025, the crushing machines, which were manipulated manually, were located at Rera (current Rera MTC), Ndiru, and Panyako (Pioneer company). They were the places where the ores were crushed into fine particles, and later refined and taken to laboratory for final stages.

Decline of Gold Mining Gem

Large-scale operations included Rosterman Gold Mines, which extracted some 650,000 tons of ore from 1935 and 1952. However, by 1952, Rosterman declared remaining deposits commercially unviable, leading to mining's decline. Gold mining in Gem was affected by post-Second World War economic depression. Most mining companies experienced losses in the gold trade. It became difficult for them to continue operating in the region since most of the global finance market was also affected by the war. The year 1952 was also the beginning of internal pressure from the fight between the Mau Mau freedom fighter and the British colonial government. At the same time, the Cold War had also emerged at the center of international diplomatic relations, creating a snag in international trade and marketing.

Post-Independence Gold Mining

According to Mining and Mineral Policy, (2016), Kenya is rich in mineral resources with known deposits of soda ash, fluor spar, titanium, gold, coal, manganese, iron ore, gypsum, diatomite, chromite, limestone, and silica sand. Indicators are that the country is potentially rich in rare earth minerals, and increased exploration is expected to lead to new mineral discoveries. The government has therefore formulated the Mining and Mineral Policy to enable the country to obtain maximum benefit from its future mineral deposits. The policy comprehensively addresses the gaps that have existed in the mining sectors, which have long operated within a legal framework enacted way back in 1940 during the colonial period. As a result, the country's mining and minerals resources sector failed to attract adequate investments and its contribution to Kenya's economy has been minimal, currently standing at about one percent.

Immediately after independence, some foreign companies started creeping into the country with an aim of tracing the sites where the previous miners were operating. Kenya's first major post-independence commercial project, the Kilimapesa Gold mine in Migori, launched around 1963 but faltered due to bureaucratic obstacles and underinvestment. These companies acquired licenses from the government to operate in gold mining. After their successful prospecting, they started operations in previous mining sites in Migori (Macalda gold mine), Kakamega (Ikolomani), Siaya (San-Martine Ramba). However, other sites were neglected by these companies; Gem being one of them. Most natives who hailed from the neglected areas started experimenting with their ability to mine gold as small-scale miners in places like Asembo (Rarieda), Abimbo, Uyawi, Got Abiero, Kopololo (Bondo), Ramula, Bar-Kalare Lihanda, Ondin'g (East Gem), Rera, Wambusa, Kanyadet, Kaudha, Ndori, (South Gem) and isolated sites in Central Gem, North Gem and West Gem.

In Gem, particularly, most artisanal mining takes place along the river Yala and mostly along the streams. In these areas, the method used is digging the river-bed or streams and scooping out silt, which is then sieved and extracted. Gold particles are gathered by the use of mercury. This method does not require a lot of skill; at the same time, the process does not undergo several technical steps, it is simple and easy to understand. However, it destroys the riverbed, pollutes water, and endangers the lives of the miners who sometimes drown in water while some face risks of attack by snakes and other aquatic animals. The second method was the use of the shaft method; this method involves digging a shaft and following the reefs of gold deposits between the rocks. In this method, the gold ore is dug along the reefs following the shaft and then transported out of the shaft. The ore is dried in the sun; it is then taken to a crusher where it is crushed into powder texture. It then goes to the second stage of sieving, filtering, and then separating from impurities using mercury. The last step is to put it in glowing fire to make the gold particles solidify; it is then measured on a weighing scale by the middlemen who later buy it. The middlemen usually sell the product to licensed dealers who take it through the process of plating and removal of impurities using special chemicals and shaping it.

The mining activity remained the only small-scale commercial activity in Gem from independence, done with a lot of challenges. Before the promulgation of the 2010 constitution, the application of section 210 (Chief Act),

the provincial administrators used to control the illegal miners. There was exploitation of these miners by the middle men (who were smugglers) since the government licensed very few influential individuals to operate in trade in gold. This came openly known in the emergence of the illegal trade in gold with a company which exploited the government of Kenya. The 1990s Goldenberg scandal, where in the government inflated subsidies for supposed gold exports, caused serious economic harm and undermined trust in the sector

Recent Resurgence and Renewed Challenges in Gold Mining in Gem constituency

In 2012, Goldplat Pic produced Kenya's first modern gold bar from Kilimapesa and raised hopes of a mining revival. Unfortunately, profitability issues and falling gold prices led Globalpat to suspend operations by 2013, gradually extending the halt in subsequent years. By the year 2022, gold earning had declined sharply. Electricity sector earnings fell from Sh. 13.9 billion in 2012 to just sh. 3.17 billion in 2023, with physical production dropping from 563.6kg in 2022 to 410 kg. Gold mining in Gem Constituency emerged one of attractive economic activity to the foreigners. A good example is the Shanta which is a gold mining company from Tanzania which obtained a social license (SLO) from the Ministry of petroleum and mining to operate in Gem Constituency.

The Shanta Gold's large-scale mining plan in Ramula in East Gem, South Gem and its periphery in Siaya County raised concern about displacement and lose of livelihood for local residents. Thousands of locals from both South Gem and East Gem but most seriously Ramula region advocated for sustainable mining practices and meaningful engagement to protect their land rights and cultural heritage. According to FGD 4/03/025 during a public hearing on September 27, 2024, spearheaded Siaya county assembly, Ramula residents said that there was concern over land rights, environmental damage, and economic impacts remain unaddressed. The community is skeptical of Shanta Gold Mining Company gold's transparency. The community said that the company which had been granted authority by the government of Kenya had dented its image particularly due company's history' in regard to historical grievances in other regions where it had interacted with other communities. The United Nation Declaration on the Rights of Indigenous Peoples (UNDRIP) emphasize on the right of indigenous people to make decision became the guiding parameter for the Gem community members. Gem community members rejected the intrusion or the company which was set to operate between Gem and Vihiga County. They claimed that Shata instilled fear among villagers facing potential displacement and loss of their land livelihoods. Long-standing family homes will be demolished, and the land beneath them will be taken away. Another fear was as follows: The farmland was to vanish and graveyards to be emptied, the deep cultural and spiritual significance associated with the land was to be lost. Another snag was that the Villagers were unsure whether they would actually benefit from the large-scale mining once Shanta Gold's operations commence. Despite the community's outcry, Shata Gold and relevant authorities did not show any interest in addressing their concerns. This lack of transparency and meaningful engagement has left the community vulnerable and void (K24, 2024). On September 23, 2024, the Kenya Human Right Commission (KHRC) and Haki Madini Kenya (HMK) petitioned the Siaya County Assembly, advocating for sustainable mining practices grounded the informed, transparent, and inclusive decision-making. This Petition followed a call from the county assembly for a memorandum regarding Shanta Gold's operation in Ramula (KTN, 2024).

Positive results from Gold mining in Gem Constituency

Artisanal and small-scale mining (ASM) sectors in this region have created job and income generation activities: ASM, mainly gold mining, provides livelihood for many local community members. In Gem constituency alone, the gold mining sector contribute money circulation. This has prompted the creation of new shopping center next to gold mines, a good example is Rera market next to Rera Medical Training College. Due to the effort from the few managers of mine, there has been empowerment of local communities in the line of entrepreneurship and broader economic participation.

This has created emergence of gender roles in the artisanal small-scale mining. Some women minors have played the role of working as drill operators while others work as potters, distributing Labour to the communities according to gender. For instant, before the enactment of this policy it was only men who typically handled extraction while women were involved in processing tasks like crushing and sluicing. However, at present thing have changed to the extent that all gender are given role according to demand and ability. This engagement has provided women with income sources, although disparities in revenue distribution still exist.

Even though the government has introduced reforms to support ASM; this includes streamlining licensing, creating joint implementation committees, and even exploring gold purchasing through the Central Bank of

Kenya. This has not benefited the local community since nearly every step taken is interrupted by middlemen. These efforts could bring greater structure and benefits to Gem mining communities it could be done with openness and seniority.

Negative outcome of Artisanal Mining in Gem constituency

Mining operation need to be undertaken in a sustainable manner so as to prevent harmful effect on the environment. Although the Environment Management and Coordination Act (199) provides for initial environmental assessment and environmental audits, the challenge is to harmonize and align the regulatory policies and practices in the country's mining sector with existing environmental legislation mining processing methods, which expose mining methods, which expose them to risk of injury and contact with hazardous materials. The analysis further indicated that child labor is prevalent in ASM hence the need to enforce the appropriate laws to curb this inhumane and unlawful practices. The most alarming episode in gold mining in Gem constituency in Kenya is the accident during mining operations. These accidents occur in both Artisanal and Small-Scale Gold Mining(ASGM) mines and large-scale operations, though Artisanal and Small-Scale Gold Mining is where most incidents are reported due to informal practices and limited safety controls. The most common and most fatal in artisanal gold mining. Sometime mine shaft may collapse, tunnel caves-ins due to weak soil structure, poor timber quality, deep narrow shaft, or blasting activity. The second type of accident in suffocation due to oxygen depletion caused by poor ventilation in deep shafts leading buildup of carbon monoxide or lack of oxygen These have occurred in Rera Sub Location Killing the miners in un counted occasions. The most recent accident is between the year 2024 and the year 2025 where more than ten death cases have been reported.

However, the most controversial episode in Gem constituency about mining is the way Sweatshop Syndrome have affected the majority of miners. As sighted by James Wilson, *“Mans moral sense is not a strong beacon light, radiating outwards to illuminate in shape outline all that it touches. It is rather a small candle flame, casting vague and multiple shadows flickering and sputtering in the strong winds, of power and pass greed and ideology. But brought close to the heart and cupped in the hands, it disperses the darkness and warm soul.”* The sponsor of the mining sight and the brokers who buy the end products from the locals are getting rich overnight leaving the natives poorer than ever. It is very vital to note that even though Gem community may boast of being from the blessed land with the most cherished natural resource, the paradox is poverty in the land. From an economic perspective, poverty can be defined as absolute deprivation or relative deprivation, this approach views poverty as a failure to achieve specific social and economic standards of living conditions of others, then poverty can be addressed through the redistribution of economic resources- either within a community, society, and the world as a whole. When poverty is defined, in terms of inequality poverty will always exist where significant inequalities abound. Moreover, when, Justice is conceived as a distributive concept and poverty is regarded as the highly unequal pursuit of justice will necessarily involve redistribution (Wilson, 2013).

Solution to mining problems in Gem constituency

Solutions to mining problems in Gem constituency are; first, improving standards in mines. Enforcement of standards for tunnel support, ventilation, and shaft construction. Require miners to use PPE (helmets, boots, gloves, and respirator). Provide training on safe excavation, blasting, and emergency response. Deploy county mining officers for regular safety inspections. The second means of improving the mining in Gem is by formalizing Artisanal and Small –Scale Gold Mining (ASGM): Licensing process to be made clear, affordable and accessible. Create cooperative societies that can manage mining legally. Provide technical support and capacity building for miners. Ensure miners are registered and traceable for safety and taxation. The third issue is to reducing introduce controlled land reclamation programs after mining. Promotion of eco-friendly mining methods and proper waste disposal. Mandate environmental impact assessment (EIAS) and audits. They should also engage in planting trees and rehabilitating abandoned mines. Also, the three should be a clear effort to train miners on mercury-free gold extraction methods (e.g. borax method, gravity concentration). Provide community mercury testing and awareness programs. Regulate importation, sale, and handling of chemicals (mercury, cyanide). Establish centralized processing centers with safer technologies. Again the local authority should be providing afford access to safe mining tools and machinery. Encourage investment in small-scale mechanization (compressors, proper pumps detectors). Building shared processing facilities for small miners to reduce reliance on unsafe homemade equipment.

The government should focus on making policies which make it vital for the ministry in charge of mining to increase the number of county officers who are able to reach the miners and facilitate workshops to enlighten them. This can be improved by digitization of licenses of the qualified artisanal miners. After proper sensitization on what is required to be done then penalties should be enforced on the illegal mining and those who fail to follow the rules and regulation. At the same time the ministry should engage in supporting the programs in the communities where mining is taking place to avert disputes

The ministry should encourage investment in the mining sector by offering incentives for responsible mining companies. Secondly, there should be improvement in infrastructure such as roads, electricity, and water near mining sites. Lastly the government should also engage public-private partnership (ppps) for geological survey and mineral exploration.

However, the Ministry of mining should reduce child labor and improve community welfare by enforcing law, providing alternative livelihood (agriculture, business training), building schools and vocational training near mining communities, and establishing community health programs, especially for mercury exposure. The government should improve matters related to land rights to reduce conflicts. This can be done by clearly demarcating mining zones and community land. There should also be mediation of disputes between miners, landowners, companies, and county governments. Consequently, there should be a fair compensation to the communities where mining operation takes place.

There should be a target for promoting sustainable inclusive mining; encouraging women and youth participation through grants and training, promotion of fair-trade in gold markets that reward environmentally safe mining, and strengthening local supply chains to retain mining profits within the community.

Focused Group Discussion 17/ 2/2025, 11/3/2025, 10/4/ 2025

Individual Oral Interview

Joseph Chiaji: Oral Interview 15/3/2025

Richard Ochieng: Oral interview 23/3/2025

Ogudi Migogo: Oral interview 25/3/ 2025

Fred Obiero : Oral interview 20/3/2025

Lenard Akelo: Oral interview 23/4/2025

Julius Opany: Oral interview 21/4/2025

Michael Agwedo: Oral interview 30/4/2025

Gordon Ochieng: Oral interview 1/3/2025

Titus Amolo: Oral interview 30/3/2025

David Ochoa: Oral interview 19/3/2025

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