

Farmland Abandonment to a Comprehensive Efficient Results: New Opportunities to Inform the Land Policy and Laws of Ethiopia

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Abstract: - The abandonment of farmland is a crucial factor that could result in economic transformations. It allows land transfers, and labor mobility and helps to depict the connections between rural and rural areas. Addressing farmland abandonment requires considering the interests of all parties involved in the land rights system. Nevertheless, Ethiopia's land policy and legal framework regard the abandonment of farmland as an administrative issue rather than a normative means for achieving economic goals. The research aims to establish normative mechanisms that can effectively facilitate a smooth transition from rural to urban settings, encompassing the interests of all stakeholders involved in the land rights network. The study has used the black-letter law method to analyze the legal rules of constitutional, federal, and regional laws concerning farmland abandonment. It also employed an integrated paradigm that mainstreams an economic approach to law analysis. The economic analysis of law utilizes a normative citizen-centered mechanism design theory constructively, enabling the prediction of outcomes and the formulation of policy recommendations. The study has found that the current policies and laws of Ethiopia related to land prioritize redistributive farmland abandonment over comprehensive efficient results, ignoring the entire land economic system as an institution. It suggests that it is critical to set mechanisms to identify the public good and bad of farmland abandonment, reducing farmland abandonments, individualized land withdrawal path, and encouraging responsive land abandonment. These measures can facilitate land transfer and promote labor mobility. The proposed mechanisms could address improper farmland abandonment, resulting in land redistribution without safeguarding the interests of farmers who lost their land.

Keywords: Farmland abandonment, Comprehensive efficient results, Distributive farmland abandonment

1. Introduction

In the present day, farmers are increasingly leaving their land and migrating to cities because of rising wages in urban areas, the growing gap between rural and urban infrastructure, and unequal wealth distribution between urban and rural regions [1, 2, 3, 4]. According to a World Bank report, there is a noticeable migratory flux in developing countries from rural to urban areas in search of improved living and work opportunities [5].

Classical theorists of economic development recognize the income inequality contrast between rural and urban economies [6, 7]. However, they do not approach the problem in an integrated manner and are skewed towards cities in analyzing the effect of individuals' income inequality on the economic growth of a country. Increasing the weight of the urban population means an increasing share for the more unequal of the two-component distribution [8]. That means urbanized farmers have the opportunity to enjoy the economic advantages of the country. The early economic development failures of the U.S. and EU can be attributed to the inability to ensure equitable development between rural and urban areas [9]. These countries' economic development is primarily focused on industrialization and urbanization, with a significant migration of citizens from rural to urban areas. Ethiopia and other developing nations follow the same route for economic development. But EU policymakers

are now focusing on rural revitalization policies, aiming to create resilient, connected, and prosperous rural areas by 2040 [10].

The main focus of the theoretical discourse on the rural-urban relationship is centered on urban land rights, particularly the benefits that rural areas receive from urban cities. It means that urban-rural linkages have long been seen as a solution to land allocation problems between urban and rural regional systems, considering urban areas as a source of capital, knowledge, skill, and information [11]. Research on rural-urban relationships from a reversed perspective highlights the benefits rural farmlands offer to urban areas, including sustenance and environmental protection. On this side, at the second habitat conference, many countries committed themselves to promoting optimal use of productive land in urban and rural areas and protecting fragile ecosystems and environmentally vulnerable areas from the negative impacts of human settlements, inter alia, through developing and supporting the implementation of improved land management practices [12]. Besides, legislative policy design in rural-urban relationships primarily focuses on administrative cooperation for local land governance, rather than normative economic ends [13, 14].

In the Ethiopian context, article 9 of the Rural Land Administration and Use Proclamation states that farmland abandonment need to be undertaken with two positive economic consequences in mind: redistributing land among landless citizens to transfer land from inefficient to efficient land users, and rural revitalization. The abandonment also leads to the migration of labor force from rural agriculture to urban industrial or service sectors, contributing to urbanization [15, 16]. The process will therefore determine rural revitalization, and promoting urbanization, are of utmost importance. However, there are no normative processes that allow for the efficient allocation and use of land rights from both perspectives.

Moreover, farmland abandonment has its own impact on labor allocation decisions since it results in labor and economic mobility following the act of abandoning land and land use rights. On this face, labor theories show that an unlimited supply of labor may be said in those countries where the population is so large relative to capital and natural resources that this affects labor productivity and economic growth [17]. Lewis a researcher studied the impact of income disparity on economic growth demonstrates that rural-urban inequality is a driving force for labor shift from agriculture to modern economic sectors. This would cause a decrease in productivity in rural areas and inflated labor in cities. Practical examples show that unless farming activities are supported by technologies the workfare mobility to urban areas affects efficiency in China [18].

The Ethiopian government's adherence to the Lewis economic transformation model regarding labor supply is predicated on the idea that industrialization was driven by agriculture [19] (ADIL strategy 1991). Article 9 of Rural Land Administration and Use Proc. 456/2005 prohibits letting land be abandoned for more than a few years, subject to regional regulation. This sounds to the economic reality of Ethiopia where the economy is based on agriculture. It transfers land from inefficient to efficient land users by providing access to land for those who are landless and interested in farming. By doing this, the constitutional goal of granting citizens access to rural areas would be realized [20, 21]. Additionally, it reduces the amount of vacant rural land and prevents underuse of the limited amount of arable land. This statement holds true when considering the legal arrangement from the standpoint of individuals without land nearby or anyone interested in agriculture. However, pieces of evidence show that youngsters in Ethiopia's rural south cannot access rural land because of the country's land policy that restricts land markets, which results in land scarcity, a rise in labor inflation, landlessness, and emigration to urban areas [22, 23] Teklemariam 2021 and Teklu's 2005 research demonstrates the presence of a substantial land demand and surplus labor in rural areas.

On the other hand, there is significant movement from rural to urban areas. For example, over the past two decades, the transition from rural to urban sectors has been challenging and unpractical due to high urban unemployment and limited surplus labor [24, 25, 26]. But Limited land access persists, leading many rural residents to choose urban jobs over farming as their primary income source [27, 28, 29, 30, 31].

The worldwide discourse and Ethiopia's policies on farmland abandonment primarily address the supply side. This involves government's acquiring abandoned land from holdings and allocating it to individuals in need of land, thus granting landless individuals' access to land for different uses. The law does not explicitly depict the

connection between land abandonment and labor mobility across rural-urban land systems, potentially preventing the intended outcome. Farmland abandonment for farmers who lost their land is being made arbitrarily without laws and intermediary regulations, causing a smooth transition for the affected farmers. The lack of compensation in the event of land abandonment serves as a deterrent for farmers to engage in land

development. Additionally, it has detrimental spillover effects on urban areas due to uncontrolled migration of individuals without social and economic security, which leads to the growth of informal settlements, hinders the development of infrastructure, and ultimately jeopardizes the viability of cities. The policy and legal response are focusing on the supply side could hinder the smooth and efficient rural-urban flow.

The key point in resource allocation is to make landless individuals accessible to land, aiming for comprehensive and efficient outcomes. To this end, the interaction between laws facilitating subtle withdrawals and the regulatory framework controlling land abandonments not yet covered and untouched.

The study aims to analysis what the Ethiopian farmland policy and laws and its effect on land transfer, labor and economic mobility. Furthermore, it aims to propose mechanisms based on economic analysis of law to attain the desired results. This study has answered the following questions considering its goal: (1) how do the current land policies and legal arrangements address the issue of farmland abandonment and its impact on farmers who have lost their land, as well as the connections between rural and urban areas centering labor and economic mobility? (2) What kind of institutional framework within the legal system can assure land withdrawals in order to achieve comprehensive and effective outcomes?

The paper is organized as follows: The conceptual framework is established in section 2. Approaches and methods used to conduct this research are presented in section 3. In section 3, the initial conceptual aspects of farmland abandonment are examined. The legal context in the land withdrawal policy is elaborated in section 4. The legal mechanisms governing land withdrawal policy are covered in section 5. The last section made concluding remarks.

3. Methods

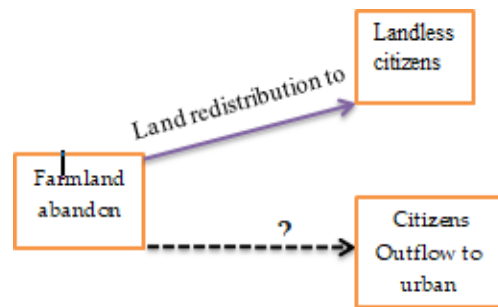
The study employed the black-letter law method to analyze the legal rules of constitutional, federal, and regional laws concerning farmland abandonment [32]. This method gives objective knowledge about law, but it is limited by literal interpretations and lacks methodological organization [33]. It is sought to support the problems with the legalism of conventional thinking with the pragmatism of multidisciplinary and social scientific insights [34]. Thus, the study employed an integrated paradigm that mainstreams the theoretical economic approach to law [35]. Law provides institutional facts, market platforms, and collective goods, allowing people and governments to assess their legal choices from an economic standpoint [36]. The law could also lead to negative externalities. This implies that rational decisions and efficient outcomes are achieved when legal and economic decisions intersect. Institutional decisions to make citizens accessible to land and efficient allocations are rational decisions of people and the government. Accordingly, the normative mechanism design theory was utilized to establish policy recommendations and determine the appropriate law. A mechanism design theory is performed in a positive analysis of law, predicting its consequences and providing a normative framework for policy recommendations.

The normative mechanism design theory is relevant in guiding the idea of law as relationships of force or organization of force. It offers legislators and policymakers a means of comprehending the most effective institutions and regulations, mitigating the possibility of flaws in land policy-making [37, 38]. In this face, legislators and policymakers, acting as design engineers and alternating between problems and solutions, are supposed to receive a transformative mindset through the application of the theory, which will draw sets of rules and techniques from theories and participants' interactions [39, 40]. This would facilitate the development of a land withdrawal law, ensuring desired outcomes and determining feasibility and institution appearance.

4. Initial Conceptual Considerations

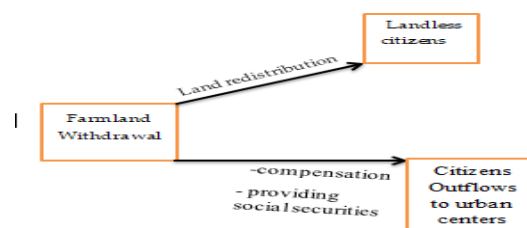
The research explores farmland withdrawal as a key factor in allocative efficiency and its impact on rural-urban linkages, considering both positive and negative externalities. The explanatory conceptual framework of this research is summarized in figures 1 and 2:

1



(a) Figure 1. An explanatory conceptual framework showing the current land abandonment policy

2



(b) Figure 2. An explanatory conceptual framework showing the land withdrawal model we would like to have.

Figure 1 illustrates the farmland law framework's regulatory capacity, impacting land transfer from inefficient users to efficient ones, promoting efficient land and land rights allocation. Nonetheless, the approach fails to account for the interests of rural people who relocate to cities and urban residents. The principle of achieving efficient outcomes without causing significant harm to others, or 'exclusion' based on consent, which is a fundamental element of property rights, presents a contradiction in this context [41, 42]. To this aim, the law makes no provision for regulating the unplanned movement of people from rural to urban regions, which is regarded as a negative externality. Additionally, the law is not articulated in a way that highlights institutional aspects of farmland withdrawal intended to improve labor, economic, and land transfers that can provide efficient results.

Farmland withdrawal in the current legal framework is being influenced by a principle of land abandonment. This does not protect the interests of people outflow to urban areas and downlinks rural and urban land systems that can happen because of land withdrawals. The dashed arrow with the question mark in figure 1 shows this. The current law does not cover the interests of citizens who migrate to urban areas, the backdrops in resource sharing and employment opportunities in cities, or how unrestricted labor mobility could be managed to prevent rural-urban and economic inequality that lowers rural productivity. This could potentially exacerbate the disparity between rural and urban areas. Even the very concept of land abandonment is conceptually not reflective to these issues.

4. Legal context

Farmers in Ethiopia who have lost their farmlands due to land abandonments have fewer legal safeguards and there is a loose integration of rural-urban regional systems. The polarization of laws governing rural and urban lands, along with the absence of intermediate framework of guiding policies, principles, and institutions, is the primary reason.

From 1889 to 1949, land laws distributed land rights across north-south economic geography without distinguishing between rural and urban areas [43]. The rural-urban band came into picture after 1907 government decisions of unrestricted land transaction in Addis Ababa in effect privatized land [44]. From 1941 to 1974, under the imperial regime, the civil code of the 1960 include provisions that were applied differently to urban and rural lands.

While, the Derge regime enacts two separate land laws: serving for rural areas known as a proclamation Regulating Public Ownership of Rural Lands, Proc. No. 31/1975, and its counterpart, a proclamation to provide for State Ownership of Urban Lands and Additional Houses, Proc. No. 47/1975, were both promulgated in 1975. There is a lack of integration between urban and rural land management systems. The divide is widening because urban dwellers are not permitted to engage in farming operations, and cities are cut off from the countryside due to a lack of legislation that allows them to do so. Currently, the acquisition of rural land and urban land differs [45, 46]. Rural-urban bands are governed by non-cooperative policies, and urban land is managed under proc. 721/2011 and rural lands on Proc. No.456/2005 of rural land administration and use proclamation. Ethiopian law prohibits land sale in both rural and urban areas, resulting in no integrated land market [47]. These policies and laws tended to stagnate and have an effect on land withdrawals.

To the reverse, formulating appropriate land withdrawal policy can facilitate efficient and equitable distribution of land and land rights. It can also promote economic development integration between rural and urban cities. Article 9 of the rural land administration and use proclamation designed to administer farmland withdrawals states that “farmlands whose holders are deceased and have no heirs or are gone for settlement or left the locality on own wish for a specific period of time that specified by regional laws his/her land shall be distributed to peasant farmers, semi-pastoralists and pastoralist who have no land and who have land shortage.” For example, the Amhara National Regional State Rural Land Government Regulation No. 51/2007, the Oromia Regional State Rural Land Administration and Use Regulation No.151/2012 article 5(3) if any person failed to cultivate his holdings for 2 years the land shall be given to the landless registered in the kebele.

5. Policy and legal responses to drive new economic opportunities

5.1. Individualized land withdrawal path

The act of leaving rural areas and moving to urban areas leads to the formation of a new political and economic entity, which has implications that may not be physically observable but are still visible. It has consequences for how labor is divided between the rural population engaged in agriculture and the urban population involved in industrialization and services. People from rural areas are moving to cities in search of better job opportunities, but they often find that their expectations are not met. Furthermore, their design does not consider the flow of people to urban areas, without placing additional burden on cities. Land privatization enables individuals to have personalized paths for withdrawing their land, as they can choose when and how to transfer their farmland and relocate to urban areas. This not only reduces their challenges in cities but also generates capital for urban development. However, there is a possibility of arousing suspicions and facing aggression in rural areas near urban regions. In this case the government is supposed to create regulations to address this issue. Moreover, the individualized withdrawal path does not align with the existing legal and non-transferable nature of the land and the reform's impact will be inadequate unless the government is open to revising its policies and laws.

5.2. Relaxing land withdrawals system

If the government rejects the individualized withdrawal plan, it would be prudent to consider alternative reduced land transfer options, for example it has to do with farmland inheritance. But, the land use rights are not transferable to direct decedents under article 8(5) of the rural land administration and use proclamation. This deters owners of rural land from developing their land uses. The government's skepticism about urban residents inheriting rural land is valid as it would make the land unproductive and challenging to manage. Questions are also raised concerns about the potential consequences if the deceased's minor children choose to live in nearby cities instead of rural areas. An effective regulatory mechanism can address these issues. For example, the issue

can also be addressed by allowing landholders with urbanized descendants to freely withdraw their land in exchange for compensation. In this case, withdrawal of rural land through the rental system must be supported by the law.

5.3. Adopting land rental system for farmland withdraws

Farmers who abandoned their lands would find it easier to become urbanized with the help of the rental system. Nonetheless, it raises the question of how urban farmers manage their land effectively and limit the expansion of their holdings. Empirical evidence from China demonstrates land rental is a useful tool for encouraging the transfer of land from areas with lower agricultural labor productivity to those with higher productivity, which in turn helps to improve resource allocation within the village [48]. However, urbanized farmers who rent or remotely manage their holdings are not as productive as those who reside in the local community where their farms are situated [49]. Renting their land is undoubtedly preferable to land withdrawals, but there is also a process called outflow that moves their shares into cities and reduces negative externalities. Consequently, it makes sense to come up with an alternative plan for the emigration population to move their portion to cities and lessen negative impacts.

5.4. Growing off-farm employment opportunities

Encouraging farmers to keep their farmlands is the first and most important priority. However, it is true that due to the discrepancy in wealth distribution between rural and urban areas, many young people are relocating to cities in pursuit of economic alternatives other than farms. This may potentially provide capital for rural communities if the law is designed to facilitate off-farm employment opportunities. Of course, off-farm employment plays a significant role in driving land transfers, which helps to allocate labor between rural and urban areas and enables land transfers. But it may also result in the loss of young people involved in rural enterprises. For example, it causes a labor force shortage in China's rural areas [50]. This affects the rural development of China as a result, legislation regulating the labor force's allocation under the expansion of non-farm employment is required. In addition, in China to address this problem supporting the rural areas with technologies are remedies to solve their problem. Providing technology to rural areas is another way to address this issue. The issue can also be addressed by providing technology to rural areas. Furthermore, connecting rural and urban areas via transportation allows farmers to get access to off-farm work opportunities while remaining on their land.

5.5. Allowing farmland mortgage

It is important to encourage rural landholders to use farmland use rights as collateral for loans, which helps to ease multi-level financing needs in rural areas. For example, a study shows that farmland management rights mortgage loans (FMRML) promoted the agricultural -food industrial agglomeration (AIA) in a pilot policy test in China [50]. This also addresses capital problems in rural cities and develops their land for further investment activities. Agricultural loans also increase rural revitalization in the U.S. [51].

5.6. Identifying Public goods and bad resulting from farmland abandonment

The abandonment of farmland results in specific externalities that impact the supply of land. The withdrawals should be seen as public resources on the supply side, offering unused land to landless individuals who want to engage in agriculture. The law mandates farmers to relinquish their land use rights, allowing government agencies to redistribute them to landless farmers in the locality. This is a positive externality accrued from withdrawing farmlands.

A farmland abandonment regulation is a negative externality that leads to the separation of people and land. The impact of this has two distinct effects on the participants within the land rights network. The first is on farmers who have abandoned their holdings for a variety of reasons. The lack of available laws prevents a smooth land withdrawal transition and safeguards individuals who abandon their land and move to a different economic environment. The law is supposed to be articulated in a protectionist approach, promoting individual citizens' efficiency and considering efficiency in terms of total result and comprehensiveness.

The second impact occurs in urban centers, when outflowing farmers compete for jobs, infrastructure, and social opportunities, affecting urban livability and economic efficiency. In this case, the entire land system is intended to be viewed as a continuous economic unit. To achieve this goal, policies and legislation are expected to also be developed smooth and legitimize the transition, such as those that provide farmers who have lost their plots with reasonable compensation and social security benefits such as health insurance, pensions, and other packages that promote societal well-being.

5.7. Designing land withdrawal policies and laws

Although there are administrative laws in place for abandoning land use rights, there is a lack of policies and laws that serve as prerequisites for seamless land withdrawals. As an illustration, the 2018 land contractual law in China introduces a mechanism for individuals to withdraw from their contracted land, promoting rural revitalization and ensuring urbanization is secure. This mechanism aims to incentivize inefficient rural landholders to give up their land rights in favor of more efficient ones. It may enable those without land to access land. Moreover, it may make integrated rural and urban development easier.

An important lesson can be taken from the Chinese case farmland withdrawal policy recommendations. The Chinese government has recommended three behavioral models that have the power to influence and inspire government and interest groups to behave differently when it comes to farmland grabbing and farmland withdrawal. The first model posits farmers wish to extend their contractual rights by bringing their land or shares to the city [52]. This includes convincing economically disadvantaged farmers to take advantage of their withdrawal rights and engage in a desired economic sector. However, this is dependent to the adoption of legal norms that resolve land transfer uncertainties, such as whether land sales are entirely and officially permitted. The second model deals with complications of land administration rights by collectives, and urban farmers cannot exercise their operation rights effectively if they are present in person [53]. The aim here is to develop an infrastructure that facilitates the urban-rural land rights continuum. The third model underscores the importance of giving choices to farmers as they are landowners and the government must support them through offset or withdrawal payments and allow for voluntary commitments. But giving pensions and social securities to abandoned farmers leads to inefficient land allocation and burdens the entire country's economic system. Urbanized farmers' pensions may lead to inefficient land abandonment and a decrease in the flow of skilled labor from rural to urban areas. Therefore, designing legal policies for farmland abandonment is crucial for creating resilient economic geography, easing rural-urban capital, labor, and resource flow while regulating it.

6. Conclusions

The focus of this study is to analyze the effects of existing Ethiopia's land policy and law on farmland abandonment, the repercussions for farmers who have been dispossessed, and the interplay between rural and urban areas, particularly in terms of labor and economic mobility. Additionally, it aims to investigate the legal institutions that can secure land withdrawals with comprehensive efficient results. The current land rights system dictates administrative actions regarding land withdrawals, transferring land withdrawals into redistributive land use rights. Nevertheless, the functions of land withdrawal in land allocation point to a model that can yield comprehensive and efficient outcomes in the economic analysis of legal discourse. To promote efficiency, it is important to adopt a holistic approach that takes into account the needs of both landless individuals and farmers who have lost their land. Comprehensive allocation efficiency considers the criteria of land redistribution, including redistributive justice, as one aspect of allocative efficiency.

Some initial conclusions concerning the study questions can be made: - in Ethiopia, the government's legal decisions regarding farmland withdrawals are impacting the interests of farmers who lost their holdings and rural-urban relationships. Land withdrawal policies and laws should not view farmland withdrawal as a negative externality; if handled well, it presents economic opportunities for farmers who lost their lands and urban areas. To sum up, the next phase of this research will involve testing a pilot project to see how this legal mechanism supports the economic interests of farmers who withdraw their holdings.

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the gaps of laws and proposing mechanisms; M.D.A has supervised the study, and M.B.M. has co-supervised the study. All authors have read and agreed to the published version of the manuscript.

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