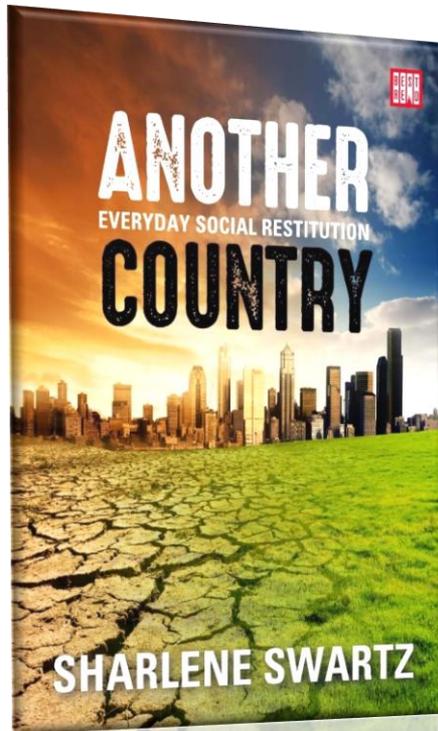
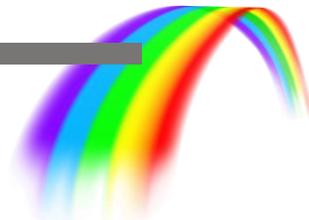


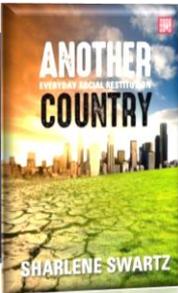
Social restitution as (re)humanising voluntary moral action|obligation



Sharlene Swartz
21 February 2018

**University of Fort Hare
Philosophy Department**





Another Country tells 5 stories

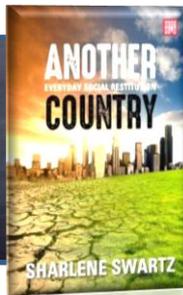
- 1. OUR STORY:** Our country and how it came to be so unequal and unjust
- 2. THEIR STORY:** The story of 60 Black and White South Africans and the effects of the past in the present
- 3. TWO FICTITIOUS STORIES:** To help us think about restitution (personhood, locating selves, dialogues)
- 4. MY STORY:** With cycles of consciousness
- 5. OUR POTENTIAL NEW STORY:** Based on dialogues and acts of social restitution by individuals and communities



Views on Restitution? SASAS 2017



	<i>Agree</i>	
	Black	White
White South Africans must act to repair the past	60%	20%
Black South Africans should demand restitution	54%	13%
Apartheid corruption should be investigated	56%	16%
A restitution fund	54%	14%
A restitution tax	43%	8%
Small group discussions about restitution	56%	22%
Forget the past, move on	51%	76%

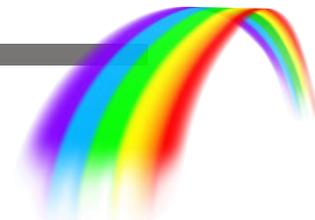


Argument

1. South Africa's long history of colonial and apartheid injustice has resulted in damage to people's humanity and sense of personhood.
2. These effects are clearly evidenced in widening inequality, deepening poverty, high levels of violence, racism and increasing social distance, social protests and disengagement from the 'rainbow nation' project.
3. These consequences of the past in the present require attention - critical consciousness including recognition, rehumanising and redistribution for justice to be done



4. Can we reimagine restitution as a voluntary moral obligation - 'social restitution'?
5. Social restitution as
 - (1) separate to legal notions of restitution although it is continuous with it;
 - (2) requiring a conscious positioning of actors in past injustice beyond that of victim and perpetrator;
 - (3) aiming at restored personhood and rehumanising the collective; and
 - (4) being possible through a process of engaged action-oriented dialogues.
6. Might this help White South Africans embrace such a national project, or will "voluntary obligations" be insufficient?



- I. INEQUALITY
- II. SOCIAL RESTITUTION
- III. LOCATION OF SELVES
- IV. RESTORED PERSONHOOD
- V. ACTIVE DIALOGUES

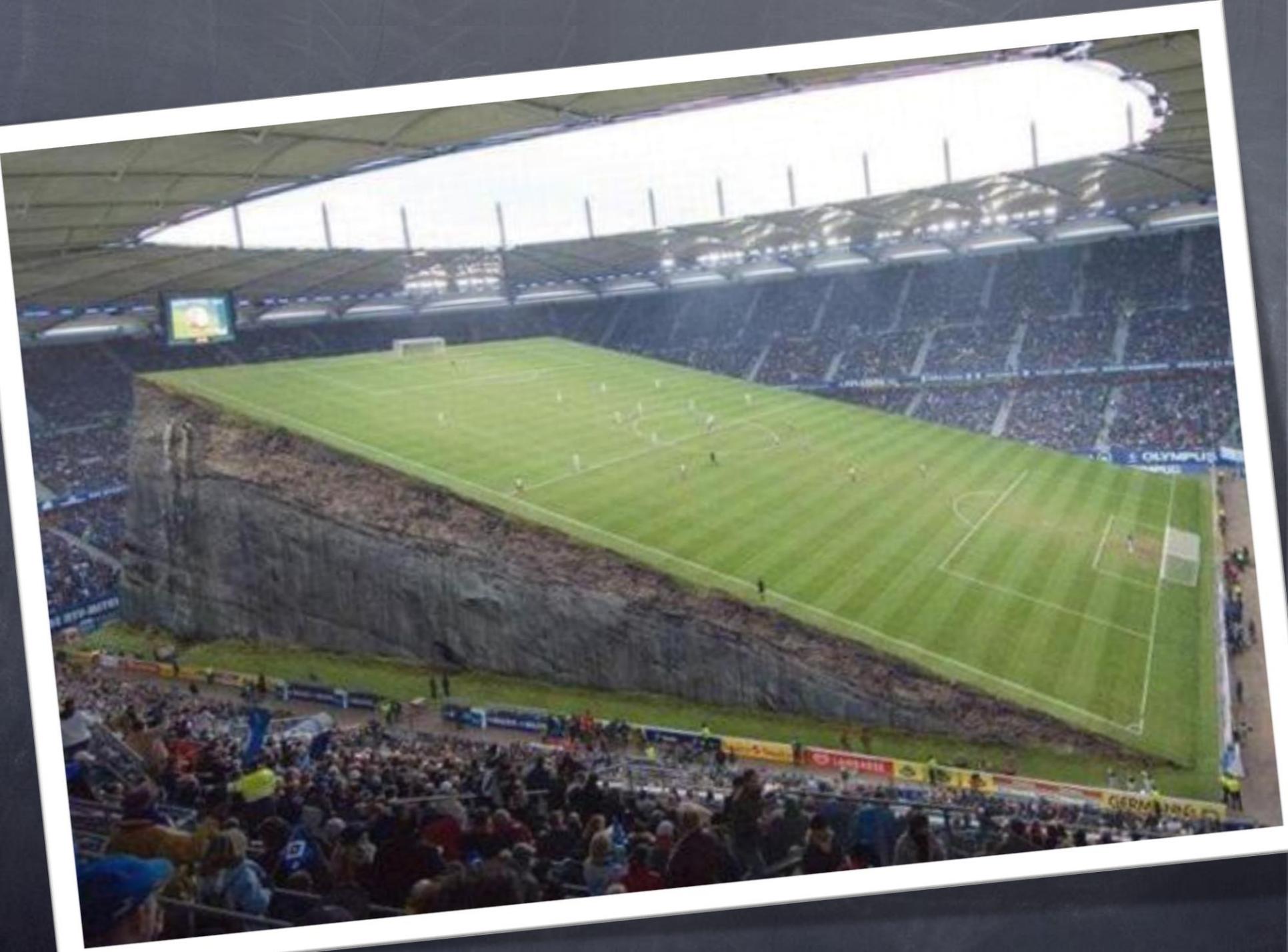
I. INEQUALITY

II. SOCIAL RESTITUTION

III. LOCATION OF SELVES

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Why Restitution?

THE UNEQUAL UNRAVELLING
RAINBOW NATION

POVERTY

60% vs 4%

UNEMPLOYMENT

34% vs 8%

LIFE EXPECTANCY

20 YR

OPTIMISM



2x

REDISTRIBUTION



2x

MOVING ON



66%

LAND

8% own 47%

UNIVERSITY

7x

Gini
0.65

HDI

15TH vs 116TH

INCOME

R36k vs R6k PM



I. INEQUALITY

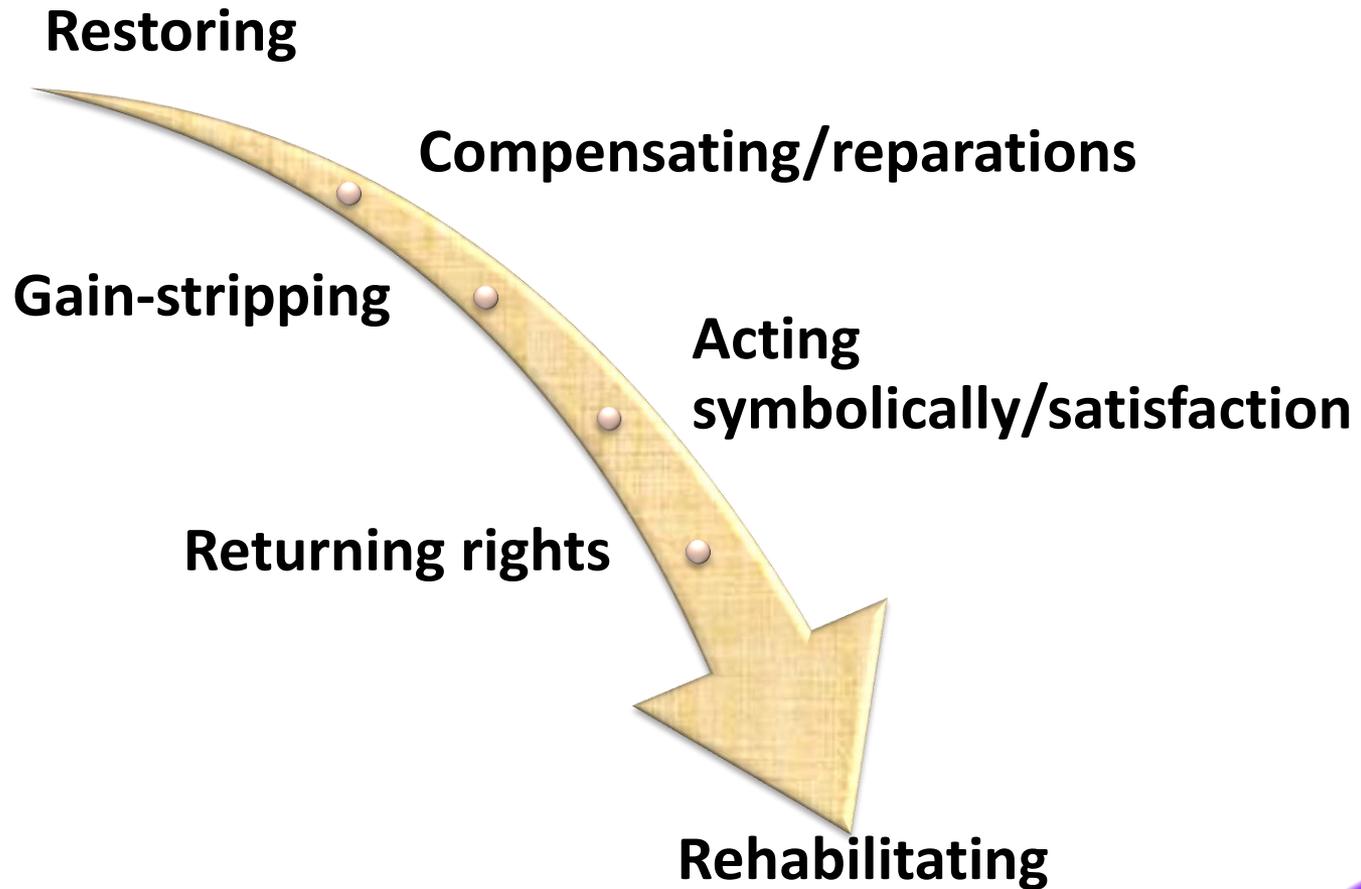
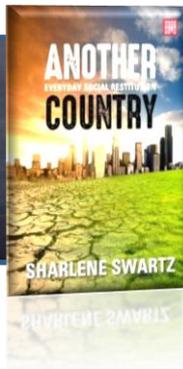
II. SOCIAL RESTITUTION

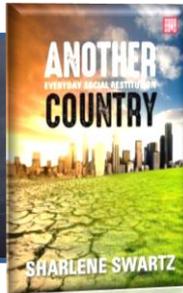
III. LOCATION OF SELVES

IV. RESTORED PERSONHOOD

V. ACTIVE DIALOGUES

Legal and historical restitution





What restitution has begun?

1. Land restitution
 - Good legislation (being modified); poor implementation; ignores some
2. Employment equity and Black economic empowerment
 - Enriched a few; open to fronting and corruption
3. The Truth and Reconciliation Commission
 - Recommendations not implemented



HALEY'S MOM & THE GROUP AREAS ACT

WITHOUT APARTHEID

WITH APARTHEID

1976

Suburbs house R5,000

1997

Suburbs house R400,000

Savings (no bond) R260,000

R660,000

2015

Suburbs' house R1,300,000

Savings R2,800,000

R4.100,000

1976

Cape flats house -R12,000

Deposit R5,000

Bond

-R7,000

1997

Cape flats house R90,000

New suburbs flat R150,000

-R60,000

2015

Suburbs flat R1,115,000

Savings R0

R1,150,000

HALEY & THE LAND CLAIMS ACT

Landclaim 2003/2010

Farm 1 & 2 E Cape

R17,622

'Mistake' refund

R 9,048

Total paid

R 8,573

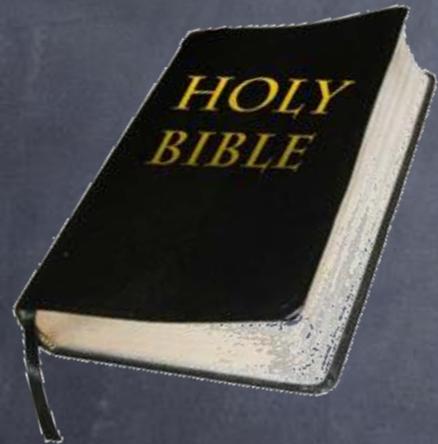
Haley's share

R 2,858

The value of 2 farms in Eastern Cape in 2015 -most conservative estimates: R4,000,000

Haley's loss R983,666 + R1,330,475 =
R2,314,141 (see p. 86)

HALEY AND A SOLDIER'S REWARD



BLACK

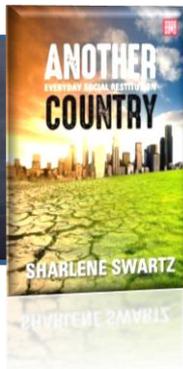


COLOURED AND
INDIAN/ASIAN



WHITE

WHERE HAVE HOLIDAY HOMES COME FROM?



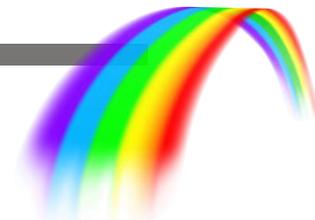
Everyday SOCIAL restitution

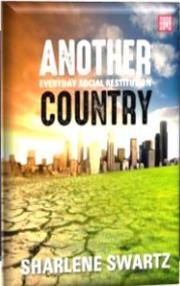
**Voluntary
moral
obligation**
(Swartz, Barkan)

**Across
generations**
(MacIntyre,
Young)

**As forward
looking,
not
punitive**
(Calder, Wenar)

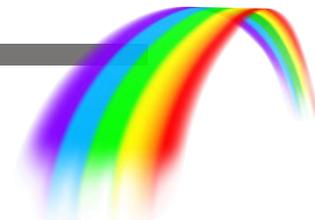
**As making good
Wiedergutmachung
versus
making right
*Wiederherstellen***
(Judt, Sanders)

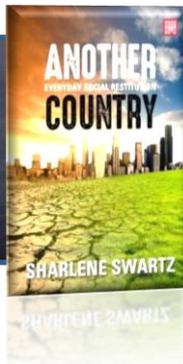




Social restitution definition

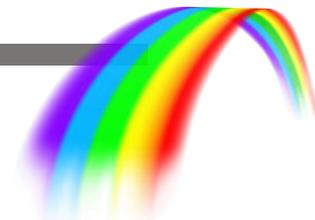
Social restitution are **voluntary acts and attitudes** towards **making good** what our past history of injustice has damaged. It is **forward-looking restitution**, for individuals and communities to pursue as a **moral responsibility** rather than as a legal liability. It invites all parties to **acknowledge the past**, and to **work together** to repair it through **symbolic and material** actions. The motive is our **shared humanity**, and the goal is a **restored personhood** of all involved.





Social Restitution

1. Not as the only answer
2. But as one part of the answer
 - Government's redress
 - People's agitation (protests, revolution, decolonisation)
 - Business's strategies (redress, BEEE)
 - *Communities' and individuals' acts and attitudes*



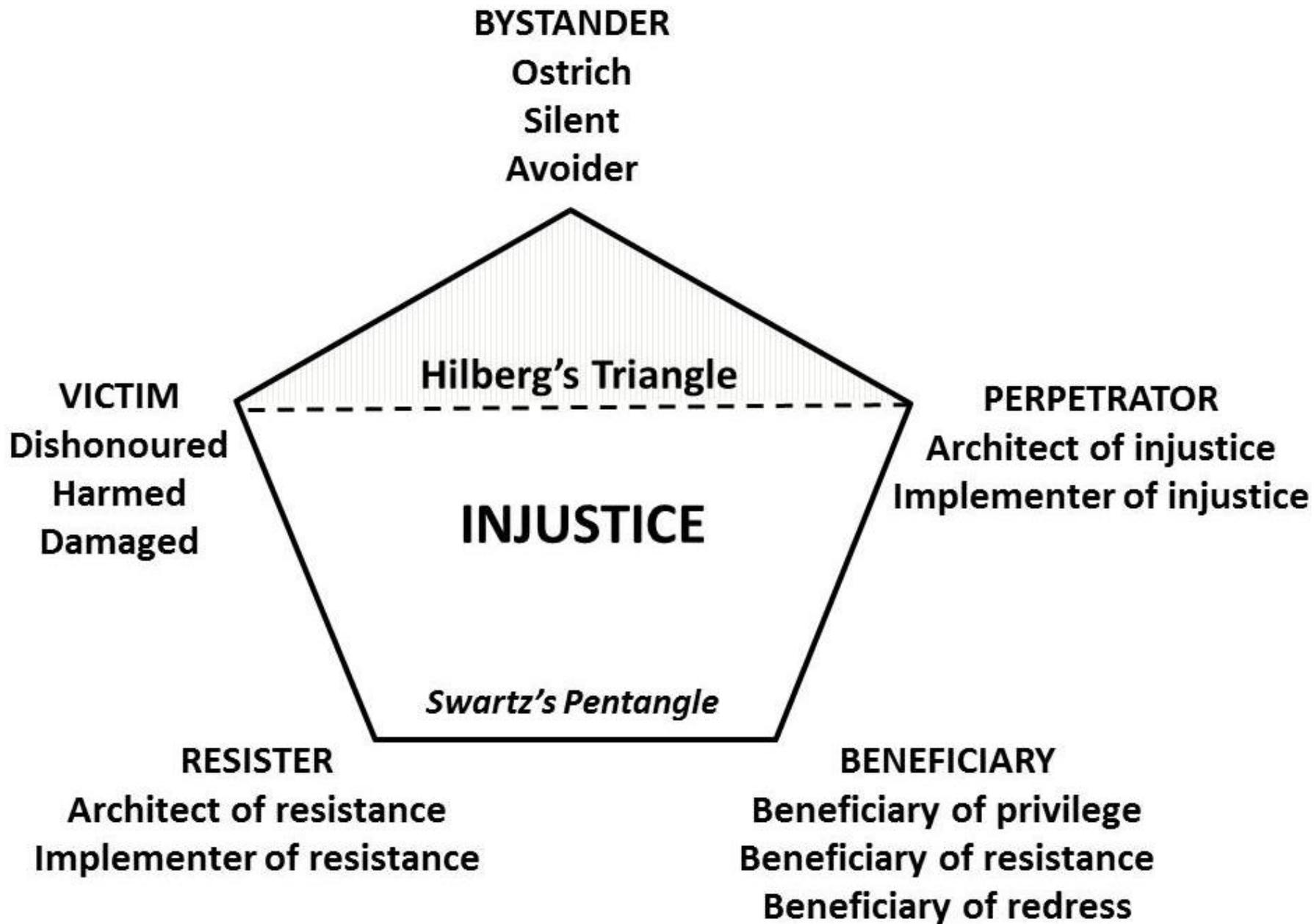
I. INEQUALITY

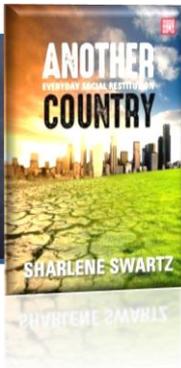
II. SOCIAL RESTITUTION

III. LOCATION OF SELVES

IV. RESTORED PERSONHOOD

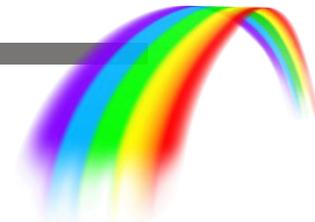
V. ACTIVE DIALOGUES



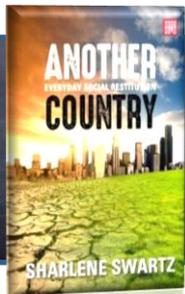


Black pain, rage, experiences of racism

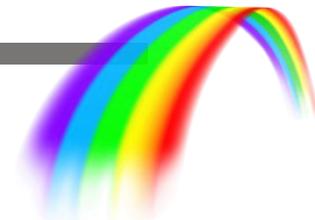
1. Demeaned and dehumanised
2. The outrage of entrenched racial inequality
3. Well-being (mental health)
4. Pervasive racism regardless of class
5. Issues of inferiority and superiority
6. Forget and bury the past
7. Lack of White consciousness



Chapter 5 White conflictedness



1. Awareness of privilege
2. Historical amnesia
3. Slipping in and out of consciousness
4. Reluctance to take responsibility
5. Issues of deference and complicity
6. Anger and shame
7. Racism
8. Response to affirmative action
9. The past was not all bad
10. Corruption as the reason to not act



WAYS OF SEEING



DISTORTED SEEING



COMING TO SEE

SEEING CLEARLY



REFUSING TO SEE

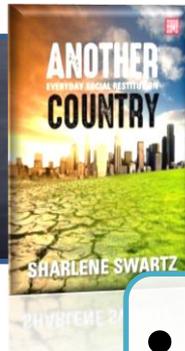


OBSTACLES: TAKING CHARITY FOR RESTITUTION

- I. INEQUALITY
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“IF IT MEANS THIS PERPETRATOR, THIS MAN WHO HAS KILLED CHRISTOPHER PIET, IF IT MEANS HE BECOMES HUMAN AGAIN ... SO THAT I, SO THAT ALL OF US, GET OUR HUMANITY BACK ... THEN I AGREE, THEN I SUPPORT IT ALL... WE DO NOT WANT TO RETURN THE EVIL THAT PERPETRATORS COMMITTED ... WE WANT TO DEMONSTRATE HUMANENESS TOWARDS THEM, SO THAT THEY IN TURN MAY RESTORE THEIR OWN HUMANITY... WHAT I WOULD ASK IS FOR SOMETHING - A MEMORY THAT WILL BE HELD FOR THEM, EVEN IF IT'S JUST A CRÈCHE OR A ... SCHOOL THAT COULD BE NAMED AFTER - AFTER OUR CHILDREN”

Nomvuyo Cynthia Ngewu, 25-year-old son shot by security police



Chapter 8 Theory of personhood

- **Ifeanyi Menkiti**

acquired, failure possible, responsibility towards others



- **Christian Smith**

emergent, connected, conducive environment



- **Francis Nyamnjoh**

self-fulfilment within a collective framework



- **Nancy Fraser**

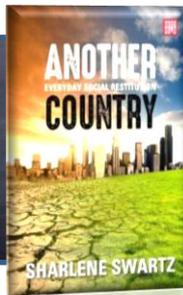
recognition, representation, redistribution



- **Frantz Fanon**

dignity, sovereignty, wealth



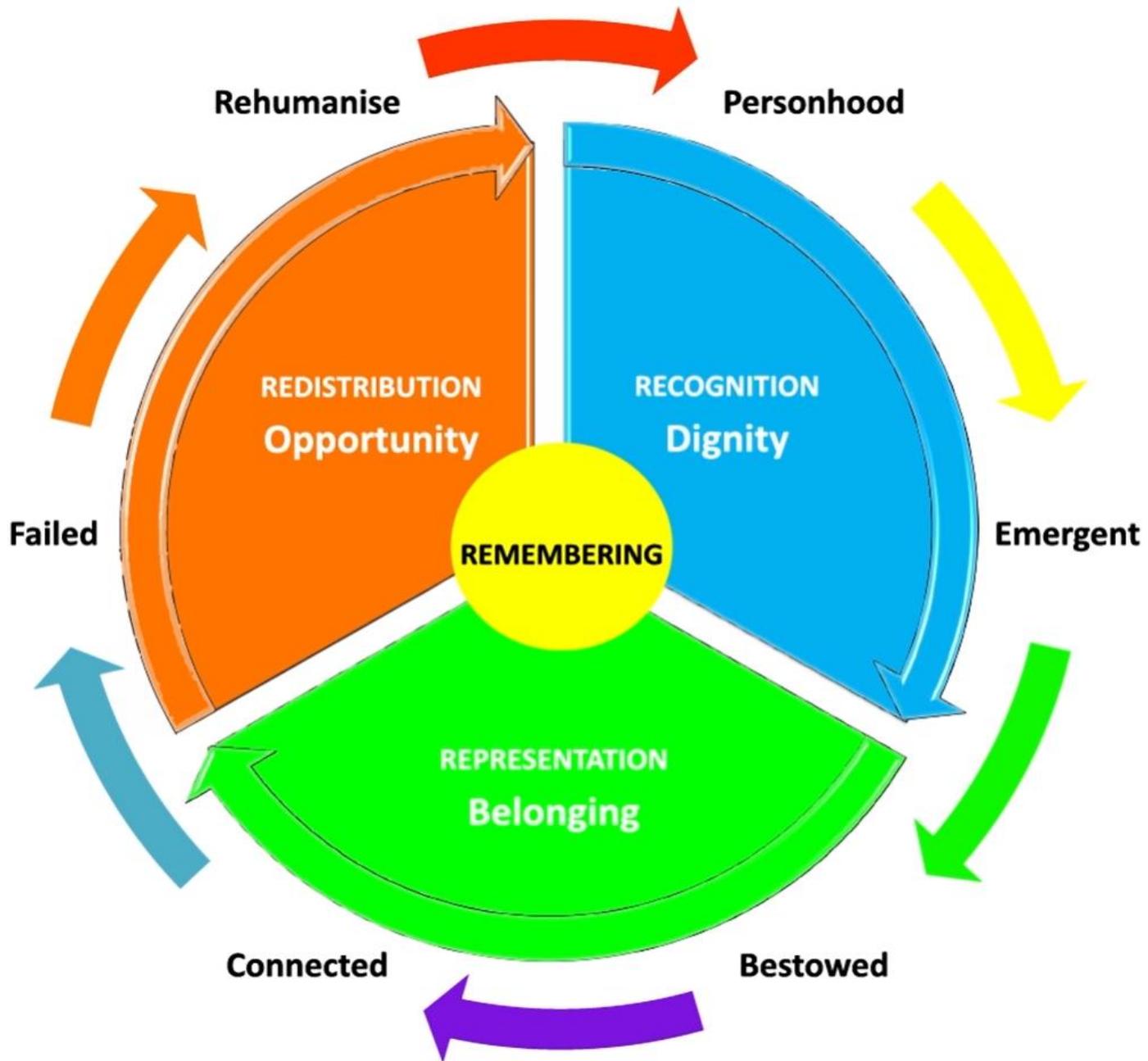


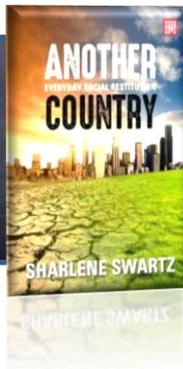
Menkiti on Personhood

(Person and Community, 1984)

1. “Personhood is something which has to be achieved” (p. 172)
2. “...Social and ritual transformation [necessary] until it attains the full complement of excellences seen as truly definitive of [humanity]” (p. 172)
3. “something at which individuals could fail... be competent or ineffective, better or worse...hence... rituals of incorporation... learning the social rules” (p. 173)
4. Attained in direct proportion to participation in communal life through the discharge of one’s obligations (p. 176)
5. “African societies tend to be organised around the requirements of duties... Western societies... the postulation of rights” (p. 180)

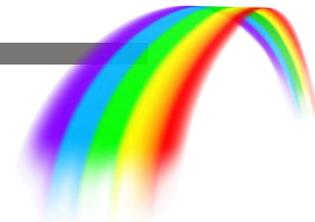






A Common Vision for South Africa

1. Where **race** no longer dominates
2. Where there is equal access to **opportunities**
3. Where we **know** people who are different to us and have them as neighbours
4. A country in which **poverty** and **inequality** are a dim memory of the past.



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10-10-10 Restitution Dialogues

1. 10 people, 10 weeks, 10 conversations
2. Vision of SA
3. Past in present
4. Meaning of restitution
5. Charity & restitution
6. Locating everyone
7. Ideas to restore our humanity
8. Plans for implementing
9. Attitudes and obstacles
10. Ongoing project



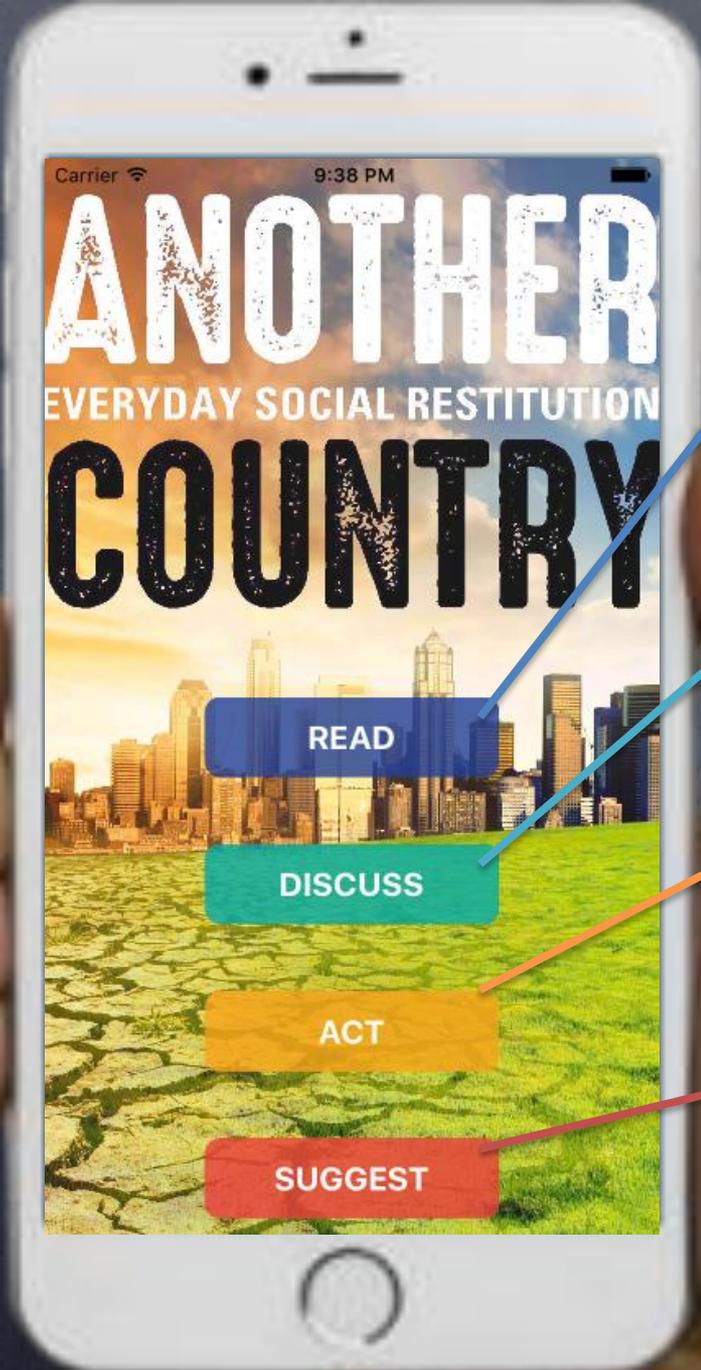
Ideas for social restitution

ALONGSIDE GOVERNMENT

1. A TAX/SUPERTAX - BUCKET TOILETS/FREE EDUCATION
2. PAYING FOR SUBURBAN UPKEEP & CROSS-SUBSIDING TOWNSHIPS
3. A SALARY-INCREASE MORATORIUM FOR HIGH EARNERS
4. ...

CIVIL-SOCIETY INITIATIVES

1. CHALLENGE 'WHINGERS'
2. LEARN LANGUAGE
3. DIALOGUES ABOUT PRIVILEGE
4. CHILDREN'S STORIES
5. MENTOR YOUTH AND PROFESSIONALS
6. SHARE INHERITANCES
7. ...



READ About the book and author of *Another Country*, what people are saying about the book, restitution, and the dialogues

DISCUSS Questions to guide dialogues, with space to comment on the process

ACT Ideas for restitution scaled by time, money, effort needed, and number of people required

SUGGEST Ideas for everyday social restitution; added to scaled ideas under 'act'