

Analysis of Early Experiments with Land Redistribution in South Africa: Case of Vhembe District Municipality of Limpopo Province

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Abstract: The aim of the paper is to examine the perceptions of communities in the Vhembe District on their experiences on redistribution models. The District experienced the transition from households-based and poverty-oriented Settlement Land Acquisition Grant (SLAG) model to the commercial-oriented Land Redistribution for Agricultural Development (LRAD) to the current Proactive Land Acquisition Strategy (PLAS). All three models were based on the 'willing seller- willing buyer' principle, which is widely seen as one of the major reasons for the slow pace of land reform. Its objectives are to assess the effect of the 'willing seller, willing buyer' principle on the pace of land redistribution in the area; to analyse the rationale for the shifts in policy over type of redistribution model and their implications on ownership and control of and to examine the implementation and subsequent effects of the redistribution approaches on the livelihoods of the farming communities. The research design was qualitative and specifically case studies of each model. Key findings included limited impact of land redistribution on livelihoods of the farmers, inadequate technical, financial and other material support and dissatisfaction of farmers under the PLAS model on lack of title deeds as government opted for a leasing the land instead. The paper recommends more comprehensive research on the pertinent issues of individual property rights/title to land as opposed to state ownership/leasing approach that characterizes the PLAS model.

Keywords: Commercialisation, Land redistribution, Leasing, Private property rights, Sustainability

1. Introduction

Landlessness, inequality in land ownership and redistribution as well as underutilisation of land, are still a serious challenge in many African countries (Deininger, Feder, Gordillo de Anda & Munro-Faure, 2003:14; Byamugisha 2014:2). These challenges originate from injustices caused by apartheid and colonisation (Kloppers & Pienaar, 2014:677). South Africa, like many other countries, inherited a skewed land ownership between blacks and whites with approximately 87 per cent owned by whites and only 13 per cent owned by blacks (Aliber & Cousins, 2013:140; Binswanger-Mkhize, 2014:225). These injustices have long been a source of conflict (Department of Land Affairs, 1997:4) due to the nature of the history of dispossession, forced removals and a racially-skewed distribution of land resources which has left majority of the citizens with a complex and difficult legacy (DLA 1997:4; Gumede, 2014:51). Discriminatory laws and practices resulted in extreme inequalities in relation to land ownership and land use (Kloppers & Pienaar, 2014:707) and blacks were only considered for residential purposes (Mafukata, 2012:28). The Natives Land Act No 27 of 1913 laid the foundation for

apartheid territorial segregation and, for the first time, formalised limitations on black land ownership and confined them to rural areas for those who were dispossessed from the targeted land. The Act introduced ethnic differentiation based on the mistaken belief that differentiation between dissimilar races was fundamentally necessary to control these groups. Segregation only led to economic hardship for blacks. The effect of this racially-based segregation legislation was to force black people to be "permanent tenants" with very limited rights. Land dispossession created the migrant labour system which created the most havoc in African rural communities by seriously undermining the virtues of Ubuntu (Green Paper on Land Reform, 2011:2).

Land reform has been used by governments in both developed and developing countries as the main policy tool to redress excessive historical inequalities in land ownership (Bangwayo-Skeete, Bezabih & Zikhali, 2010:319). In South Africa, the first democratically elected government inherited a country characterised by extreme levels of poverty, a worsening unemployment problem and unacceptable inequalities in the levels of land and income (Klopper & Pienaar, 2014:688).

Immediately after transition to democracy, the government adopted the Constitution of the Republic of South Africa of 1996, which served as a pillar for land reform. In 1997 the White Paper on land reform was developed. The main aim of land reform was to redress the injustices of apartheid; foster national reconciliation and stability; to underpin economic growth; and to improve household welfare and alleviate poverty and that was to be achieved through three pillars which is restitution, redistribution and land tenure. In the case of the Vhembe District where the study was located, land dispossession took place around 1910 when the Whites invaded the Venda land and spread across the entire region. The apartheid government then began to settle more Whites in the vicinity of Venda in the Zoutpansberg area. This development resulted in more Vhavenda losing their traditional land to the white settlers. Inevitably, resentments against the settler occupiers continued to build up (Nemudzivhadi, 1998:85). As expected, when the democratic government embarked on land reform post 1994, and particularly in the context of land restitution, many communities responded readily to the invitation to lodge claims to lands they had lost. In the Vhembe district, many of the land reform projects were dominated by restitution projects as most of the land is under claim. This paper is based on a study that focused on two local municipalities of the Vhembe district which is Makhado and Musina.

2. Problem Statement, Aim and Objectives of the Study

Vhembe District Municipality is a Category C Municipality, established in the year 2000 in terms of Local Government Municipal Structures Act (IDP, 2017-2022:1). The district is located in the Northern part of Limpopo Province and shares borders with Zimbabwe and Botswana in the North West and Mozambique in the south east through the Kruger National Park. The District covers 21 407 square km of land with total population of 1 393 949. The vision of Vhembe district programs is designed to reduce poverty and unemployment.

As explained in the introduction, land reform in South Africa was a measure for redress of inherited inequalities in ownership of land. Early experiments consisted of the SLAG, LRAD models. More recently the PLAS model is being implemented. In the Vhembe District, these are the models that

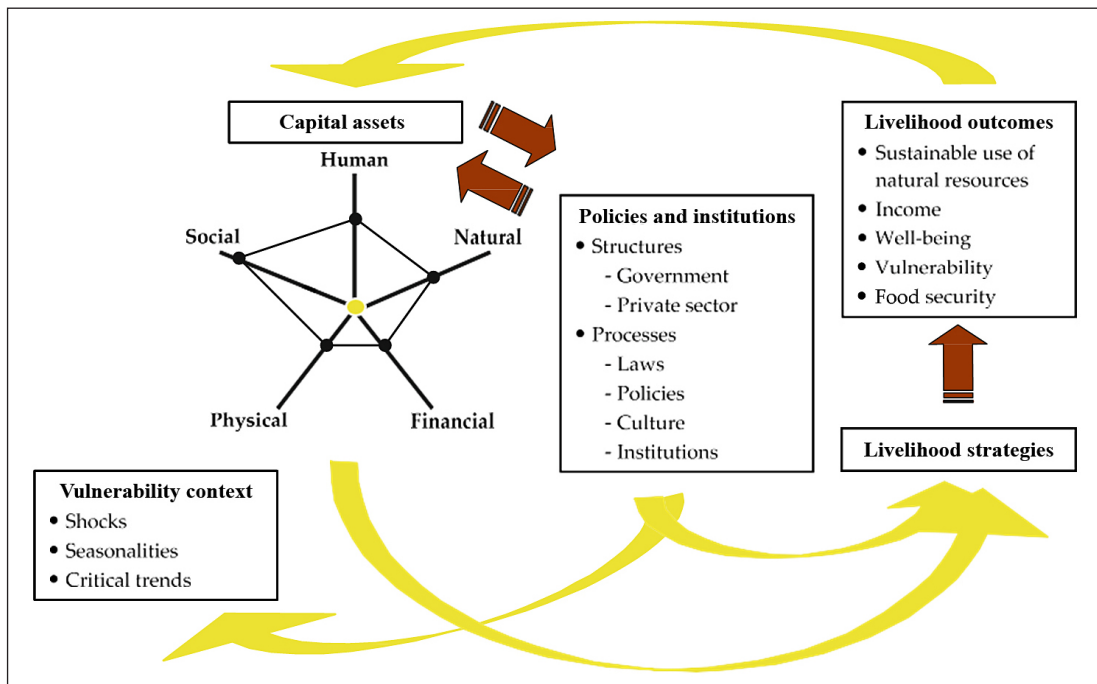
were implemented. There is however, very little documentation on the performance of these land reform experiments in terms of impact on the quality of life of beneficiaries, hence the decision to embark on research on the issue. The paper aims to examine the perceptions of communities in the Vhembe District on their experiences with these redistribution models. There are four main objectives. Firstly, to assess the effect of the 'willing seller, willing buyer' principle on the pace of land redistribution in the area. Secondly, to analyse the rationale for the shifts in policy over type of redistribution model, thirdly, to analyse the implications of these models on ownership and control of land. Finally, the paper examines the implementation and subsequent effects of the redistribution approaches on the livelihoods of the farming communities.

A few key research questions guided the study. These were: what are the effects of the "willing seller, willing buyer" principle on the pace of land reform? What was the rationale for the shift in the land reform models and how did communities perceive them? How did redistribution impact on livelihoods of the farming communities? How do communities perceive land ownership and control in the context of these shifting paradigms? While cognisant of the scientific principle that information from small case studies cannot be generalized to the nation, what questions do these case studies raise in relation to the current issue of expropriation of land without compensation?

3. Materials and Methods

A qualitative research design was chosen for the study. The goal of qualitative research is to develop an understanding of a social or human problem from multiple perspectives (Bless, Higson-Smith & Sithole, 2013:220; Creswell, 2009:175; Babbie & Mouton, 2011:53). The choice of such a design for the study was therefore informed by the purpose of the research which was a quest for a comprehensive understanding of the perceptions of land claim beneficiaries on their experiences with different land reform models that had been implemented in their area. Focus on how land reform had affected their quality of life. The case study method was selected for reasons of feasibility since the population of land owners under land restitution is quite large. The target population were the recipients of land under the SLAG, LRAD and PLAS land reform programmes in Makhado and Musina Municipalities in

Figure 1: Sustainable Livelihoods Framework



Source: Serrat (2017:22)

the Vhembe District. The sample was purposively selected from the population of the redistribution projects in the two municipalities. It consisted of 12 projects from the 3 selected programmes, namely, SLAG, LRAD and PLAS. The specific names of the communities that were interviewed are not disclosed in order to protect the anonymity of the participants. Data was collected through interviews with the respondents who were representing the households.

4. Theoretical Framework

The study adopts the Sustainable Livelihoods Framework (SLF) for analysis. A livelihood comprises people, their capabilities and their means of living, including food, income and assets. Tangible assets are resources and stores, and intangible assets are claims and access. A livelihood is environmentally sustainable when it maintains or enhances the local and global assets on which livelihoods depend, and has net beneficial effects on other livelihoods. A livelihood is socially sustainable if it can cope with and recover from stress and shocks, and provide for future generations (Chambers & Conway, 1991:5; Kollmair & St. Gamper, 2002:4; Glopp, 2008:3; Morse, McNamara & Acholo, 2009:4). Drawing on the works of Chambers and Conway (1992), Lemke, Yousefi, Eisermanne and Bellows (2012:29) explain that a livelihood comprises the capabilities, assets

(including both material and social resources) and activities required for a means of living. A livelihood is sustainable when it can cope with and recover from stresses and shocks, maintains or enhances its capabilities and assets, while not undermining the natural resource base. Figure 1 illustrates the SLF which basically shows that policies and institutions (together with capital such as human, natural, social, physical and financial capital), can be used to intervene to solve situations of vulnerability (economic, social, political or environmental). Managed appropriately, the interventions can lead to sustainable livelihoods as outcomes (in the form of well-being, incomes and food security). Sustainable livelihoods are instrumental in the creation of physical assets.

Conway & Chambers (1991:6) are among the originators of the SLF. They speak of the 'livelihoods pentagon' which depicts the dimensions of livelihoods and the interdependent relationship between five dimensions of livelihood assets, or 'capitals': human capital (education and skills), social capital (relationships and networks), natural capital (land and water), financial capital (money and loans) and physical capital (infrastructure and assets). This approach is corroborated by (Hall, 2007:3) who argues, based on South African literature on land reform, that outcomes, or indicators, of sustainable livelihoods should include the following outcome indicators such as; more income (from marketed

produce, wage employment), increased regularity of income, and more egalitarian distribution of income; increased well-being, improved access to clean drinking water and to sanitation, improved housing, ownership of household items, and access to fuel for cooking; reduced vulnerability; improved access to social infrastructure like schools and clinics and increased mobility; improved food security (from self-provisioning and increased disposable cash income) resulting in improved nutritional status and finally, more sustainable use of natural resources base. Thus, in measuring the impact of land reform types on the development of beneficiaries and their communities, the study examined the extent to which SLAG, LRAD and PLAS affected these different forms of capital, all of which directly or indirectly impact on the quality of life.

5. Literature Review

The legal basis for redistribution was given by the Provision of Certain Land for Settlement Act, amended in 1998 and now entitled the Provision of Land and Assistance Act 126 of 1993. The original Act allowed for the granting of an advance or subsidy 'to any person'. The 1998 amendment specified the categories of persons that could be assisted. The main purpose of land redistribution was to redistribute land to the poor and landless for residential and productive uses in order to improve their income and quality of life (DLA 1997:6). Land redistribution policy under SLAG, was specifically directed at the poor which were the landless or land hungry. Jacobs (2004:5) confirms this when he states that SLAG grants were targeted at low-income households. The programme used the market-based approach which is the 'willing-seller willing-buyer' principle. Households were able to access a once-off grant or payment of R16, 000.00 called the Settlement Land Acquisition Grant (SLAG) (RSA, 1997:7). Large groups were formed to pull in grants so that they can afford farms that were on the market with the assistance of the state. These groups were then given title deeds.

In 1999, a change in policy direction was initiated (Jacobs *et al.*, 2003:1) and was consolidated in 2001 when SLAG was replaced by a new program called the Land Redistribution of Agricultural Development (LRAD). The introduction of LRAD remained similar to the SLAG as the government continued to implement the willing-seller willing-buyer principle. However, the redistribution of land no longer included the redistribution of land for residential

purposes. The main purpose of the LRAD programme was to focus mainly on agricultural development as compared to SLAG. This shifted from the main objective of redistribution as the residential component was no longer considered by government. Grants were paid to individuals and not to households as was the case with SLAG and in some cases with a component of the Land Bank loan. It was argued that this would reduce the number of beneficiaries in projects, a measure that would also reduce conflicts that were hindering production in some projects (Jacobs, Lahiff & Hall, 2004:28). In LRAD, like in SLAG, the beneficiaries were given the title deed.

Currently, the Department of Rural Development and Land Reform is implementing Pro-Active Land Acquisition Strategy (PLAS). The PLAS was officially launched in 2006 (DLA, 2006:4) after LRAD was phased out. The principle of 'willing seller, willing buyer' was still the basis for PLAS (Lahiff, 2007:1591). The objectives of the programme were to contribute to growth, employment creation and equity (DLA, 2006:4). PLAS however, departed from the previous two programmes as the title now remains with the state and the beneficiaries are now leasing the land from the state. According to Aliber & Cousins (2013:141), it was evident that the land redistribution programme was overwhelmed with problems of project collapse and idle land and government concluded that the problem was an inadequate adherence to the principle of viability, rather than that land reform was wrong in principle. Land reform can be successful depending on how it is managed. For example, in Vietnam, when the government decided to give farmers titles to land and they saw it as an incentive which encouraged them to increase their production, they increased their production. (Lairakobsup & Chorkaew, 2018:16). In the study conducted by Manjengwa *et al.* (2014:987) in Zimbabwe's land reform in terms of poverty, jobs and empowerment is taking people out of poverty as part of smallholder commercial farming. This was also the case for Brazil, South Korea and Taiwan; small holder farming led to increased agricultural production which later translated to improve GDP. However, many other studies argue that land reform is a failure in Zimbabwe as agricultural production and exports have declined further from the pre-reform era.

In South Africa, land reform to date is said to have created more problems than it has resolved,

generated more disputes over land ownership, and resulted in a more skewed distribution of land (Kariuki, 2008:147). Consequently, the impact on the quality of life has been less than was expected. As in Namibia and Zimbabwe, the willing-seller/ willing-buyer approach in South Africa has frequently been blamed for the fact that the governments' redistributive programme has fallen well short of expectation (Werner & Kruger, 2007:13; Moyo, 2009:341; Falk *et al.*, 2017:315). In South Africa specifically, there is near-consensus that redistributive land reform has been unsuccessful, with a startling lack of agreement as to its problems and what remedies should be administered (Aliber & Cousins, 2013:140). Available studies attribute failure to a number of factors such as lack of consultations of beneficiaries in the implementation of land reform, inadequate technical and other support services, poor planning, lack of financial resources. Lahiff & Manenzhe (2007:26) argue that the interventions from the state when involved should consider what the beneficiaries' plans are so that they can increase productivity. This should be based on the aspirations of beneficiaries, and needs to be based on evidence from within and outside South Africa. The provision of support services that include the provision of financial resources for investments, inputs, markets, support infrastructure and advice is also critical (Lahiff & Manenzhe, 2007:25; Moagi & Oladele, 2012:100). There should be a single business plan covering all these items, whether for individual beneficiaries or for groups. Resources should be disbursed from a single fund, in tranches for investments, inputs and advice, and preferably against statements of expenditure instead of receipts (Binswanger-Mkhize, 2014:265). However financial support alone cannot guarantee success for emerging farmers (Sebola & Tsheola, 2014:117). Rather, careful planning and consistent and adequate technical and other support are necessary.

6. Results and Interpretation

6.1 Willing Seller, Willing Buyer Principle

On the effect of the 'willing seller, willing buyer' principle on the pace of land redistribution in the area, the results showed that all the land under the different redistribution models (SLAG, LRAD and PLAS) in the case study areas, was obtained through government buying land on that principle.

Responses from participants confirmed that the pace of land reform in all the models has been slow because most of the farms in the district are under claim. So the number of land redistribution projects was very limited.

6.2 Rationale of Policy Shifts

The rationale of the shift in policy from SLAG to LRAD was government's intention to promote more productive use of land, hence the focus of LRD on land redistribution for agricultural purposes only whereas SLAG had included land for residential purposes. PLAS was designed to promote individual-owned land redistribution for commercial production. It was an attempt to improve productive and commercial use of land. Basically, the government reviewed its policy outcomes at each stage of implementation so that when, for example, conflicts were observed in the SLAG model, policy was revised to the LRAD model. The field study found that SLAG beneficiaries were more worried about the number of households in the project. As explained earlier, the model allowed for households to pool their grants together for purchase of land and so, the numbers involved became unmanageable. There were also some conflicts between the project and the local traditional leadership as the surrounding community invaded their land. One of the beneficiaries indicated that:

Due to the seriousness of the invasions that are happening in our land, we have tried the court and we have paid lawyers but we came back with nothing. They are still busy invading our land. When we approached the local chief not to demarcate stands in our land he told us that Shangaans (Mutonga) don't have land.

6.3 Implementation and Subsequent Effects of Redistribution Approaches

The study intended to find out about implementation and subsequent effects of the redistribution approaches on the livelihoods of the farming communities. As explained in the theoretical framework, the Sustainable Livelihoods Framework (SLF) was adopted for analysis of findings. From the interviews that were conducted, the emerging position was that most of the projects failed to increase the incomes of the new farmers. However, there were instances where households pointed to some positive impacts on their quality of life. For example, one

household that is staying on the farm indicated that the land redistribution programme made a positive impact on them.

The poultry structure that was built on the farm changed my life for the better as I am managing to get the little income from the sale of the broilers. I cannot stay at home and wait for the market. The market will find me here.

However, most of the beneficiaries were bitter as they hardly had an income that they have made in their farming enterprises. Even though some of the households have built houses, furniture, sending their children to school the income that was made from farming activities was not sustainable like in village A when they had the contract with the market. The creation of employment in most of these farms was very minimal and one female aged 48 indicated that:

We have been supported we agree, what do we have to show for it. Do you think if I die today, my kids will be interested in this farm?

Some of the beneficiaries in this study were trained in the agricultural college around the area in marketing, leadership and other short courses offered by government. This enhanced some of their skills in production in their farms. It was evident that most of the beneficiaries in the study area were dissatisfied with the nature and amount of support from the government. Post settlement support was blamed as the course of the failure of these projects as most of them failed to create jobs for beneficiaries, generate income for household consumption. Government has to provide extensive support in terms of credit, services, electricity, irrigation and marketing of agricultural infrastructure to the new land redistribution beneficiaries.

One male respondent aged 46 indicated that he had attended so many trainings in Madzivhandila, he had even lost track of the number, and all this training was related to broiler farming.

Some participants pointed to the delays in the support after the transfer of land were a problem to the households that benefitted from this program.

When we started the previous farm owner put the farm on the market and Nkuzi (NGO) assisted us with getting the information so that we could

access the land. We had to group ourselves so that we could have land. We moved onto the farm before it was even finalised.

In PLAS farms, the beneficiaries could not really empower themselves through the land received and improve their wellbeing. In all the models, poverty is still at unacceptable levels even though the beneficiaries have land. In terms of physical capital, which is also one of the SLF impact indicators, this was lacking across the SLAG, LRAD and PLAS programmes as most of the farmers explained that the infrastructure on the farms was old and dilapidated. In areas where the beneficiaries were assisted financially by government, they were not happy with the funding as most of what they needed was not addressed except for few projects which benefitted through infrastructure development. At least, the SLAG and LRAD had the title deed and could access loans. The policy against allowing PLAS beneficiaries to own or hold the title deeds was or is a serious obstacle to the beneficiaries' capacity to access credit and improve their farms. So, physical capital is a challenge. They only have land user rights under leasehold arrangement.

With respect to social capital, it did appear that there was limited impact on this as farmers were struggling to work on their own land and improve production. The study did not get any evidence of organisation of the new land owners or regular meetings in which they would discuss the challenges that they were facing. That would indicate limited social capital. The top down approach used by officials is not helping as they are not meaningfully consulted with regards to services that are rendered. The needs of the beneficiaries must be properly addressed to empower them and proper planning will enhance and increase productivity. In the study it was clear that the effective utilisation of land can yield incomes to sustain the beneficiaries' livelihoods.

6.4 Implications of Models on Ownership and Control of Land

The implications and analysis of these models on ownership and control of land found that in the SLAG and LRAD programs, the ownership and control of the land was enhanced as the beneficiaries had ownership in the form of the title deed which gives them security if they need access to credit from commercial banks. The positive impact of

these programmes in terms of ownership to land is reflected by one of the participants who said:

I am now a very respectable man around my community because I have a farm now. I am not only a farmer, but I am a new farm owner with a title deed and that is great, nobody believed that a black man could have a title deed for a farm. When it all started it was like a dream.

However, in the PLAS farms, the beneficiaries were not happy with the government retaining the title deeds. That is because they have no security to access credit in the banks and they only rely on the state to provide much needed support which is not available on time and in most cases not enough.

I am not happy at all, I am staying on a state farm without a lease agreement and I should be staying with the title deed.

Ownership of land can in itself empower the beneficiaries as an asset to improve their livelihoods. However, it was evident from the study that owning land does not necessarily bring about development if the land is not productively used. This was echoed by one participant:

When I moved onto the farm I was so happy because I had been farming and I wanted to expand my farming but the government was holding my hands because of the title deed.

Currently there is not much information published on PLAS farms and the challenges that they are facing with regard to lack of title deeds. But clearly, most of the beneficiaries are not willing to invest on a state farm in which they only have a user right (without the title deed). These findings confirm the general consensus on limited success of South Africa's land reforms to date (for example, Aliber & Cousins, 2013:140; Kariuki, 2008:147). While cognisant of the scientific principle that information from small case studies cannot be generalised to the nation, these case studies raise questions in relation to the current issue of expropriation of land without compensation which the ruling party has now introduced. In the event that the policy is implemented, it will be critical for policy makers to recognise that ownership and access to title deeds is very important to any prospective recipient of land under any future redistribution initiative. Failure to give title may stall investments in improving the

land and thus ensuring sustainable use of the land and also maximizing benefits to the land owners.

7. Conclusion and Recommendations

The study was about assessing the impact of South Africa's early land reform experiments. These were the SLAG, LRAD and the current PLAS approaches. Research findings showed that while the "willing-seller willing-buyer" principle enabled the government to purchase land for redistribution in all three models, the pace was slow because of claims on some of the land that government could have purchased for the programmes. Results also showed that there were mixed outcomes in terms of the impact indicators derived from the Sustainable Livelihoods Framework which was the adopted theoretical lens for the study. While participants were positive about the opportunity to own land (under the SLAG and LRAD models), they were very critical about the new PLAS model because of the shift in government policy from allowing recipients to have title deeds to the land to arrangements where they could only have user rights under leasehold arrangements. PLAS farmers felt that they cannot access loans since they cannot use the land as collateral. Furthermore, in all models, participants felt that benefits in terms of incomes and new jobs were minimal because of lack of support from the government in terms of technical, financial and infrastructural support. The paper therefore recommends that more comprehensive research be carried out on the pertinent issue of individual property rights/title to land as opposed to state ownership/leasing approach that characterizes the PLAS model. It also recommends research to determine more effective institutional machineries, strategic approaches and processes for effective delivery of technical, material and financial support to farmers who acquire land under any future land reform scenarios.

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