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

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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
<table>
<thead>
<tr>
<th>Views on Restitution? SASAS 2017</th>
<th>Agree</th>
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<tbody>
<tr>
<td>White South Africans must act to repair the past</td>
<td>Black: 60%</td>
</tr>
<tr>
<td>Black South Africans should demand restitution</td>
<td>54%</td>
</tr>
<tr>
<td>Apartheid corruption should be investigated</td>
<td>56%</td>
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<td>A restitution fund</td>
<td>54%</td>
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<td>A restitution tax</td>
<td>43%</td>
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<td>Small group discussions about restitution</td>
<td>56%</td>
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<tr>
<td>Forget the past, move on</td>
<td>51%</td>
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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
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Why Restitution?

The Unequal Unravelling Rainbow Nation

Gini 0.65

- Poverty: 60% vs 4%
- Income: R36k vs R6k PM
- Land: 8% own 47%
- University: 7x

Optimism: 2x

Redistribution: 2x

Unemployment: 34% vs 8%

Life Expectancy: 20 yr

Why Restitution?
I. INEQUALITY
II. SOCIAL RESTITUTION
III. LOCATION OF SELVES
IV. RESTORED PERSONHOOD
V. ACTIVE DIALOGUES
Legal and historical restitution

- Restoring
- Compensating/reparations
- Gain-stripping
- Returning rights
- Acting symbolically/satisfaction
- 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
<table>
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<th>Year</th>
<th>Category</th>
<th>Without Apartheid</th>
<th>With Apartheid</th>
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<td>1976</td>
<td>Suburbs house</td>
<td>R5,000</td>
<td>-R12,000</td>
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<td>Savings</td>
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<td>R5,000</td>
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<td>1997</td>
<td>Suburbs house</td>
<td>R400,000</td>
<td>R90,000</td>
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<td>Savings (no bond)</td>
<td>R260,000</td>
<td>R150,000</td>
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<td>-R60,000</td>
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<tr>
<td></td>
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<td>R660,000</td>
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<td>2015</td>
<td>Suburbs' house</td>
<td>R1,300,000</td>
<td>R1,115,000</td>
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<td>Savings</td>
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<td>R4,100,000</td>
<td>R1,150,000</td>
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Haley & the Land Claims Act

Landclaim 2003/2010
Farm 1 & 2 E Cape  
‘Mistake’ refund

Total paid
Haley’s share

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

Haley’s loss $983,666 + R1,330,475 = R2,314,141 (see p. 86)
HALEY AND A SOLDIER’S REWARD

Where have holiday homes come from?

Black

Coloured and Indian/Asian

White
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 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.
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
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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

Seeing Clearly

Refusing to See

Coming to See
Obstacles: Taking charity for restitution
“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)
Social science that makes a difference

- Rehumanise
- Personhood
- Failed
- Emergent
- Connected
- Bestowed

Redistribution: Opportunity
Recognition: Dignity
Representation: Belonging

Remembering
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’