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Land Deals Outside the Spotlight and the Land Rush in Ethiopia

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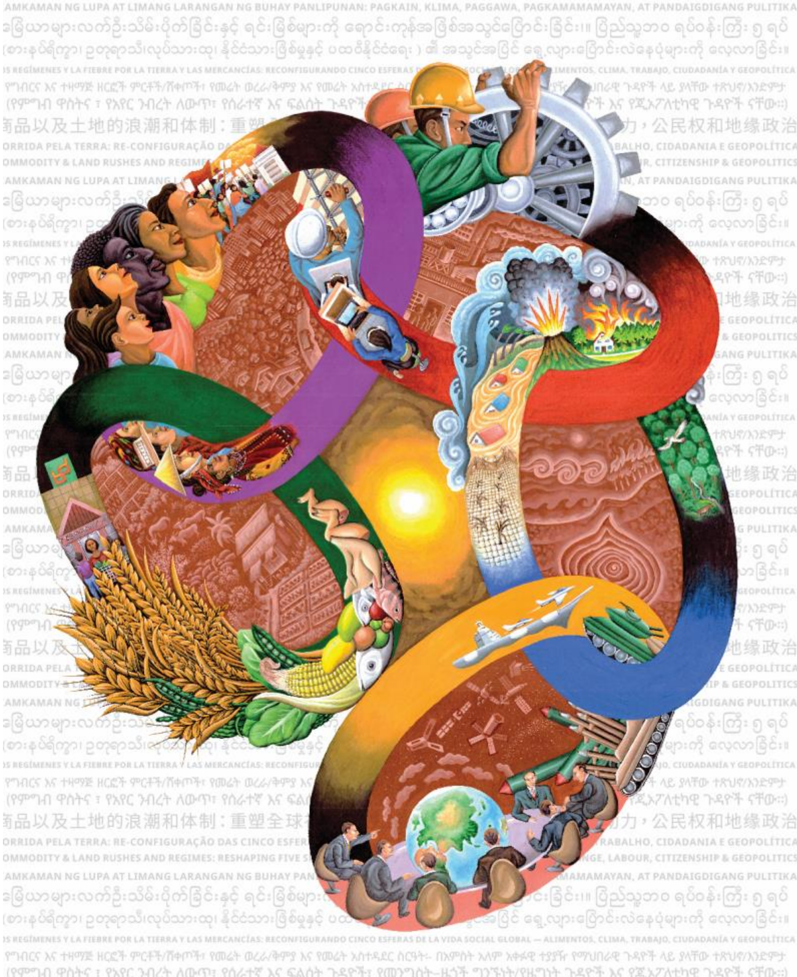

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Abstract

The media and academia monitoring the global land rush have been interested mainly in large-scale corporate land deals. The global spotlight has been on this category of land deals. While that is important and understandable, such perspective tends to miss land deals that do not easily fit in such a category because they are, and at the same time, that is why these are outside the spotlight. What makes a generation of land deals a land rush is not solely their large-scale corporate character; rather, it is the elements of spectacle, of scramble and madness where different state and non-state actors rush to get land or other benefits from the deal-making grand commotion that define a phenomenon as a land rush. Land deals for small-scale investments, in addition to corporate land deals for land investments, have fostered the commodification and commercialization of land and agriculture in Ethiopia and have transformed social relations of property in a large-scale. These are almost everyday forms of land accumulation, done on a relatively smaller scale, yet combined scope of these types of land deals outside the spotlight can be extensive in terms of aggregated land area. However, their character and impact remain not fully understood. Through an investigation of such cases in Oromia region of Ethiopia, this paper argues that those land deals outside the spotlight are key element of global land grabbing and land rush, and as such much be studied on its merit, and in relation to the broader phenomenon of land grabbing.

Keywords

land rush, land deals outside the spotlight, investment, land use change, land broker, land transaction, Oromia

1. Introduction

Ethiopia has been identified as a hotspot of large-scale and long-term land transactions during the global land rush, which gained momentum in 2008 because of various responses to global crises in food, fuel, and energy, as well as increased demand for natural resources by emerging industrial economies. As part of this rush for land, foreign capital from over 40 countries has been flowing into Ethiopia to acquire land (Teklemariam et al., 2017). The global land rush has brought about hotly debated policy issues as well as inspired substantial research. The land grab research has focused on analyzing the scale, trends, and socio-economic and environmental effects of the land deals. As a result, there is extensive literature available that discusses the geographic locations, processes, and reasons behind these large-scale land transfer deals, as well as the various actors involved and their roles. The neoliberal thinking of the World Bank locates its most fundamental question for the achievement of economic efficiency in land and labor use, whether it is based on smallholder or large-scale operation depending on the specific context (Deininger & Byerlee, 2011). Economic efficiency is supposedly achieved through free markets that are expected to be regulated appropriately by ' code of conduct". But as de Schutter (2011) argues, even if these corporate land deals are made transparent, as argued in this set of voluntary principles, it cannot guarantee safeguards of the rights of ordinary villagers because how such a code of conduct will unfold in real life depends largely on pre-existing power relations among competing social groups over the land, and ordinary villagers almost always have less political power compared to investors. These legal frameworks binding the land deals always accumulate benefits for the investors (Malik, 2011).

An influential document that partly laid out the framework for large-scale land deals was the 2008 World Development Report by the World Bank. It advocates for the redistribution and use of natural resources through market-based mechanisms, as these are assumed to, among others, help allegedly inefficient and incompetent producers find their way out of agriculture (World Bank, 2008). In line with such an assumption, the Ethiopian government welcomed, or even actively sought out, large-scale land investments and changed its development approach towards commercialized agriculture from smallholder-focused agricultural development programs (Lavers, 2012; Abbink, 2012; Wubneh, 2018; Gebresenbet, 2016). The government, therefore, aggressively promoted large-scale land investments purportedly for rural transformation through technology transfer, creating employment opportunities, generating capital and market access, foreign earnings from the production of export crops, and enhancing industrialization through the production of agro-industrial crops such as cotton and sugar (Rahmato, 2011; Teklemariam et al., 2017).

In order to attract investment capital, the government was also concerned with the suitability and profitability of these large-scale investments for investors. In its first growth and transformation plan (2010-2015), it was indicated that basic infrastructural services will be made available by the government and "labor supply will be mobilized from labor surplus areas" (MOFED, 2010, p. 54). The government has also created a favorable investment climate to attract investors through implementing civil service reforms that emphasized export-oriented commercial agriculture. These include various incentives for potential investors, such as tax reductions and complete waivers in some cases, creating access to cheap land rents, low interest loans from the Development Bank of Ethiopia, and allowing flexibility in types of production and exports (FDRE, 2007; MOFED, 2010, FDRE, 2016). Such efforts by the government were part of what Tsing (2000) suggests as making the necessary 'economic appearance' to attract investors based on speculated potential profit from various investments.

As part of its first five-year development plan, the government emphasized enhancing the private sector in agriculture, especially in the lowland areas where there is suitable land for large-scale commercial farming. It, therefore, targeted leasing out 3.3 million hectares of land to private investors in commercial farming (MOFED, 2010, p. 49). Due to the scarcity of farmlands in the highlands, with an average of 2.3 fragmented plots of land with 0.35 hectares each (Samuel, 2006), large-scale land investments are concentrated in the lowland areas of the four regional states (Oromia, SNNP, Benshangul-Gumuz, and Gambella) (Hules & Singh, 2017). These investment sites are also located near major rivers with potential for irrigation, such as the Awash River in eastern Oromia and Afar, the Omo River in SNNP, the Baro River in Gambella, and the Blue Nile in the Benishangul-Gumuz region. Officially categorized and claimed by the central state as 'empty', 'underdeveloped', and 'unutilized', most of the lands identified for large-scale land transfers are found mainly in areas where indigenous multi-ethnic groups and the majority of pastoralists live (Gill, 2015; Labzaé, 2016; Nalepa et al., 2017; Moreda, 2017). However, critical investigations into these lands showed that the government's assumption about these lands (e.g., empty) is wrong and is contested (Shete and Rutten, 2015; Lavers & Boamah, 2016; Nalepa et al., 2017). In reality, these lands are used by the local people as a source of livelihood, using them for different purposes such as grazing, shifting cultivation, hunting and gathering, and various cultural activities (Demena, 2016; Gill, 2015; Hajjar et al., 2020; Timko et al., 2014; Moreda and Spoor, 2015; Abate, 2019).

Based on the provisions of the recent rural land administration and proclamation 456/2005 (FDRE, 2005a), six of the regional states (Oromia, Amhara, Afar, Tigray, Benshangul-Gumuz, and Gambella) enacted their own regional rural land administration and use laws. Land in Ethiopia is transferred to investors through lease contracts by both the federal and regional governments based on the scale of the land to be transferred. The Ministry of Agriculture and Rural Development (MOARD) created what is called a federal ‘land bank’ in 2009, which was a strategy to identify and accumulate land from the regions to be administered by the federal government and made available for investors. In this case, regional governments are required to identify suitable land for investment to be administered at the federal level, the consolidated size of which should be 5000 hectares or above (MOARD, 2009). In some cases, the Federal Agricultural Investment Land Administration Authority was even involved in identifying land for the bank using satellite images and Geographic Information System (GIS)-supported mapping and surveying within the regional territories.

During the contemporary global land rush, multiple actors in the host countries have varying degrees of influence in facilitating these land deals. Key players in this process include state officials, local and regional elites, paramilitary members, small landowners, and marginal indigenous groups (Wolford et al., 2013, p. 207). Land deals for commercial investment purposes were already taking place in Ethiopia prior to the PASDEP's approval in 2005. Nonetheless, their significance has begun to expand dramatically since 2006, and the rush for land reached its peak in 2008 and 2009, occurring at a scale and speed that has never been seen before (Cotula et al., 2014; Rahmato, 2011; Weissleder, 2009). Different national and sub-national actors in Ethiopia have played a significant role in creating access to land and its resources for both global and domestic actors during the land rush (Wondimu & Gebresenbet, 2018; Rahmato, 2014).

The neoliberal policy recommendation, which relies on market- and export-oriented agricultural production, has created opportunities for national governments, local political elites, and domestic and foreign investors to appropriate resources from communities (White et al., 2012). The existing body of literature on land grabs in Ethiopia has predominantly focused on corporate-level land deals involving foreign investors. Little attention, if any, has been given to the processes of land accumulation and transactions made by domestic investors and emerging agrarian capitals, whose role in displacing smallholders during the land rush (and after) is as significant as that of the corporate ones. Moreover, those studies have also largely focused on land deals that are operational, disregarding non-operational land deals and everyday forms of land transactions that are outside the spotlight. However, these overlooked transactions are equally significant in influencing land use and land use rights. Therefore, as Borras and colleagues (Borras et al., 2022) argued, the land rush is likely to have had bigger effects and more adverse consequences than was previously studied. This is because the current way of tracking land deals leaves out the so-called "failed land deals" and uses a narrow definition of land grabs. This paper aims at the empirical investigation of ‘land deals outside the spotlight’ in Oromia region of Ethiopia and argues that these aspects of the land rush have a comparable impact to that of large-scale corporate-level land deals, which have dominated the land grab research for more than a decade. The following section of the paper delves into a conceptual perspective on the land rush and its components, illustrating how and why it should be empirically investigated as compared to the existing literature so far. The third section of the paper will be an empirical discussion of cases of land deals outside the spotlight in Oromia region of Ethiopia and the legal and institutional environment that fosters such land transactions. Finally, the paper concludes by highlighting the implications of such forms of land deals on land use and land relations.

2. Land rush, land grabbing, and land deals: A conceptual perspective

Land grabbing, a contentious political concept, is defined in a variety of ways and for a variety of purposes by different actors. For example, land grabbing is defined by Oxfam as any land transaction involving a minimum of 1,000 hectares of land and the presence of human rights-related concerns in the process of the transaction and its consequences (Zagema, 2011). Based on a prevailing assumption and a narrower understanding of land grabbing, the earliest literature on land grabbing has primarily concentrated on the concept of 'foreignization of land,' which involves the takeover of land for investment by foreign capital (Gómez, 2014). In some other earlier studies, activists and scholars have emphasized the geography of land grabbing with the perception that Africa was the focal point where economically influential countries like China, South Korea, and the Gulf States competed for land for food production, assuming that there was an abundance of unused land in Africa that was easily accessible and inexpensive (GRAIN, 2008; Zagema, 2011). For instance, global land grab databases like the one run by GRAIN initially highlighted the issue of Africanization and foreignization as defining characteristics of land deals and land grabs (GRAIN, 2008).

These notions of land grabbing minimize, or even disregard, the role of domestic capital in acquiring land. However, contemporary land grabbing involves both domestic and foreign state and non-state corporations, though the foreign ones have received more attention from the media and research community (Edelman et al., 2013). Although foreign-owned large-scale farms are frequently discussed in the land grab literature, they may represent only a small portion of agrarian capital in rural Africa. Such exclusive spotlights on large-scale farms from the media, activists, and research have obscured a more comprehensive view of the realities of agrarian capitalism, whether emerging or established (Oya, 2013). Borras et al. (2012) analyzed data from the Food and Agriculture Organization (FAO) and found that the capital for land grabs in Latin America and the Caribbean primarily originated from within the region.

Domestic investors' involvement in such land transactions has been steadily growing, and they have emerged as significant actors by acquiring land for investment purposes, either independently or in joint ventures with foreign investors (Cotula, 2012). The involvement of private firms in commercial agricultural production has, therefore, played a significant role in fueling the land grab (Visser, 2015). As argued by Borras et al. (2012), our comprehension of land grabbing should encompass a broader logic and operation of capital. Focusing only on land also ignores the ways that "industrial monocultures, raw materials extraction and large-scale hydropower generation" build up capital. All of these depend on land uses that require a lot of capital and use up a lot of resources (Franco et al., 2013, p. 4). Moreover, farm size alone is not a reliable indicator of developments in agrarian capital since it does not directly and necessarily correlate with production and can manifest in various forms that depend on context, crop type, and prevailing social structures (Oya, 2013).

These contentious notions of land grabbing and their differing perspectives on the prevailing state of reality show how diverse, impactful, and pervasive land grabbing is, with both domestic and foreign actors driving its occurrence. The following comprehensive definition by Borras and colleagues helps with a better understanding of land grabbing by addressing these inconsistencies in defining the concept.

> Contemporary land grabbing is the capturing of control of relatively vast tracts of land and other natural resources through a variety of mechanisms and forms that involve large-scale capital that often shifts resource use orientation into extractive character, whether for international or domestic purposes, as capital's response to the convergence of food, energy and financial crises, climate change mitigation imperatives, and demands for resources from newer hubs of global capital (Borras et al., 2012, p.851).

This definition is based on the basic idea of "control grabbing," which calls for considering both domestic and international actors who are involved in land deals within a nation. It also considers both the magnitude of land transferred and the scale of capital invested, which are essential for gaining a complete understanding of land transfers across different channels. These large-scale land deals are therefore not just about the transfer of land, but they are also "the capture of labor, water, and most of all, the adverse incorporation—rather than exclusion—of smallholder agriculture into new value chains, patterns of accumulation, and the wider transformations in agrarian structure and agro-food systems that these precipitate" (Hall, 2011, p. 23).

The overall discourse on land grabbing generally differentiates between land grabs facilitated through economic and extra-economic means. An important conceptual framework in understanding such agrarian relations and processes of capital accumulation is the way 'double character of peasant exploitation' leads to two different and opposite paths of capital accumulation ('the double character of capital accumulation' (Mamdani, 1987, p. 198). The first is "compulsion from above," which is the result of exploitation of the peasants by "coercion or extra-economic forces" that are directly imposed on them by the state or state-connected institutions or individuals that exercise power and exploit peasants in different ways

(Mamdani, 1987). The second is compulsion from below, which is the result of economic forces or ‘dull compulsion’ of market forces where peasants join unequal and exploitative relationships with disadvantaged positions in relation to others who take advantage within the same context of commodity relations. In this scenario, compulsion arises from a certain socio-economic setting characterized by unequal relations into which peasants presumably participate 'voluntarily' in order to reproduce themselves. In this instance, the dispossession of producers from their lands through market-driven mechanisms leads to land accumulation by the dominant class. Akram-Lodhi (2007, p.1446) calls this process of dispossession "neoliberal enclosure," which aims “to deepen the already prevailing set of capitalist social property relations by diminishing the relative power of peasants and workers in favor of dominant classes,” mostly through market-driven processes and government intervention.

The land rush encompasses a broader socio-political context characterized by widespread speculation, frenzy, and spectacle, which resembles numerous renowned gold and other commodity rushes in history. As argued by Borras and Franco (2024), it includes various aspects such as land enclosures, land grabs, land deals, land acquisitions, commodities booms, and multiple players such as state, non-state, corporate, and non-corporate actors. The authors have conceptualized this all-encompassing phenomenon revolving around land and commodities, defining the land rush as:

> a chaotic, relatively short-lived, historical juncture marked by a sudden surge in demand for land, accompanied by an extremely speculative and competitive, often violent and convulsive transition from one set of rules on commodity and land politics to another. More narrowly, it refers to that insurgent moment when the prevailing ‘land regime’ is seriously challenged but not yet fully replaced by a new regime (2024, p.3).

The global land rush has actually generated three broad types of land deals, namely: (1) corporate land deals that are pursued and operational; (2) non-operational land deals, which are the so-called “failed deals”; and (3) “incremental ‘pin prick’ land deals or investments” that are outside the spotlight of the media and research (Borras and Franco, 2024; Wolford et al., 2024). Most land grab studies conducted so far have focused mainly on large-scale corporate land deals that are operational as units of analysis. These are important studies and have enormously contributed to our current understanding of land deals. However, both the so-called failed land deals and the ‘pin prick’ land deals are just as important as the land deals that are pursued and operational, and they should be treated as relevant units of analysis in the study of the contemporary land rush (ibid.). Since they include such types of land transactions that are not fully recorded by land grab data bases, land rushes are more extensive than land grabs in terms of geographic area and the affected population (Borras and Franco, 2024). Using the land rush as a unit for inquiry allows us to look more closely at the overall dynamics of the land rush rather than simply individual cases of land deals. This approach also calls for databases to reconsider the incorporation of data or information that accompanied the land rush, as these are crucial elements of the social phenomenon requiring empirical investigation instead of being discarded as ‘garbage’.

The so-called “failed land deals” are failed when seen only in light of unproductive land and unimplemented initial plans of the company; otherwise, they have been entirely effective at grabbing the land from the locals (Borras and Franco, 2022). Many of the large-scale corporate land deals were not implemented as initially planned, later cancelled, or even investors left. However, this does not imply that the problem ends simply because the rush has ended (Zoomers & Kaag, 2014, p. 2). Land deals outside the spotlight refer to ‘pin prick’ land transactions that received little, if any, attention from the media and research community because they typically involve very small, individually transacted plots of land or are conducted illegally or informally without public advertisement (Borras and Franco, 2024). These are everyday land transactions that do not include high-profile transnational and domestic land deals going through memoranda of agreement with governments, nor do they have publicized signing ceremonies covered by the media (Wolford et al., 2024; Borras and Franco, 2024). Such transactions include distress sales, land brokering, everyday forms of theft, coercion, swindling, and contract grower arrangements, which are very important elements of the frenzied land rush (ibid.). Although such forms of land transactions were common practices in Ethiopia, even before the land rush, they occurred aggressively and became widely expanded during the ‘land boom’ that followed the land rush. As defined by Boras and Franco, “a land boom is dynamic and energized, but a t the same time regularized, normalized, routinized, and accommodated within existing or newly emerged sets of rules and procedures governing its transaction” (2024, p. 5). This is a post-land rush process of land transactions located between ‘large-scale land acquisitions’ and ‘land rush', exhibiting some features of both. While it consists of “relatively routinized, regularized, and legitimized processes” like ‘large-scale land acquisitions, it is also “insurgent, challenging pre-existing limits of procedures” like the land rush, though they are not accompanied by spectacular claims, and the frenzy and madness we observed during the land rush (ibid.).

3. Land Deals Outside the Spotlight and Emerging Agrarian Capitalism

3.1. Institutional framework, land transactions, and land consolidation

legal provisions and rural land transactions

Even though they are outside of the spotlight of media and research interest, most forms of these ‘pin prick’ land transactions that lead to capitalist land accumulation are conducted within an institutional and legal framework that not only supports but also encourages and facilitates their operations. According to Akram-Lodhi (2007, p.1446), the "neoliberal enclosure" needs the state to change the foundation of property rights in the juridical and regulatory environments that it commands. Modifications to the legal system by the state have created market conditions that further strengthen the notion of capitalist economic rationality, helping powerful groups to dominate and benefit from neoliberal enclosure. As a result, the Ethiopian government has been frequently enacting and amending legislation pertaining to land use rights and regulating land transactions between users. It is therefore critical to have an overview of those land laws and why and how they facilitate rural land markets, either directly or indirectly. Most of these land transactions are formally conducted within the framework of these land laws, while some are disguised sales carried out under the pretext of legally allowed ones.

According to the federal constitution of Ethiopia (FDRE,1995), land in Ethiopia is the property of the state and the peoples of Ethiopia and so cannot be sold or exchanged. It is clearly stated in Article 40(3) that land and land use rights are not subject to sale; hence, selling land is an illegal act. Both the federal rural land administration and use proclamations number 456/2005 (FDRE, 2005a) and the Oromia regional state rural land administration and use proclamation (ORS, 2007) allow rural land use holders to rent land use rights under some specific conditions, including the size of the land and the duration of the contract. Farmers and pastoralists can rent out their land rights to investors or other farmers as long as they are not displaced. According to the regional rural land administration and use proclamation, small holders can rent out their land if they can maintain the minimum landholding size requirement of 0.25 hectares after renting; otherwise, the deal is considered unlawful. Such a prohibition is also meant to prevent land fragmentation. However, if these minimum requirements are fulfilled, the proclamations encourage land consolidation through transactions. Moreover, the regional proclamation allows farmers to rent out only up to a maximum of 50% of their holdings. It also states how long a contract will last, which is contingent upon how the land is to be used afterwards. The maximum rental period for land to be used for agricultural production using traditional farming techniques is three years; however, if the land is being rented for commercial production using modern technologies, the maximum rental period is fifteen years.

Recently, the regional administration issued a decree allowing smallholders to use their land as collateral for loans. Previously, mortgages were banned as they could result in the permanent dispossession of farmers by financial institutions. However, smallholder farmers and investors who rent land are now granted the right to mortgage land for up to 30 years to financial institutions authorized by the National Bank of Ethiopia. In the case of a mortgage, if the borrower is unable to repay debits as per the agreed contract, the lender can use the land or transfer it to a third party through renting. The lender will have such rights to the land only during the contract time agreed upon with the borrowers and for similar land use practices. In this instance, if the borrower wishes to rent his own land from the lender that seized it due to payment defaults, they will be given priority. The law also permits the transfer of land by inheritance or donation. Both inheritance and donation are similar in that landholders can transfer their land use rights to others who engage in agriculture or aspire to work in agriculture. However, inheritance is exclusively possible for family members, whereas donation is open to anybody to whom the holder wishes to transfer their land use rights.

Rural land certifications and land transfer deals

Apart from the aforementioned legal provisions, the formalization and promotion of rural land transactions have also been facilitated by the latest advancements in the certification and registration of rural land. These transactions are now common and less controversial, partly due to "donor-supported efforts to register customary rights, promote rural land markets, and render community land available for transactions" (Wolford et al., 2024, p.11)). In Ethiopia, local smallholders can rent out their land if they have a land certificate that shows that they are genuine owners of the land.

The Ethiopian government and its development partners have been investing significantly in rural land certification in order to support the process of rural land market transactions. During the past ten years, Ethiopia has carried out the most extensive land certification program in Africa, which is seen as a significant accomplishment by the government and its partners. For instance, the government has received a total fund of £72.7 million from the DFID supported Land Investments for Transformation (LIFT) program to assist with second-level certification of land in rural areas (Holden and Neumann, 2021). With the support of this program, from 2014 to 2021, over 5 million rural households in Oromia, Amhara, Tigray, and SNNP regions were given land certificates that show location maps of land parcels and other ownership details. A copy of such a transaction is recorded in the digital cadaster of the woreda land administration office, where land transactions are verified and formalized. A land administration expert in Lumee woreda describes the impact of these land certificates as follows:

> *Since second-level certification was introduced, there has been a notable rise in the number of formal land transactions that are registered in the woreda. Because these documents contain all the necessary information for a transaction, they contribute to the building of trust among the parties involved.*

Below is a discussion of empirical cases of 'pin prick' land transactions that have significant effects on land consolidation and the process of capitalist accumulation at the expense of the locals, which have been overlooked in critical agrarian studies of land grabbing, at least in Ethiopia.

3.2. Government – investor land deals

In Ethiopia, numerous studies on land grabbing have been undertaken over the past decade, particularly since the start of the global land rush in 2008. The land grab research has focused on the scale, trends, and associated socio-economic and environmental implications of the land deals in comparison to their anticipated development impacts on the country by the government and international development agencies. The land rush in Ethiopia has also drawn the attention of both international and domestic media during these times. However, it has been gradually decreasing since 2014 and is currently receiving less research and media attention, and if they do, it is mainly concerning the land transfer deals that occurred during the land rush before a decade. This relative decline in research and media interest is due to a misleading perception that land grabbing in Ethiopia is no longer occurring. Such an inaccurate impression is created due to the failure of many of these large investment projects to operate and produce as per their initial plans and the subsequent cancellation of their contracts by the government. These land deals are, however, unsuccessful just within the framework of the investor's stated commitment to establish agribusiness operations while they have effectively displaced local smallholders (Borras et al. 2022), which is one area of interest in our agrarian political economy of the land deals.

A critical examination of what occurred to those "failed land deals" in Ethiopia reveals that they have resulted in the rapid proliferation of new forms of land deals, while local people remain displaced and do not regain their lost land. This has partly contributed to the insurgence of a ‘land boom’ after the land rush, where ‘pin prick’ land transactions have been widely conducted, involving primarily domestic investors and emerging agrarian capitalists mainly through three channels. First, after terminating the contractual agreements of the "failed land deals," the government started transferring the lands to various investors for new investment ventures. Typically, small and medium-scale domestic investors have received plots of land from these large-scale investment areas. The deputy head of Oromia Investment Bureau explained the post-land rush re-insurgency of land deals as follows:

> *Following the change in administration in 2018, the region conducted a thorough assessment of the performance of all investment projects, identifying both operational and non-operational ones. Many of the projects have been found to have failed; hence, their contracts were cancelled, and the land has been transferred to other investors. Subsequently, many investors have acquired investment land in the last five years, and they are currently in either implementation or pre-implementation stages.*

Second, as these lands have been designated as collateral in the loan agreements, most of the lands of those unsuccessful projects are currently in the hands of lending institutions, mainly the Development Bank of Ethiopia, which was the major loan provider for these investors. As per the legal provision discussed above, the bank has been renting out these lands to other investors until the end of the lease period by the previous investor who took the land from the government. The third form of ‘pin prick’ land transaction emerging from these failed land deals is one in which the previous investors rent out the entire land or a portion of it to other investors or aspiring agrarian capitalists. Most of these investors encountered financial bankruptcy or operational challenges, resulting in their failure. However, they still maintain their leasing contract and fulfill their tax obligations to the government.

While domestic investors have actively been involved in obtaining land from the government during the land rush and after, they have received little media attention and research interest compared to corporate-level foreign investors. However, these emerging agrarian capitalists coming out of either smallholder farmers or rural elites also have a crucial role in the contemporary land rush, which appears to have a different path of accumulation and agrarian transition (Oya, 2013). In Ethiopia, they are highly involved in everyday land accumulation through the ‘pin prick’ land transactions, which can be categorized into three types. The first one includes those land lease contracts by domestic investors directly from the government, but the land size remains small compared to the big corporate ones. However, they are very numerous in number, and the aggregate land size is comparable with those transferred to the corporate ones. The second and third categories are types of land market transactions at the local level. These are farmer-investor formal rental transactions as well as various forms of informal land transactions that include disguised sales and unofficial rental transactions.

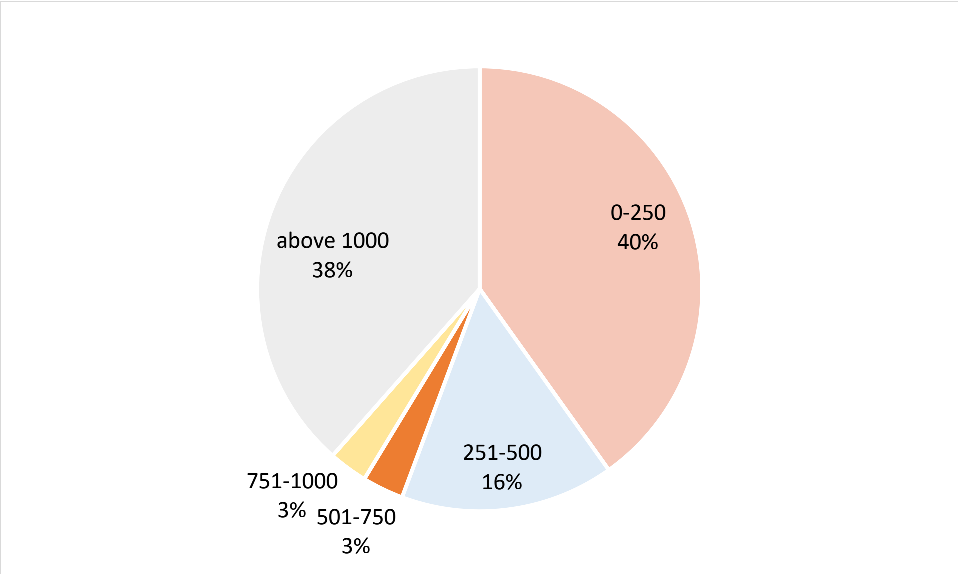
In Oromia, these forms of land transfers allow for more capital-intensive agriculture through small and medium-scale investments, resulting in significant changes to land use and land cover. The region is a popular spot for various forms of investment by both foreign and domestic investors due to its ideal climate and availability of important resources such as land. The region is also known for its vast fertile areas and other natural resources such as coffee, minerals, livestock, and both underground and surface water resources (Tura, 2018). It is also the home of major rivers such as Awash, Wabi-Shebelie, Genale, Dedessa, and Guder (ORS, 2015). An investment monitoring and evaluation expert at the Ethiopian Investment Commission explains that "the majority of small-scale investments by domestic investors, farmer investors, and other urban businessmen are concentrated in the region due to its location advantage, being near and surrounding the country's capital city, as well as the availability of resources and a favorable environment for flower farming and other cash crops such as vegetables and fruits.".

land size in Hectare	**Number of investors**	**Total land size in hectare**
0-250	1,746	71,655.6
251-500	76	27,718.4
501-750	9	5,366.1
751-1000	6	5,039.2
above 1000	15	68,712.1
Total	**1,852**	**178,491.4**

Table 1. Total number of investors in Oromia by land size, Data extracted from the database of Oromia Investment Bureau, January 2022

In the past, regional governments would rent out farmland that they controlled, while the federal government's responsibility was limited to encouraging the growth of these large-scale agricultural ventures by leasing off the state farms that were established during the Derg regime. However, the government passed a decree in 2008 requiring the federal government to handle land lease procedures involving 1000 hectares and above in response to perceived regional administrative failures and fraud in handling the land transfer deals. Data obtained from the Oromia Regional Investment Bureau in January 2022 shows that out of 1,852 investors who took investment land, 1,746 were those whose contracts involved land sizes less than 250 hectares, whereas only 15 investors leased land above 1000 hectares from the government.

Despite the small size of individual transactions, the total land area transferred to investors leasing less than 1000 hectares is slightly greater than the total land area transferred to large-scale levels exceeding 1000 hectares. From the total of 178,491 hectares of land transferred to all investors, the total land size transferred to those investors who took individual land sizes of less than 250 hectares was 71,655 hectares (40.1%), which was slightly higher than the total land size transferred to those investors leasing above 1000 hectares which was 68,712 hectares (38.5%). According to a data expert in the bureau, this data refers to those investment projects that were operational in 2020 when the bureau conducted a region-wide assessment on the status of agricultural investment projects in rural areas. Therefore, it should also be noted that the data does not include the land size of those projects whose contracts were cancelled and the respective number of these investors.



Graph 1. Percentage of total land size transferred to investors leasing different categories of land size

3.2. Rural land rental transactions

The preceding section provides an analysis of data obtained from the regional rural land administration bureau, which pertains to land transfer deals conducted between the government and investors. These are government-leased lands; they do not include the large number of land market transactions that take place at the village or woreda level, both officially and informally. This section explores the institutional arrangements (state and non-state), contractual procedures, participating actors, and farmers' experiences in these micro-level land transfer deals. Most of these investors are businessmen from nearby urban centers such as Addis Ababa and Adama. They daily commute to these investment areas to run their routine activities on their farms. Nevertheless, some of them also employ well-experienced farm managers and guards who will oversee the overall arm activities.

These small-scale land deals, whether formal or informal, are prevalent in areas with high-value land like irrigable, cash-crop, or peri-urban areas with well-developed rural infrastructures and markets. In these transactions, different actors at different stages with different roles are involved. A single transaction may involve the smallholder farmer, middlemen or brokers, investors, and government officials at the local level. Land brokers, who also engage in land speculation, play a crucial role in providing information regarding land availability for transactions. Brokers utilize their social networks to obtain this information and are approached by both sellers and buyers. A farmer who rented his land to an investor for onion production mentioned that "land brokers also work closely with local government officials whom they share with commission from both parties for facilitating, formalizing, and finalizing the deals." These government officials believe that such small-scale transactions are also an important source of revenue for the government, as they collect taxes and fees for their services in processing and formalizing the deals. There is a Kellebe-level land administration committee and a Woreda-level land administration office that are involved in these processes. The chair of rural land administration in Lumme woreda mentioned that "besides the legalization of these land transactions, the government gets revenue in the form of land market tax and service fees." While the non-agricultural sector in rural areas is still underdeveloped, it is absurd to hear officials promote land transfer deals as an opportunity for locals to diversify their means of subsistence. An interviewee in the woreda land administration described this as follows:

> *Since the small plots owned by the farmers are not efficient in terms of output, transferring them to capable investors through a legal transaction helps combine lands for better yield. This will also encourage local farmers to make the transition out of agriculture and engage in other sectors where they can obtain a better income.*

In addition to the government-investor land transfer deals, the regional government has officially declared that farmers can rent their land directly to an investor. According to the head of the investment bureau, a decree that authorizes such transactions at the local level has been developed and distributed to woredas for implementation. As per this decree, a farmer can rent his land for a maximum of 15 years—three five-year terms that must be renewed at the start of each term. The participants in the focus group discussion indicate that there has been a steady rise in these types of transactions due to the increased commercialization of cash crop production over the last decade, which has been carried out primarily by businessmen coming from neighboring cities. In some cases, local smallholder farmers prefer to rent their land to those investors because they are unable to engage in the investment boom that has recently begun in their community, which requires extensive labor and various technological inputs. This investment boom has attracted many investors, merchants, and some civil servants from urban areas who can rent and consolidate large plots of land for profitable commercial production of cash crops such as onion, tomato, watermelon, and other vegetables. The price of renting land depends substantially on the size, quality, and location of the land. Land with access to groundwater for irrigation or located near rivers has a higher price.

This investment boom in these communities has also compelled some smallholders to rent their land to the investors, though they initially did not want to do so. Due to the application of modern inputs like chemical fertilizers, pesticides, and competing water supplies using advanced technologies, these commercial cash crop farms have adversely impacted smallholder farmers' productivity for their staple crops. Brokers also make use of the potential consequences of the commercial farms in the surrounding area to convince smallholders to rent their land to investors. An FGD participant describes such a scenario as follows:

Everyone in my surrounding area rented out their land to an investor who farms watermelons. Alone in the midst of such a big watermelon farm, I was unable to carry on traditional farming to grow teff, maize, and sorghum for my own consumption. We were also unable to obtain as much water as we had in the past because this rich person diverted almost all the running water for his watermelon cultivation. I didn't have any other option than to rent my land to this investor.

Due to concerns regarding the potential enduring consequences of chemical farming on the fertility of the soil in the plots, farmers were compelled to extend and maintain rental agreements with investors beyond the initial contract agreements, which is often for the duration of three to five years. There exists a prevalent perception within the community that land exposed to such chemical contamination would no longer be as productive as it used to be in the past.

Farmers who rent their plots directly to flower companies—which are also common in the study woreda—claimed that brokers and kebele authorities deceived and pressured them in a number of ways. Initially, those investors promised to build basic social infrastructures, including schools, roads, clinics, water supplies, electricity, and job opportunities for young people. Farmers were therefore required to commit to leasing their land to these investors, as their initiatives were portrayed as ways of transforming the communities. Second, since the government would eventually take their land for similar investments or other public projects, farmers were convinced to rent their land directly to investors for a higher price than the meager compensation provided by the government. It is true that the government's compensation rate is insufficient to support farmers' livelihoods if the government takes away their land (FDRE, 2005b). A plot of land can be rented for a significantly higher price than the government will pay in compensation for expropriation. Because of this, farmers are forced to consider the risks involved with renting their land, even when they do not want to. Furthermore, the local farmers who own the land required for these reasons would face political pressure and criticism if they refused to rent out their land, as this would be considered an opposition to the community's development. Some focus group participants claimed that the cash they receive from renting their plots to investors or as compensation from the government is not adequate for renting farmland elsewhere due to the substantial increase in land rental prices over the years. Amidst such a 'land boom', some farmers have also joined in the trend of renting land from other farmers to cultivate lucrative crops. These individuals are aspiring agrarian capitalists actively engaged in commercial agricultural investments, seeking official recognition as investors from the government so that they can access more land and incentive packages directly from the government.

I began producing on my own plot, utilizing modern irrigation with water pumps. In our kebele, there is a large dam named Koka Dam, which makes the area ideal for producing various fruits and vegetables. I gradually built up more capital and assets, and I started renting land from other farmers to produce more. I became successful, and my Kebele administration recognized me as a model farmer. By then, the government had declared that farmers with capital of more than 17 million birr may be upgraded to the status of investors. Fortunately, my whole capital count *proved to be above 17 million Birr, and therefore my name was transferred to the woreda administration. The woreda also investigated my assets, checked my bank deposits, and referred me to the regional government, which subsequently recognized me as an investor and granted me an additional 25 hectares of land to expand my investment. Now, I have access to a variety of inputs from the government, including chemical fertilizers, seeds, water pumps, and pesticides. I will also be given more land in the future if I demonstrate major gains in output.*

A closer look into the nature of land accumulation by such agrarian capitalists reveals that land consolidated by renting from local farmers and allocation by the government is not well explored and is often overlooked by the media and contemporary land grab research, which mainly focuses on corporate-level land transfer deals. In addition to the land rented from other farmers and allocated by the government, those investors also acquire significant land through sharecropping arrangements with other farmers, which accounts for this land and capital accumulation process. Those small-scale investors, both businessmen from urban centers and farmer investors, have accumulated substantial capital, and they are involved in investment in the service and manufacturing sectors as well. For example, they are owners of big hotels, restaurants, manufacturing plants, and schools somewhere else in urban areas. A businessman who is from a nearby town describes his investment as follows:

I live in Adama town, which is near the area where I am investing in agriculture. In addition to investing here in producing fruits and vegetables, I also invest in other areas. My current cash capital is close to 100 million Birr. I have four cars, two tractors, one gas station, and two hotels in Adama town. I did not lease any land from the government. I rented all the land from local farmers in Koka Kebelle, which is a total of 125 hectares.

A group of agrarian capitalists with a well-established structure is developing in these rural areas. They have formed an investors' association to provide mutual support and influence the government to offer incentives such as land, loans, and various agricultural inputs. A member of this association stated that members help each other both financially and in kind, including borrowing money and sharing agricultural inputs and technical knowledge, as well as market information regarding their products. Several of these investors own big farming and water irrigation machines, including tractors and harvesting machines. Those who do not possess their own machines rent them from other fellow investors in the association. The investors mentioned that the government is forcing them to produce wheat though their preference is to produce fruits and vegetables, which are more lucrative for the individual investors. Currently, the Ethiopian government aims to generate foreign currency by promoting large-scale wheat production through cluster farming among farmers and investors, which can be exported to the international market.

Some investors are having difficult relationships with the community due to complaints about the adverse effects of their farming practices, such as the use of chemicals leading to a decline in soil fertility and water pollution. Others have complained about the ownership of investment land, particularly when the land was handed to the investor by the government. One of the interviewed investors mentioned that he has encountered a serious confrontation from community members who want the land redistributed to the youth in the community. He described that “the government leased me the land that was previously held by another investor who failed to use the land effectively, which led to the cancellation of his lease contract by the government. However, the community people still claim that the land is theirs and should be returned to them." These kinds of communal grievances often result in attacks against investors, with the community expressing its opposition by destroying and looting agricultural crops. In these situations, the government offers many forms of protection and assistance to the investors who are victims. The investor, who had such a dispute with the community, stated that "in order to ensure the protection of my agricultural produce against possible attacks, I have already submitted a formal request to the government for firearms to be supplied to my farm guards."

Despite being banned by the law, land sale is still practiced in the name of other transactions such as contracts, gifts, or inheritance, with the actual term "land sale" being deliberately omitted and substituted with these terms in the written or oral agreement between the parties. Such a transaction agreement will be submitted to the kebele or woreda rural land administration office for approval in the name of these legally accepted forms of transactions. According to informants at the study site, informal transactions conducted at the village level may be documented in writing or communicated orally, depending on the closeness of those concerned parties, land size, and how much cash is at stake. In the case of a significant financial transaction involving a large land area between unrelated parties who lack mutual trust, a written and signed transfer agreement in the presence of witnesses will be mandatory. In some cases, parties may create an additional fictitious loan arrangement where the land seller supposedly borrows more money from the buyer than was really obtained in the transaction. In this case, the land being transacted is pledged as collateral for the loan, providing protection for the buyer and preventing any potential butyral on the seller's side. Everyone is aware that a land transaction via sale is not legally binding. However, such written agreements remain essential since they will be relied on as evidence by community elders when resolving future disputes. A land broker who facilitates such transactions described that:

> *These informal land transactions are mostly based on trust, with minimal disputes arising post-transaction agreement. Disputes between the parties may occur in rare circumstances when there is a sudden increase in land prices, leading the seller to break the agreement.*

Peri-urban areas—primarily those around rapidly expanding cities like Addis Ababa and Adama—also frequently undergo concealed land sales. These are agricultural areas that could be incorporated into the boundary plans of these fast-growing cities due to population growth and urbanization. Smallholder farmers in these peri-urban areas would rather sell their lands than have them expropriated by the government because the compensation payment is very low compared to the actual price of land if they sell it informally to individuals who want to construct houses for dwellings or use the land for various types of manufacturing plants.

4. Conclusion

This paper tried to contribute towards a wider perspective on the global land rush and its ramifications through a critical examination of empirical cases of land deals outside the spotlight in Oromia region of Ethiopia. By bringing small-scale land transaction deals to the forefront of the debate, the paper tried to challenge the dominant tradition of focusing solely on large-scale land transfers in critical agrarian studies of land grabbing in the south. Small-scale land transfer transactions have expanded dramatically during and after the land rush, though they were also common prior to the land rush. Land grabbing in Ethiopia continued, with land being transferred to primarily local investors through a variety of transactions involving the government or among individuals at the community level. Thus, what we are currently witnessing in Ethiopia is a 'land boom', in which small and medium-scale domestic investors are actively involved in these types of transactions to acquire land for various types of commercial production.

'Pin prick' land transactions, in contrast to corporate-level land deals, operate in a distinct socio-political context and involve a different process of accumulation. Various actors, including investors, local government officials, smallholder farmers, land brokers and speculators, community elders, and witnesses, are involved in these transactions. While each of these individual transactions may involve small parcels of land, the cumulative land area transferred through these processes is comparable, if not larger than, the land area transferred through corporate-level land acquisitions. A critical examination of these land transactions reveals that they resulted in land consolidation and capitalist accumulation, which led to the displacement of smallholders and considerable agrarian transformation involving massive land use change.

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