LOCAL GOVERNMENT AND SUSTAINABLE POST-SETTLEMENT SUPPORT FOR RESTITUTION: IN SEARCH OF EFFICIENT GOVERNANCE OBJECTIVES IN PUBLIC ADMINISTRATION

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ABSTRACT

Restitution has to be made in a highly political environment, making the planning and design of restitution programmes in rural, peri-urban and urban areas extremely complex. The development of governance structures for restitution programmes is influenced by policy instruments that have to consider taxation effects and their impact on economic behaviour, as well as predict outcomes that transcend the objective functions. The complexity is exacerbated by limited scientific evidence and the absence of evidence-based policy-making, culminating in policy neglect and inadequate service delivery outcomes for land reform and restitution.

The article explores progress made with the implementation of the Nkumbuleni Land Claim (Kwa-Zulu Natal) and examines what prevents the restitution support programme from implementing its policy objectives (guided by the *Restitution of Lands Rights Act*, Act 22 of 1994). The authors conclude that the attainment of sustainable outcomes in post-settlement restitution support continues to be a challenge to policy-makers, as claims remain unsustainable. Poor communication between stakeholders, the narrow role municipalities play in restitution and conflicting governance structures between "traditional councils versus municipal councils" are seen as the main drivers of programme failure.

Article

INTRODUCTION

Creating sustainable post-settlement support for restitution is a complex task, as outcomes in the local sphere are interwoven with people's rights to land and resources, alongside traditional and broader communal management systems. Public administrators thus face vast challenges in trying to match the needs of local government with those of rural development. Integrating restitution programmes to achieve synergistic rural development requires public administrators to identify clearly, specify and match available opportunities with the needs of rural communities.

This article considers developments around the Nkumbuleni Land Claim and explores accountable and efficient governance structures to enhance future programme success. The Nkumbuleni claimants were purposefully selected by the Regional Land Claims Commission (RLCC) to be part of a study funded by the Canadian International Development Agency, the SADC Centre for Land-related, Regional and Developmental Law and Policy (CLRDP), and the Post-Graduate School of Agriculture and Rural Development at the University of Pretoria. Strong leadership and the influence of tribal authorities on constituents in the Kwa-Zulu Natal (KZN) province make the Nkumbuleni community an ideal case study to explore the challenges brought about by the power relations within the policy-making process.

The Nkumbuleni community has completed the first phase of a sustainable restitution support programme. They have been awarded land rights to 88 ha of land in the Tala Valley (where sugar cane is currently grown) and on Leeupoort Farm (a citrus export region), located in the Camperdown area. Both the farms awarded to the community are highly commercial. In co-operation with the RLCC, the claimant community opted for land restoration. This means that they accepted that the land they have acquired cannot be used for ordinary residential purposes and that the Nkumbuleni Trust holds and manages the land on behalf of the beneficiaries, the Nkumbuleni community.

The Nkumbuleni claimant community is spread across traditional territories, where tribal authorities enforce informal rules to govern the conduct of the people staying on the tribal land. These tribal villages are also referred to as a kind of *informal urbanisation*. From a public administrative perspective, this means that the population of the tribal villages are responsible for developing their own service delivery needs and specifications. In contrast the tribal villages are demarcated under local municipalities where councillors are elected to represent the needs of citizens within a ward system. The ward and tribal systems run concurrently with each other to serve the needs of the citizens.

Local municipalities are supposed to meet the service delivery demands for essential services such as water and electricity supply, environmental health care and environmental management in the wards that fall under their jurisdiction, but it seems that the municipalities, public officials and councillors are unclear about their position and their role in the restitution process.

DEFINING THE ROLE OF GOVERNMENT IN RESTITUTION

The values and norms that determine how community governance structures are constituted in KZN are strongly influenced by the African ancestor spirit religion, in which spiritual beliefs are deeply rooted in every area of people's lives. Building

strong communities in rural and urban areas requires governance practices entrenched in the African philosophical values of *ubuntu*, which emphasise human dignity, respect and interdependence.

Public administration: building blocks for values and practices

Public administration is defined as "a system of structures and processes operating within a particular society as the environment, with the objective of facilitating the formulation of appropriate governmental policy and the effective and efficient execution of the formulated policy" (Bayat & Meyer, 1994:4). The effectiveness of what government accomplishes in terms of restitution therefore depends to a large extent on the types of policy formulated in the local sphere, and the provincial and national sphere of government and on how these policies are implemented.

The way in which these policies are interlinked affects the outcome. Public administrators must ensure, from the start, that strategic objectives do not contradict each other and that the incentives offered to claimants and investors planning to do business with the claimants are compatible with the same strategic objectives. The success of a policy is measured in the local sphere, so local government carries the ultimate responsibility for the success and failure of programmes. Municipalities are therefore placed in the role of defining success and failure, in particular the political success and failure of policies (Denders & Rose, 2005:7).

Policies provide a framework for executing a series of related decisions which involve carrying out operational plans by constantly adjusting the direction of policy to best suit the needs of the stakeholders (Van der Waldt & Du Toit, 1999). Decisions require information to be interpreted and evaluated. This can only be achieved when sound information systems bring together the data for a programme with other land-related data. The basis for a land information system is a uniform spatial referencing system (Schoeman, 2003:18-19). Information systems are built to attain several goals – one of the primary goals is to process data economically into information and knowledge (Turban, McLean & Wetherbe, 2001:45).

Land administration and management: how integrated is it with restitution?

Spatial Development Frameworks (SPDs) draw their data for decision-making from spatial reference systems and land information systems. SPDs provide a master plan for the development of a geographical area in a municipality and indicate where development should take place. They also determine the nature and type of development: whether it should be industrial, business or residential. In addition, they provide information that is crucial for the Integrated Development Plan (IDP). This facilitates rural land reform, as it leads to improved urban planning and infrastructure development (Schoeman, 2003:18; cf. also Manyathi, 2006:5; Venter & Landsberg, 2006:148). Figure 1 contains a schematic diagramme of the four core components

Figure 1: Defining the functions of land administration and management
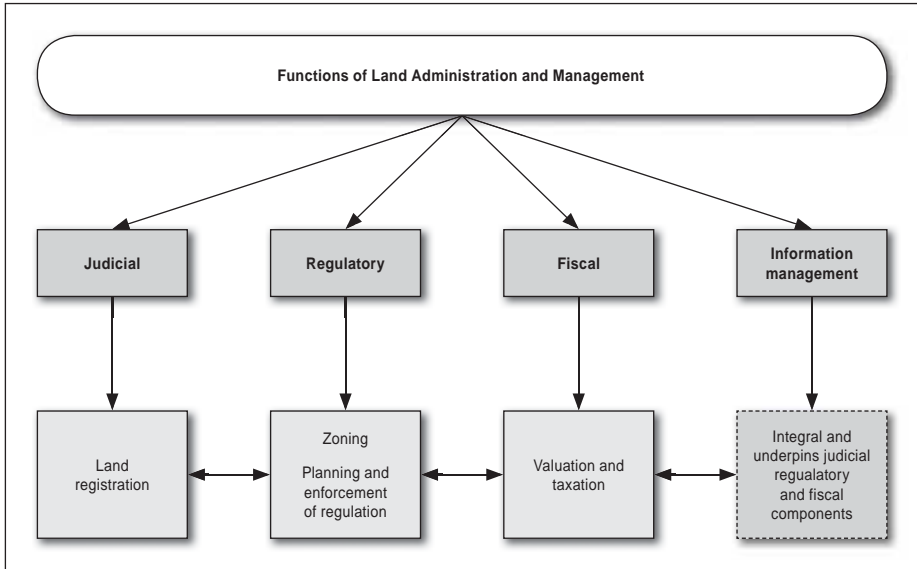
that lead to good land administration and management, thereby improving resource management and productivity, as they have a direct impact on economic growth and the sustainability of restitution programmes.

Integrated Development Plans (IDPs) are a key tool in the planning and delivery of municipal services. It plays a powerful role in decisions on issues such as budgets, land management and the promotion of local economic development. An IDP is a five-year strategic development plan legislated by the *Municipal Systems Act* of 2000. It supersedes all other plans that guide development at the local sphere (DPLG, 2009). For this reason, the IDP cannot be separated from restitution, as it provides feedback and important linkages between the needs of a given community and municipality. In the case of the Nkumbuleni claimants and how they slot into the IDP, very little information was available.

Local government: narrow role of municipalities in restitution

Manyathi (2006:5) draws our attention to the inability of municipalities to utilise IDPs effectively as tools of integration to ensure real integration in the course of land reform. He emphasises the narrow role that municipalities adopt in the restitution process, even though the Commission on Restitution and Land Rights has identified the following four key aspects as constituting the role of municipalities in land reform:

- identifying land needs;
- providing support to beneficiaries of land claims;

- being a conduit for administering development grants; and
- making land available for housing, commonages and business development.

Communication, entrepreneurship and business development lie at the heart of restitution. Each of these is a critical element in finding sustainable paths to meet the needs of communities and improve the quality of their lives. In the case of the Nkumbuleni Land Claim, it was evident from the group meetings held with the Tribal Authorities and the ward councillors in Sankotshe (Kwa-Zulu Natal) that there had been very little communication between the various stakeholders. The absence of local government as a participant in the planning of the restitution outcomes, in addition to the absence of the RLCC in the IDP, has, according to Manyathi (2006:6), crippled municipalities, because most municipalities do not have enough information on the claims process and are therefore unable to plan strategically. Marginalising the restitution beneficiaries from the development planning has therefore compromised the sustainability of programmes, as real integration and reform can only occur at the planning stages of the restitution and IDP processes (Manyathi, 2006:7).

Similarly, the authors of the current article have found that public officials tended to over-emphasise the correct writing of IDPs (according to a specific template), but neglected co-ordination between the different role players. This resulted in a situation where municipalities had no information on the claims process which left them unable to plan strategically and to budget for adequate services in the areas of jurisdiction that would be affected by restitution (Manyathi, 2006:7). Instead, the RLCC single-handedly drives the restitution process by implementing programmes without input from local government – in this case, without ensuring that the Nkumbuleni beneficiaries have been catered for by the municipalities concerned with regard to post-settlement support.

RESTITUTION AND LIVELIHOODS

Before one can define sustainable restitution support, one needs to take a closer look at what "restitution" is about. Schoeman and Fourie (2008:800) describe restitution as a rights-based programme, conceived as a form of restorative justice that is ingrained within a community-based natural resources management (CBNRM) system. In terms of each of these aspects of restitution, people's livelihoods form a common theme in development planning and in debates that support the outcomes achieved within restitution. These outcomes are strengthened through the use of sustainable livelihoods approaches in which people share assets in terms of capital:
- human capital (education and skills);
- social capital (relationships and networks);
- physical capital (infrastructure and assets);
- financial capital (money and loans); and
- natural capital (land and water) (Hall, 2007:3; cf. also Fabricius, Koch, Magome & Turner, 2004:44; Schoeman & Fourie, 2008:800).

Figure 2: Defining sustainable restitution support
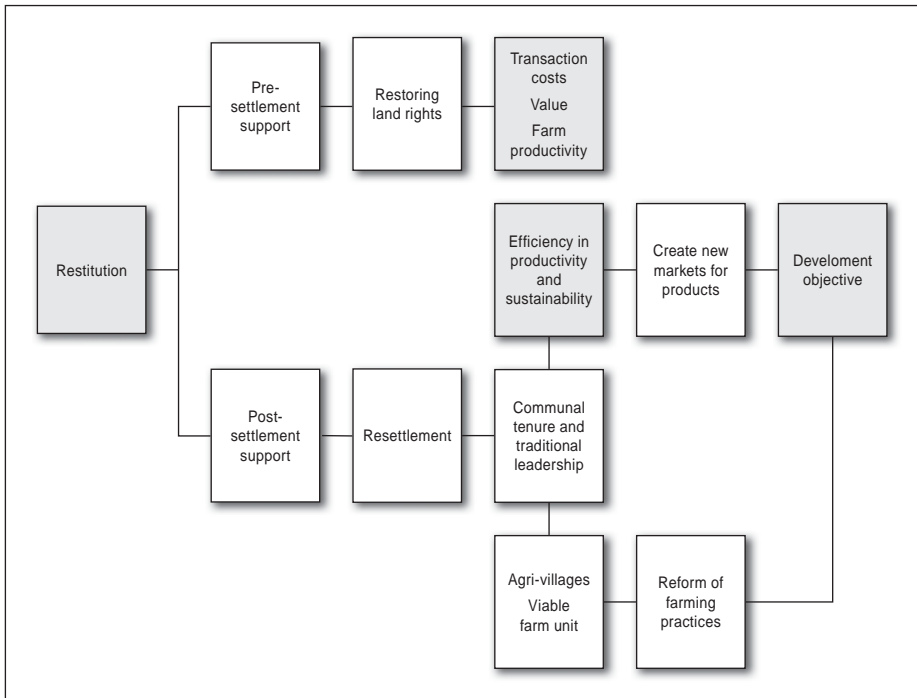
The "livelihood pentagon" thus becomes a key leverage point in meeting the requirements for restitution (Hall, 2007:3).

Restitution is not so much about settling claims as about being a vehicle for addressing indigenous socio-economic circumstances (Anderson & Barnett, 2006:5). CBNRM provides a platform to manage equality of opportunity (skill, capabilities and knowledge). It emphasises social empowerment, as this enriches the economic and political dimensions of people's livelihoods. Hall (2007:3) indicates that the literature on the South African land reform environment suggests that the following five factors are critical indicators of achieving sustainable livelihoods outcomes:

- increasing income from marketed produce, which depends on the creation of new markets for products (for example, a fresh produce market linked to a supermarket);
- increasing the overall well-being of claimants by improving access to drinking water and fuel;
- reducing vulnerability by improving access to education and medical services;
- improving food security, social security and providing access to grants; and
- increasing sustainable use of assets and infrastructure, which requires spatial reference systems and land information systems that feed into spatial development frameworks and IDPs.

Figure 2 shows how pre- and post-settlement support should underpin restitution, realising each of the five critical success factors in achieving sustainability.

When one applies the principles set out in Figure 2 to the Nkumbuleni Land Claim, the resettlement phase seems to be the most problematic, as the claimants were unable to close the livelihood pentagon. This implies that facilitating sustainable development opportunities that embrace the values of self-sufficiency, self-determination and empowerment therefore calls for an integrated development objective. This entails full participation through local economic development initiatives (LEDs) that link agriculture, rural development, nature conservation and tourism.

SUSTAINABLE RESTITUTION SUPPORT:
THE NKUMBULENI COMMUNITY LAND CLAIM

The Nkumbuleni Community Land Claim (Tala Farm and Leeupoort Farm) falls within the jurisdiction of Ward 4 (agricultural node) of the Mkhambatini Municipality (a Category B municipality that consists of seven wards). The claimants who owned the title deeds for the Nkumbuleni Claim resided in
- the Midlands Mist Belt (the Valley of the Thousand Hills);
- Sankotshe (Mophela, Mbongani); and
- in Cato Ridge and the Durban Ethekwini Municipality (Category A).

Enabling the Nkumbuleni community to benefit economically and socially from the restitution process poses a considerable challenge, but is essential, as visible outcomes for the community will result in greater engagement from the community. It is therefore imperative to find alternative ways to meet the community's needs through the expression and the embodiment of responsible human well-being, formulated in a sustainable manner. Achieving sustainability requires an increased focus on the five critical factors described by Hall (2007:3). Equity, security in livelihoods and the creation of opportunities through the development of capabilities will allow the community to realise sustainability.

However, currently, the community as a whole has no skills to cope with commercial farming (export citrus and sugar cane). Empowering the Nkumbuleni community to manage the farms successfully as commercial entities must therefore be tied to the concept of the extended family, as they play a key economic role in agricultural production in the KZN province. Furthermore, identifying suitable social support mechanisms that will strengthen the community through an extended family entrepreneurship model is a key requisite for the sustainability model. It is important to highlight the environmental social and economical weaknesses and threats that will influence sustainable outcomes in the restitution process, as these will affect the empowerment of the communities in which the Nkumbuleni community members reside strongly. The following were established:
- The levels of unemployment in the youth, disabled and female members of the claimant population are high.
- The levels of education in the areas where the claimants reside are poor.

- Extended family members work outside the community and supplement the family income.
- Although the incidence of HIV/Aids is high in the areas where the claimants live, the incidence of TB is higher; treatment with ARVs has shifted HIV/Aids from a fatal illness to a chronic illness in the area. This was confirmed by
  - a visit to a community based-organisation in the area called Lily of the Valley (an HIV/Aids care facility for orphans and vulnerable children) where the following was ascertained:
    - the staff indicated HIV/Aids is controlled through effective health care structures that are already in place, and there are an adequate number of clinics within easy reach of claimants;
    - they claimed that no deaths have occurred over a period of the last two years;
    - they have to present programme plans to the Department of Social Development to identify future planning for children in their care for the period when these children reach the age of 18 years. This has never occurred before;
  - health care workers, who stressed that while clinics and CBHCs are effective in providing ARVs, they are less effective in the treatment of TB. Thus a major concern is TB and its effect on the claimant community.
- There is a high social security dependency within the communities visited:
  - There are high numbers of youths in the age group from 15 to 34 (their social security claims represent a high cost for government) in the claimant community.
  - Social security provides a lifeline to the communities visited. However, the impact of their restitution claim on the payment of disability grants, child maintenance grants and old age pensions have not been considered at all. What became evident from the meeting with the traditional leader was that the Trust will receive the R 3000 payment for each of the claimants registered and use it to manage the farms. Title deeds have value, but that might not be visible to the community at large for quite some time. Holding a title deed may, however, have an impact on how social security is awarded (on the basis of a means test) to each of the beneficiaries.
  - A big concern to councillors in municipalities is the shift away from cultural beliefs. The communities in which the claimants reside are experiencing similar social problems to those experienced in Westernised communities:
- In Sankontshe District, 36 pensioners had to be moved from the area to old age homes in urban areas. The communities did not take care of their aged (this could be due to HIV/Aids, if all the pensioners' family members have passed away, or poverty and erosion of the extended family).
- The youth want to follow Western ideas and not traditional practices.

Drawing members from the community of claimants for the development of a trust where the members have no prior experience in the management of trusts is likely to lower the chances that the claimants will achieve success. Very few businesses can survive on a sustainable basis when they are established. For this reason, in order to manage a commercial farm successfully and reduce the risk of programme failure, a mentorship

system that gradually enforces skills through an ongoing support system is required. It was very difficult to establish if the community really understood what the restitution process was about. It seemed that the claimant community

- had no insight into the restitution process and had false expectations about what they will receive and what their role as beneficiaries and holders of a title deed is;
- have a short-term view, focused on personal enrichment, with no real interest in or understanding of the long-term benefits to be gained;
- does not buy into or engage in the commercial farming concept, so that there is no drive from the community to take the process further – claimants want a cash payout and may not agree with the decisions made on the development of a Trust; and
- see the RLCC as the implementer and driver of this programme. The community places the successful execution of the programme in the hands of the RLCC and will blame government for its failure. Thus, the RLCC instead of the Trust becomes the driver of the business venture. Absence of skills in the RLCC to facilitate and create an enabling environment through negotiations has a severe impact on how the community as a whole participates in the restitution process.

ACCOUNTABILITY AND GOOD GOVERNANCE STRUCTURES FOR RESTITUTION

Governance structures worldwide are preoccupied with "implementation", performance and how to apply good governance. Governance is good only if government attains its goal of creating conditions that guarantee satisfactory quality of life for each citizen (Gildenhuys & Knipe, 2000:91; cf. Hodges, 2005:40). Theories of good governance maintain that governance and democracy are essential conditions for the development of societies. New standards of governance have emerged in line with the global extension of democratic norms where administrators are expected to comply with the principles of political transparency and administrative accountability, which emphasised higher efficiency, efficacy and a customer orientation of public-sector delivery programmes (Abedian & Biggs, 1998:25; Ribot, 2001:6). Thus, in defining democratic good governance, one refers to a political regime that is based on liberal-democratic polity which protects human and civil rights, linked to a competent, non-corruptible and accountable administrative system (Hodges, 2005:40). Within the Neo-liberal framework, good governance came to be seen as transparent, representative, accountable and participatory systems of institutions and procedures for public decision-making (Cheema & Rondinelli, 2007:2). Johnson and Minis (1996:2) define *governance* as "the use of political authority and exercise of control over a society and the management of resources for social and economic development".

Figure 3 presents the main aspects that underlie governance structures within a Neo-liberal framework, based on the principles of good governance, and shows the importance of rights in achieving each of the three critical success factors highlighted by the UN (2005).

Accountability is central to good governance, as it compels the state to focus on results with clear and specific objectives that are linked to effective strategies to monitor and report on performance. Achieving good governance within a participatory system

*Figure 3: Governance and the restitution process*
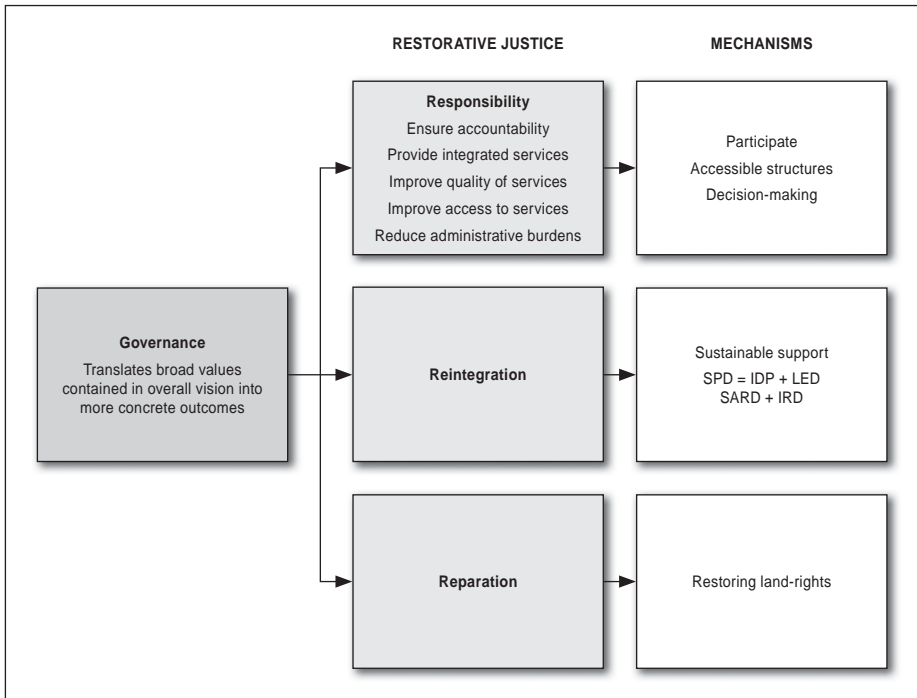
requires accountability and transparency. The challenge lies in designing governance and public administration systems that are inclusive, with the capacity to engage citizens (CEPA, 2007:1). CEPA (2007:1) defines *participatory governance* "as one of many public institutional strategies that contribute to shared visions in planning, budgeting, monitoring and accountability of development policies and programmes".

In the above definition, citizen engagement is seen as an important component of public governance and accountable public administration and is linked directly to decision-making processes and a responsive public service. Figure 4 highlights the forms of participatory governance and in turn identifies the tools available to build mutual trust that leads towards citizen engagement. The UN (2005) identifies three critical success factors that make restitution work:

- engaging communities in the policy-making process;
- designing and implementing programmes at the national, provincial and local levels; and
- using indigenous-centred approaches that encourage representation, engagement and capacity building initiatives.

The outcomes of each of these factors are determined by the transparency and accountability of governance processes put in place for participation (CEPA, 2007:1).
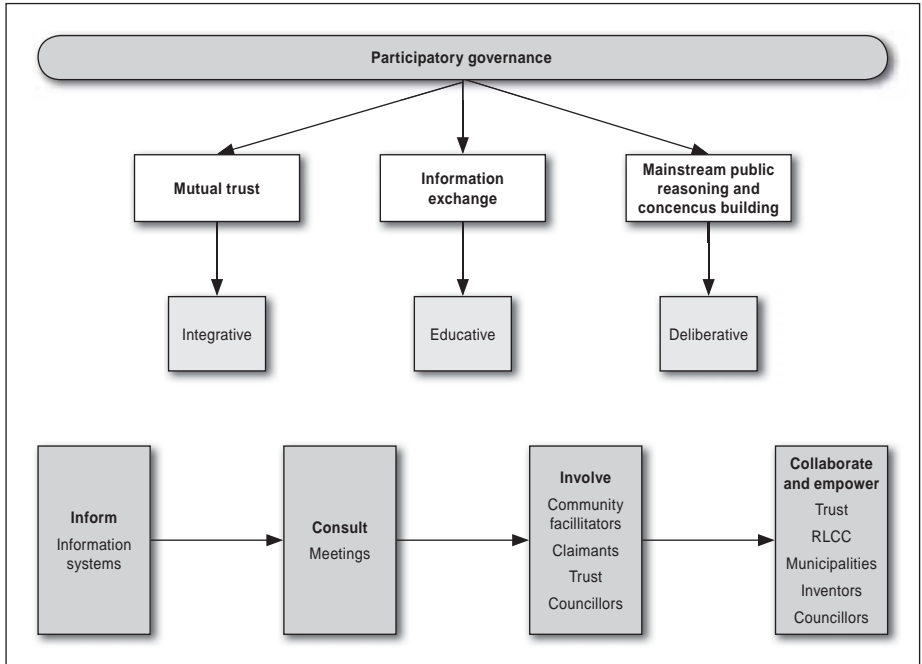
Whereas decentralisation becomes the overall framework for initiating a participative governance structure, leadership is central to the success of decentralised approaches. Governance defines the conduct of democracy and shapes the relationship between citizens and governments.

Engagement of restitution claimants

In South Africa, the main aim of restitution is to restore rights to land and to communities or individuals. Given that the main objective is restorative and that obligatory legislative provision is made for rights determination, it is no wonder that there is little provision for support within the South African restitution environment. This has meant that the outcomes are mostly unsustainable. Consequently, claimants lose faith in government, as they perceive government as ineffective and unable to deliver and enforce values and norms through different aspects of the restitution process. According to CEPA (2007:4), enabling structural conditions such as a democratic environment, regulatory framework, a civil society accreditation policy and well-defined participation principles are important variables in participatory governance.

Restitution programmes are often criticised for failing to attain socio-economic development for the claimants (Kariuki, 2004:52-55; cf. Pienaar, 2007:12). One of the

main reasons given for programme failure is the focus of policy objectives on Western-style property systems which are in direct conflict with the values and norms held by local communities (Pienaar, 2007:34-45). Pienaar (2007:64) alleges that the institutional and governance issues become more complex once land is transferred to a property-holding entity like a CPA or a trust, because then the land becomes "private" land, which changes local government's responsibility and role as enabler, facilitator and regulator (Pienaar, 2007:64).

Consequently, policies supporting restitution in the local sphere of government are largely ineffective, as the design of institutional and organisational structures are unable to meet the distinctive needs and aspirations of different communities (UN, 2005:6). Perhaps the most significant aspect of the government policy is that the implementation of the *Communal Land Rights Act*, 2004 (Act 11 of 2004) (CLARA) which aims at the transfer of 13% of the country's surface to private legal land-holding entities will effectively place such land beyond taxation for at least the first ten years from the date of transfer as far as municipal rates are concerned (Pienaar, 2007:64). This means that municipalities lose large amounts of potential income, as claimant communities are exempted from property taxes. In addition, claimants are locked into land restoration options in which the land they have acquired can only be used for farming and not for residential or for any other commercial purposes. Exploiting the value of the land available for the best possible type of development as identified in the Spatial Development Framework is therefore not an option in the case of restitution, leaving municipalities with big gaps in terms of potential income and thus often unable to deliver essential services to communities.

Community development: a vital part of sustainable restitution support

Sustainable development, calls for increased community participation and the recognition of local conditions are continuously made (Singh, Timothy & Dowling, 2003:175). The rationale for sustainable development is the alleviation of poverty and the replacement of renewable natural and cultural resources (Cooper *et al.*, 1998:363). In encouraging community involvement and participation, the public administrator plays a critical role in ensuring that the principles of public administration are manifested at all times of operation (Bayat & Meyer, 1994:152). The power of citizens to utilise and penetrate government structures then demands a new ethos in which the emphasis is on planning *with communities* rather than the previous concept of planning *for communities*. Sustainable outcomes for the restitution programme therefore depend on two key performance indicators:

- the ability of the Trust to manage the land as a commercial agricultural entity; and
- the engagement and buy-in of the claimant community as participants in this process.

As the Trust has to manage the properties as commercial and profitable farms and enter into various agreements for commercial agricultural purposes, it is imperative to identify issues and constraints that may prevent the Trust and claimant community from achieving sustainable outcomes in this programme.

Traditional leaders in rural KZN dominate in the areas where the claimant communities reside. The impact of power play between local municipalities and tribal authorities should not be underestimated or ignored. Section 211 of the Constitution of 1996 recognises traditional authorities. As a result, Section 212 states that the national legislature may create a role for the traditional leaders in the land sphere on matters that affect local communities. The *Traditional Leadership and Governance Framework Act,* 2003 (Act 41 of 2003), as extensively amended by Act 23 of 2009, creates a dispensation for the traditional authorities (*inkosi*) and regulates how the traditional councils coordinate with municipal councils, taking into consideration the extent of jurisdiction of traditional councils and the needs of their communities. KZN is a highly politicised environment. Without the support of the traditional authorities, municipalities are powerless to perform their duties.

The RLCC needs the input and support of both the local government and the traditional systems to be effective in administering the *Restitution of Lands Rights Act,* 1994 (Manyathi, 2006:6-7). The RLCC can bring together all the stakeholders (facilitate) and package the claim in a sustainable manner (playing an enabling role), but the driving force for the successful implementation remains the Nkumbuleni Trust, which holds and manages the land on behalf of the beneficiaries.

In finding the best option for the development of a post-settlement support system, the following issues influence the organisational, operational and technical performance:

- In developing a post-settlement support system, governance structures must be careful not to focus primarily on Westernised values and norms (commercial farming concepts), but must instead find a balance between those forces that drive rural and urban cultural values and norms. The role of the Trust and the importance attached to transparent and accountable governance structures are critical performance indicators for the organisation's performance and longevity.

- The impact of the extended family as a viable economic structure for rural and urban families must form an integral part of a sustainable restitution model in KZN. Ignoring traditional structures and how they shape and affect business practices and agreements that form a core leverage point in the successful outcomes can become a major constraint and lead to programme failure.

- It is critical to select governance systems and options that allow a model that builds on sustainability to evolve. The emphasis must move away from traditional commercial farming concepts towards a collective community. The Kibbutz system (Israel) or *moshavim* system (Palestine) are possible options that can be looked at. Putting the emphasis on community labour and extended families present two types of the *moshavim* model (co-operative settlements consisting of small separate farms) that frame governance structures according to the principles of
  - *moshav ovdim*, which offers the benefits of a workers' co-operative settlement; or
  - *moshav shitufi*, a collective smallholders' settlement that combines the economic features of a kibbutz with the social features of a *moshav* (farming is done collectively and profits are shared equally between the beneficiaries or claimants).

The disparity that exists between communities means that there is no single best way to organise communities or to elicit their participation. Rather, community participation forms a central part of development. The outcomes achieved within restitution are closely tied to how a *community* is defined, as this determines the approach taken to rural development. According to Hayami (2009:1), a community is defined as a "group of people tied by mutual trust based on intense personal interactions". A community can therefore be considered a central component in the economic system. As people specialise in various economic activities, a system is required to co-ordinate these activities, resulting in a division of labour. Hayami (2009:2) maintains that the competitive advantage of a community lies in the supply of local public goods whose benefit is often limited to a particular group (e.g. tender processes, traditional leaders and supporters, councillors). Whilst the development of a market is supported by community relationships, it is not limited to specific ethnic groups, as participants will seek the best possible financial reward or sale.

Effective engagement generates better decision-making and leads to the delivery of sustainable economic, environmental, social and cultural benefits (Schoeman & Fourie, 2008:817). Community facilitators are important in accomplishing effective engagement within communities, as they can support public administrators promoting a value as a participant and image building to the community. The community facilitator creates goodwill between all the stakeholders – their feedback determines future decisions in the process.

Information: the core of sustainable restitution support

The literature indicates that organisations that secure value-added administrative outcomes share the following three attributes: a clearly defined set of operational processes, knowing who is responsible for the practices, and effective use of information technology to apply their processes and strategies (Verzuh, 2003:352). Together these three components integrate the strategic, the programme and the programme perspectives. Information enables the operational processes.

The need for an inter-organisational exchange of information is indispensable to government's ability to reach across boundaries and overcome the *stovepipe* legacy of systems that encourage fragmented services (Tarabanis, Peristeras & Fragidis, 2001:988). Information management is integral to sustainable restitution support and underpins participation and engagement between all stakeholders.

CONCLUSION

An absence of a clear vision in the national sphere regarding decision-making and planning for land reform has resulted in inadequate service delivery outcomes in restitution. The main factor contributing to skewed and contradictory policies is power and power relations. How restitution affects the participation of the communities government serves, depends mostly on local institutional arrangements; in particular,

which stakeholders receive powers, what powers they receive, and the relationship of accountability the stakeholders are located in, determine the direction of policy. Sadly, policy for restitution has taken on a reactive management style, as decision-making is not supported by information systems that provide valuable feedback into Spatial Development Frameworks, IDPs and local economic development. Poor communication between stakeholders has reduced community engagement and the transparency of governance processes. Hence, claimants have lost trust in government and choose the easy way out.

In conclusion, restitution support is an ongoing process. It does not stop once a claim is paid out. The achievement of the desired results is not only driven by political will, but also by the will of communities or individuals to succeed. While local government plays an important role as an enabler, facilitator and regulator of the process, in the final instance, it is the continuous involvement and active participation of claimant communities that will ensure sustainability in enterprise and business development.

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