Freedom’s Shame: Social restitution and the restoring of personhood

Sharlene Swartz
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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
It's about Restitution

1. **Restitution** to address our current inequality
2. **Restitution** that should become a part of every conversation about injustice
3. **Restitution** that addresses the past that remains present
4. **Restitution** to help us achieve the future we want
5. Social *restitution* as a strategic place to begin

Research methodology

1. Started off with conceptual ideas
2. Invited responses using stories and a labels activity
3. 60 in depth interviews - 90 minutes, 4 researchers
4. “Researching intimates”
5. Ages 21-72, across class
6. Demographically representative
Two fictitious stories

The Stolen Bicycle’ – two children, one steals the other one’s bicycle, they reconcile, what about the bicycle? about bicycles’.

The Unlevel Soccer Field – is it enough to level the field, start over, level the scores, recover from playing uphill?
I. INEQUALITY
II. RESTORED PERSONHOOD
III. LOCATION OF SELVES
IV. SOCIAL RESTITUTION
V. ACTIVE DIALOGUES
Why Restitution?

THE UNEQUAL UNRAVELLING RAINBOW NATION

Gini 0.65

HDI 15th vs 116th

INCOME R36k vs R6k PM

LAND 8% own 47%

UNIVERSITY 7x

POVERTY 60% vs 4%

UNEMPLOYMENT 34% vs 8%

LIFE EXPECTANCY 20 YR

OPTIMISM 2x

REDISTRIBUTION 2x

MOVING ON 66%

Why Restitution?

Obstacles to Restitution: A chronic case of 'moving-on-itis'
Cycles of consciousness (p. 93-7)
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.

“You will no longer be able to say a Black person will be a cleaner and a White person will be the CEO. When there are Black and White people who are poor, and Black and White people who are rich.”

Mbali, 28, Black woman, financial administrator

“When for the majority of the people… poverty is not due to Apartheid… (when a person is able to) rise out of poverty through hard work and talent… (not connections or affirmative action)”

Palesa, 22, Black woman, financial administrator
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

"My son is big, he’s huge... he plays rugby. I said: Punch them and I am happy to go to the office to have a chat about that. That’s when it stopped. I reflected on that and thought: ‘Gee, until today the only language racism understands is violence’. Really? (but) I’ve never been called in... Anyone who calls him a baboon or whatever, anything racist you know, he smacks them now."

Zethu, 40, Black woman, business executive

"We have to, as black students, work twice as hard to gain half as much."

Thamsanqa, 32, Black man, Masters student
The arrogance of White privilege

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

"Theoretically, there are equal opportunities, but not really ... I'm able to fulfil my potential in a way that other people can't ... Let's be honest, the White base has maintained its economic strength."

Thomas, 23, White man, Recent graduate

"I enjoy the security of an inheritance that should keep me comfortable throughout my life ... I will never know what it was like to grow up without the subtle message always given; that I was top of the pile ... one of the masters."

Heather, 38, White woman, Non-profit
### Haley’s Mom & The Group Areas Act

#### Without Apartheid

<table>
<thead>
<tr>
<th>Year</th>
<th>Property Type</th>
<th>1976</th>
<th>1997</th>
<th>Savings</th>
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<tbody>
<tr>
<td></td>
<td>Suburbs house</td>
<td>R5,000</td>
<td>R400,000</td>
<td>R260,000</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>R660,000</td>
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<tr>
<td>2015</td>
<td>Suburbs house</td>
<td>R1,300,000</td>
<td>R2,800,000</td>
<td>R4,100,000</td>
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</table>

#### With Apartheid

<table>
<thead>
<tr>
<th>Year</th>
<th>Property Type</th>
<th>1976</th>
<th>1997</th>
<th>Savings</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Cape flats house</td>
<td>-R12,000</td>
<td>R5,000</td>
<td>-R7,000</td>
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<tr>
<td></td>
<td>Deposit</td>
<td></td>
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<td></td>
</tr>
<tr>
<td></td>
<td>Cape flats house</td>
<td>R90,000</td>
<td>R150,000</td>
<td>-R60,000</td>
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<tr>
<td>2015</td>
<td>Suburbs flat</td>
<td>R145,000</td>
<td>R115,000</td>
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HALEY AND A SOLDIER'S REWARD

WHERE HAVE HOLIDAY HOMES COME FROM?

I. INEQUALITY
II. RESTORED PERSONHOOD
III. LOCATION OF SELVES
IV. SOCIAL RESTITUTION
V. ACTIVE DIALOGUES
“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 creche or a ... school that could be named after - after our children”

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

Theory of personhood

- **Kwame Gyeke**
  - 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
I. INEQUALITY
II. RESTORED PERSONHOOD
III. LOCATION OF SELVES
IV. SOCIAL RESTITUTION
V. ACTIVE DIALOGUES
WAYS OF SEEING

DISTORTED SEEING

SEENING CLEARLY

COMING TO SEE

REFUSING TO SEE

WAYS OF SEEING

BYSTANDER
Ostrich
Silent
Avoider

VICTIM
Dishonoured
Harmed
Damaged

Hilberg’s Triangle

INJUSTICE

Swartz’s Pentagon

PERPETRATOR
Architect of injustice
Implementer of injustice

RESISTER
Architect of resistance
Implementer of resistance

BENEFICIARY
Beneficiary of privilege
Beneficiary of resistance
Beneficiary of redress
I. INEQUALITY
II. RESTORED PERSONHOOD
III. LOCATION OF SELVES
IV. SOCIAL RESTITUTION
V. ACTIVE DIALOGUES

Legal and historical restitution

- Restoring
- Compensating/reparations
- Gain-stripping
- Acting symbolically/satisfaction
- Returning rights
- Rehabilitating
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 & The Land Claims Act

<table>
<thead>
<tr>
<th>Landclaim 2003/2010</th>
<th>Farm 1 &amp; 2 E Cape</th>
<th>R17,622</th>
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<tbody>
<tr>
<td>Mistake’ refund</td>
<td>R 9,048</td>
<td></td>
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<tr>
<td>Total paid</td>
<td>R 8,573</td>
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<tr>
<td>Haley’s share</td>
<td>R 2,858</td>
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The value of 2 farms in Eastern Cape in 2015 - most conservative estimate: R4,000,000

Haley’s loss: R983,666 + R1,330,475 = R2,314,141 (see p. 86)
Obstacles: Believing the TRC and 'reconciliation' was enough

Obstacles: Leaving it to government (bemoaning corruption)
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*

Obstacles: Fearing the ‘camel-in-the-tent’ syndrome
I. INEQUALITY
II. RESTORED PERSONHOOD
III. LOCATION OF SELVES
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Ideas for social restitution

**Alongside government**
1. A tax/supertax - bucket toilets/free education
2. Paying for suburban upkeep & cross-subsidising 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. ...

Obstacles: Taking charity for restitution
**Social science that makes a difference**

**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

**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’
How best do we get these dialogues to undo freedom’s shame?