**What should restitution be?**

Restitution cannot stand as an independent idea on its own. It belongs together with other words like justice, reconciliation, transformational development and peace building. It has a personal, communal, institutional and national component to it.

Restitution can offer a strategy as to how we can reduce the structural harms of our past. How can we change the structures that keep the injustices from the past in place? This goes beyond restitution on an individual level, which is crucial. Restoration of what was lost begins with restitution but does not end there. It is the first step towards restoration and healing.

The process of restitution starts with the acknowledgement that an abuse or injustice has occurred and the identification of who was responsible for the wrongdoing. The acts of restitution that follow strengthen the acknowledgement that a wrong has happened. It involves responsibility.

For those who use Christian scripture, Nehemiah 5 gives some insight into how to handle these injustices. Men and women were crying out to Nehemiah about how they were being treated by their fellow citizens and how their children were being brought up under slavery due to high levels of debt and the impact of famine. *“Some of our daughters have already been enslaved, but we are powerless, because our fields and our vineyards belong to others,”* they cried. (Nehemiah 5:5)

Nehemiah heard their cries. He was angry and gathered the powerful who were oppressing their fellow citizens and told them that what they were doing was wrong, and called them to give back the fields, houses and vineyards. They responded with, “We will give it back.” There is much to learn from this one chapter in the Bible, regardless of whether one is religious or not.

Restitution could be seen as having four legs on which it stands:

1. Restoration of dignity of both parties
2. Restoration of economic ability and opportunity
3. Land (the issue most spoken about)
4. Education - possibly the most important element of restitution. Education liberates people to use the finance and to use the land.

When asked about what restitution should and could be, participants of the Restitution Conference, organised by the Restitution Foundation in 2016, said the following:

* Restitution is about bringing justice to all.
* Restoration of the dignity and livelihoods of Africans in their country of birth.
* It is about restorative justice, justice in everything that we lost during the thievery of apartheid enforced on us by the previous colonial savagery.
* Paying back, making things right for wrongs previously committed. To be given back what was rightfully ours as we were dishonoured, dispossessed and enslaved.
* Taking responsibility for benefitting from historical injustice in both material and symbolic ways.
* Simply apologise and correct what we have messed up.
* Paying the price for what one’s ancestors did and accepting that it is necessary and just.
* To restore all that makes us human in a shared community.
* Restitution is about giving effect to a vision of *samehorigheid* which is an Afrikaans word for *indaba*, (*saam hoor*) - we hear together, and *ubuntu*- we be together.
* Correcting the mistakes of the past, challenging the legacy of our history.
* Equality is levelling the playing fields. Restoration is levelling the score regarding economies, gender, race, etc.
* The admission of guilt for injustice or prejudice carried out on a group of people by the perpetrator. Forgiveness by the victims after full disclosure by the person who has done wrong.
* Levelling the economic and educational playing fields for all South Africans.
* Restoration of dignity and land.
* It is about addressing the fundamental needs of the people, improving the living conditions of the people of South Africa.
* Land
* Restoration is an integral part of healing and transformation. Healing in our country should be emotional and psychological. Restitution is the economic part of our country’s healing journey.
* It is an act of liberation, a window of conscience and an exploration of justice. It means giving back what has been taken from people, and should be accompanied by adequate compensation.
* It is about giving back what was taken unjustly. Such giving back helps to bring healing to both the giver and the receiver.