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## **A Message of Support**



Since 2012, a university-led national initiative has researched and advocated strategies to overcome poverty and inequality in South Africa. The Nelson Mandela Foundation established a partnership with this project, which was publicly announced during the visit by Professor Thomas Piketty in October 2015. The project, known as 'The Mandela Initiative', comprises a multidimensional approach to understanding and overcoming poverty and inequality in South Africa. The project is guided by a 32-member think tank, with members from across the country, including those in academia, policy experts,

researchers, members of civil society and senior government officials. We are proud to have the Restitution Foundation and the Human Sciences Research Council as two of these partners, along with many others who are associated with this conference.

We are delighted that you have been able to gather together such a large and diverse group of people and organisations to discuss, in all its complexity, the topic of restitution. That you have been able to do so at the Castle of Good Hope has both deep symbolic and practical significance. Symbolic because it points to how our past can be overcome with intentional reimagining. Practical because located in Cape Town as you are, the lines of inequality are readily visible from as close as across the street – in all directions: under the bridge alongside the Castle that many call home, looking out onto District 6 with its history of dispossession and rebuilding, across the sea to Robben Island, and along the coast to the extraordinary wealth of the Atlantic Seaboard.

Not only do you have the support of The Mandela Initiative, but I would also like to convey my thanks for your deep commitment to the struggles and challenges faced by our country. You are in a unique position to place meaningful, practical and implementable solutions on the table given the broad support you have managed to garner for this gathering. We must bridge the gap we are agreed is no longer acceptable. On behalf of The Mandela Initiative, I wish you well in your deliberations over the coming two days, and look forward to the outcomes of your meeting.

A handwritten signature in dark ink, appearing to read 'Crain Soudien', written over a diagonal line.

Crain Soudien  
Professor

CEO, Human Sciences Research Council  
Chair, Mandela Initiative

## **Letter from Conference Chairs**

On behalf of the Restitution Foundation, the Human Sciences Research Council and the Castle of Good Hope, along with our partners and patrons, we would like to welcome you to this inaugural conference on Restitution in South Africa.

Welcome. Wamkelekile. IkKhorellhare. Welkom.



Thank you so much for being here. We are individuals, practitioners and academics from over 46 organisations and institutions, from all over South Africa – with a number of visitors from other places in Africa and also in Europe.

We are here to discuss this difficult, restless and provocative word RESTITUTION, and to place it firmly on the table in a country where the past continues to erode the present despite our many efforts. This conference primarily asks what is restitution and how it can be achieved. It outlines what is needed to ensure a future where there is something for everyone –to have, to do, and to give – so that the next 20 years of our democracy are better than the last, and so that our history of colonial and Apartheid oppression is squarely faced and overcome.

We invite you to present, discuss and reflect deeply with one another, as we decide together on the best contributions individuals, communities and institutions can make with regards restitution. In future years we hope to turn this focus on business and government, but for now we begin with our own contributions. Ultimately we want to see achieve a country filled with people who belong equally, enjoy dignity and enjoy the fruits of enough for all.

Why a conference on restitution and why now you might be asking? The past few years along with the events of the recent months has shown us that we are not the rainbow nation we once envisaged. Increasing protests, racism, inequality, poverty and political contention tell us that there is still much more to be done. “Why not talk about upliftment or development or charity or even reconciliation and social justice instead?” many ask. The answer is that we have done so yet we are not yet the country we long for. Instead, talking about restitution allows us to

address comments in our society that include: “Let’s forget the past and move on”, “I worked for what I have”, “Don’t blame me for something I had no part in”, “Until the corruption stops, I’m not lifting a finger”, “We want our land back. Full stop”, “White people hide behind their wealth and privilege”, and “Nothing has changed. You can’t eat freedom”.

What does the conference hope to achieve? In plenaries and parallel sessions we will hear, discuss and record many things. Our conceptual understandings of restitution must deepen, our knowledge of our country’s history, struggles and redress efforts must be brought centre stage. But we must also find some agreement on what practical actions can and must be taken both now in the short term, and as longer term goals. We must leave here knowing what the next steps are to realise these ambitions. In plenary sessions we will consider intergenerational, institutional and everyday responses to restitution, along with group discussions that will help us to chart the way forward.

In the main marquee, throughout the conference, there will be an opportunity to write down ideas and practical steps for restitution, or to raise issues or ask questions that were not addressed in plenaries or parallel sessions. These will inform the conference outcomes in the final session.

Sometimes, this conference will seem overwhelming. It may raise issues that are personal and cause deep pain, anger or shame. Please feel free to return to the central marquee and join with others in a ‘Holding Space’ – quietly talking among yourselves and telling your own stories as you gather together around a table instead of attending a pre-arranged session. Alternatively take a walk to the Restitution Garden for a moment of quiet reflection.

So thank you again for being here, and for your commitment to dealing with our past so we can, in the future, become the country we all know is possible.

*Sharlene Swartz  
Zinzi Mgolodela  
Lionel Louw*

Conference Co-Chairs

## **Conference Programme**

### **Day 1 Wednesday 9<sup>th</sup> November**

#### **14:30 Registration**

#### **15.15 Restitution Pilgrimage: South Africa's history and the Castle of Good Hope**

*Mr. Azola Mkosana and Rev. René August*

#### **16.45 Book launch: *Another country: Everyday social restitution*** *(Chair: Prof Crain Soudien, HSRC, Mandela Initiative).*

*Prof Sharlene Swartz in conversation with Dr Mary Burton, Mr Tshepo Madlingozi, Mr Paballo Chauke and Ms Jessica Breakey*

#### **18.15 Refreshments, Food and Music**

#### **19.00 Plenary 1 Restitution: Intergenerational perspectives on restitution** *(Chair: Rev Dr Lionel Louw and Ms Zinzi Mgolodela)*

*Welcome: Mr Calvyn Gilfellan (Castle of Good Hope)*

*Introduction: Restitution - Something for everyone: Prof Sharlene Swartz (Conference Co-Chair)*

#### *Invited panel*

1. Mrs Nomonde Calata (widow of Fort Calata and first person to testify at TRC)
2. Mr Leon Wessels (former Human Rights Commissioner)
3. Adv Thuli Madonsela (former Public Protector)
4. Ms Wenzile Madonsela (EFF Welfare Officer, Uni. Pretoria)
5. Ms Erika Wessels (KPMG)
6. Mr Lukhanyo Calata (Journalist)

#### **20.30 Discussion groups (30 mins)**

*What struck you/what wasn't said?*

*What ideas do you have for and about restitution?*

*[Panel members join groups; questions collected]*

#### **21.00 Response to/from panel (25 mins)**

#### **21.30 Thank yous and evening closure**

## **Day 2 Thursday 10<sup>th</sup> November**

### **8.30 Registration and Coffee**

*Holding Spaces: Restitution story telling (All day)*

*Wall and washing line of restitution ideas & practical steps (All day)*

### **9.00 Plenary 2 Restitution: Institutional responses to the past** *(Chair: Mr Tshepo Madlingozi)*

*Invited panel:*

1. Ms Zinzi Mgolodela (Woolworths)
2. The Most Revd. Dr. Thabo Makgoba (Anglican Church)
3. Dr Max Price (UCT)
4. Prof Sabelo Ndlovu-Gatsheni (UNISA)

### **10.00 Responses to the panel**

### **10.25 Restitution Awards**

### **10.45 Tea/Coffee Break**

### **11.15 Concurrent Sessions A**

- A1 PRACTICAL MODELS FOR RESTITUTION I
- A2 GENDER AND PATRIARCHY
- A3 MAKING RESTITUTION POSSIBLE ACROSS CONTEXTS
- A4 THEOLOGICAL PERSPECTIVES I
- A5 PEACE-BUILDING
- A6 LAND RESTITUTION I
- A7 EDUCATION I
- A8 BUSINESS MODELS FOR RESTITUTION

### **12.45 Lunch**

### **13.30 Concurrent Sessions B**

- B1 PRACTICAL MODELS FOR RESTITUTION II
- B2 RACE, PRIVILEGE AND INEQUALITY
- B3 COMING TO RESTITUTION
- B4 THEOLOGICAL PERSPECTIVES II
- B5 TRAUMA AND INTERGENERATIONAL CONSEQUENCES
- B6 LAND RESTITUTION II

- B7 EDUCATION (AND LAND) II
- B8 PRACTICAL MODELS FOR RESTITUTION III

**15.00 Tea/Coffee Break**

**15.30 Plenary 3 Everyday responses from beneficiaries and those dishonoured** (*Chair: Mr Stan Henkeman*)

*Invited panel*

1. Dr Marje Jobson (Khulumani)
2. Dr Deon Snyman (Restitution Foundation)

*Youth respondents:* Mr Paballo Chauke (Commonwealth Scholar, Oxford), Mr Marlyn Faure (Public health graduate student), Ms Jess Breakey (Humanities graduate student), Ms Mamello Mosiana (Politics graduate student), Ms Parusha Naidoo (IJR), Mr Siya Njica (RMF and FMF)

**16.45 Outcome Discussion Groups**  
(*Chairs, Dr Di Oliver*)

**17.45 Conference Closure**

## **Parallel Sessions A – at a glance**

*Presentations should be 15-20 minutes in length to allow for group discussion (15 minutes only if 4 presentations in a session). Please arrive at your session 15 minutes early and bring your presentation with you on a removable stick for loading (if you have a PowerPoint). Laptops will be available. Moderators will chair the session and record outcomes.*

<p><b>A1 PRACTICAL MODELS FOR RESTITUTION I</b></p> <p><b>Collaborative giving: moving together from charity to restitution</b> <i>Valerie Anderson, Nicole Joshua</i> (Common Change)</p> <p><b>A community restitution model</b> <i>Deon Snyman</i> (Restitution Foundation)</p> <p><b>A family restitution model</b> <i>Horst Kleinschmidt</i> (Claude Leon Foundation)</p>	<p><b>A5 PEACE-BUILDING</b></p> <p><b>From complicity in injustice, to complicity in peacebuilding</b> <i>Johan de Meyer</i> (Macassar Pottery)</p> <p><b>Building resilience for sustainable peace through a social contract</b> <i>Daniel Hartford, Masana Ndinga-Kanga, Hugo van der Merwe</i> (Centre for the Study of Violence and Reconciliation)</p> <p><b>Peace-building: A Better Way Out?</b> <i>Janelle Mangwanda</i> (Independent)</p>
<p><b>A2 GENDER AND PATRIARCHY</b></p> <p><b>Sexual orientation, gender identity &amp; expression (SOGIE) &amp; Restitution</b> <i>Laurie Guam</i></p> <p><b>Gender Based Violence: Why remorse and forgiveness is not enough?</b> <i>Benita Moolman</i> (HSRC)</p> <p><b>The power of cross-gender storytelling to achieve restitution in gender relations</b> <i>Antonia Porter</i> (GenderWorks)</p>	<p><b>A6 LAND RESTITUTION I</b></p> <p><b>Land restoration deferred: barriers to land restitution in South Africa</b> <i>Peter Jacobs, Charles Nhemachena, Shirin Motala</i> (HSRC)</p> <p><b>Land and cultural dispossession of the Khoe and San</b> <i>Ron Martin</i> (SA First Peoples' Museum)</p> <p><b>Land Restitution in the Eastern Cape: A Case Study</b> <i>Terrence Rasmus</i> (Land claimant)</p>
<p><b>A3 MAKING RESTITUTION POSSIBLE IN MULTIPLE CONTEXTS</b></p>	<p><b>A7 EDUCATION I</b></p> <p><b>Daily acts of education restitution</b></p>

<p><b>Investigating possibilities for restitution in Cameroon, Nigeria, Sierra Leone and South Africa: Language, race, ethnicity and religion</b> <i>Sharlene Swartz</i> (HSRC/UCT), <i>Emma Arogundade</i> (UCT), <i>Jessica Breakey</i> (Wits), <i>Abioseh Bokarie</i> (UWC), <i>Anye Nyamnjoh</i> (UCT)</p> <p><b>Locating Restitution within the Rome Statute: Zionism and 'Grand Corruption' As a Crime Against Humanity</b> <i>Terry Crawford-Browne</i> (Palestine Solidarity Campaign)</p> <p><b>Women as peace-builders: Restitution and Restorative Justice in Rwanda and South Africa</b> <i>Gertrude Fester</i> (Sol Plaatje University)</p>	<p><i>Laura Singh, Heidi Segal</i> (Outliers)</p> <p><b>Our languages as tools for educational restitution</b> <i>Robyn Tyler, Xolisa Guzula</i> (University of Cape Town)</p> <p><b>Restitution in education: A case study from Worcester</b> <i>Jan Ungerer</i> (Worcester Hope and Reconciliation Process)</p>
<p><b>A4 THEOLOGICAL PERSPECTIVES I</b></p> <p><b>Decolonization and renewed racism: A challenge or opportunity for reconciliation?</b> <i>Christo Thesnaar</i> (University of Stellenbosch)</p> <p><b>Restitution as biblical principle for poverty reduction in post conflict northern Uganda</b> <i>Omona Andrew David</i> (Uganda Christian University)</p> <p><b>The Risk of Restitution without Reconciliation – Reflections on the Joseph Story</b> <i>Julian Muller</i> (University of Pretoria)</p>	<p><b>A8 BUSINESS MODELS FOR RESTITUTION</b></p> <p><b>A business restitution model</b> <i>Michael Lawrence</i> (Martin and East)</p> <p><b>Partnership in Agriculture through transformation</b> <i>Keamogetse Mokomele, Jacobus Human</i> (ACTISOL), <i>Andre Snyman</i> (Corporate Governance &amp; Labour Law)</p> <p><b>Encouraging entrepreneurs</b> <i>Msizi Cele</i> (Magaye Consulting)</p>

## **Parallel Sessions B – at a glance**

*Presentations should be 15-20 minutes in length to allow for group discussion (15 minutes only if 4 presentations in a session). Please arrive at your session 15 minutes early and bring your presentation with you on a removable stick for loading (if you have a PowerPoint). Laptops will be available. Moderators will chair the session and record outcomes.*

<p><b>B1 PRACTICAL MODELS FOR RESTITUTION II</b></p> <p><b>The Worcester Christmas Eve Bombing: a case study of restitution and peacebuilding</b> <i>Marje Jobson, Tshepo Madlingozi, Stefaans Coetzee (Khulumani)</i></p> <p><b>Psychologists doing sorry: Narrative Therapy as response to trauma and inequality in South Africa</b> <i>Helen Malgas (Psychologist in private practice)</i></p> <p><b>Complementary and Indigenous Practices for Healing Communities</b> <i>Yasmin Jessie Turton (UNISA)</i></p>	<p><b>B5 TRAUMA AND THE INTERGENERATIONAL CONSEQUENCES OF INJUSTICE</b></p> <p><b>Perspectives from descendants of victims of apartheid era gross human rights violations</b> <i>Cyril Adonis (HSRC)</i></p> <p><b>The family as a protective social structure and the consequences of intergenerational humiliation</b> <i>Kudzai Singatsho Nyabadza (UNISA)</i></p> <p><b>Acknowledging the cycling violence through recognising continuous traumatic stress</b> <i>Sarah Crawford-Browne (UCT)</i></p>
<p><b>B2 RACE, PRIVILEGE AND INEQUALITY</b></p> <p><b>An endless violence: an analysis of the SA transitional justice process' handling of structural violence.</b> <i>Mamello Mosiana (UCT)</i></p> <p><b>Prevailed impunity in South and its effect on restitution</b> <i>Lance Claasen, Sylvia Vollenhoven</i></p> <p><b>A seat at the table: what is restitution to Coloured and Indian South Africans?</b> <i>Tristan Pringle (Common Change) Parusha Naidoo (IJR) Marlyn Faure (UCT)</i></p>	<p><b>B6 LAND RESTITUTION II</b></p> <p><b>Restituting (more) justice: From land restitution to land redistribution in South Africa</b> <i>Olaf Zenker (Free University of Berlin)</i></p> <p><b>Account on the History of the !Aman (Amaquas)</b> <i>Martinus Fredericks (!Aman Traditional Authority)</i></p> <p><b>Land restitution, 'big 5' tourism, and biodiversity stewardship: A meaningful form of redress?</b> <i>Lindokuhle Khumalo, Shirley Brooks (UWC)</i></p>

<p><b>B3 COMING TO RESTITUTION</b></p> <p><b>Restitution as Community Building: Learning from Experiences of Interconnectedness</b> <i>Kathryn Smith Derksen</i> (SADRA – Conflict Transformation)</p> <p><b>The Home for All Campaign: Lessons and relevance for the restitution debate in South Africa</b> <i>Di Oliver, Mary Burton and Geordie Ratcliffe</i></p> <p><b>Time to Trek: a Rediscovery of Afrikaner Leadership</b> <i>Schalk van Heerden</i> (FSSA: Youthzones)</p>	<p><b>B7 EDUCATION II (AND LAND)</b></p> <p><b>Race, Education and Emancipation: Belonging and restitution in South Africa's Universities</b> <i>Alude Mahali, Adam Cooper, Sharlene Swartz</i> (HSRC)</p> <p><b>Land as Literary Resource: In search of a discourse with which to transform South African literary studies at universities</b> <i>Matt Winfield</i> (UCT)</p> <p><b>St Mark's Anglican Church and CPUT: universities as material and symbolic sites of land restitution</b> <i>Austen Jackson</i> (St Mark's Anglican Church)</p>
<p><b>B4 THEOLOGICAL PERSPECTIVES II</b></p> <p><b>Mission as restitution</b> <i>Craig Stewart</i> (The Warehouse)</p> <p><b>Bicycle theology</b> <i>Rashid Omar, Fatima Swartz</i> (Healing of Memories)</p> <p><b>A liturgy for restitution</b> <i>Sarah Hills</i> (Coventry Cathedral)</p> <p><b>A theology and spirituality of environmental restitution, and the future of peacemaking in Southern Africa</b> <i>Allen Goddard</i> (University of KwaZulu Natal)</p>	<p><b>B8 PRACTICAL MODELS FOR RESTITUTION III</b></p> <p><b>Black Christmas: a documentary discussion</b> <i>Themba Lonzi</i> (Fabulous Theatre Communications) and <i>Mark Kaplan</i> (Filmmaker)</p> <p><b>10-10-10 Restitution Dialogues</b> <i>Sharlene Swartz</i> (HSRC/UCT) and <i>Nathan Begbie</i> (UCT)</p> <p><b>Pilgrimage as a tool for deeper dialogue</b> <i>Rene August</i> (The Warehouse)</p> <p><b>Restitution and return: the campaign to declare District Six as a National Heritage Site</b> <i>Chrischene Julius</i> (District Six Museum)</p>

## **Abstracts for Parallel Sessions**

### **A1 PRACTICAL MODELS FOR RESTITUTION I**

#### **Collaborative Giving: a practical model for moving together from charity to restitution**

*Valerie Anderson, Nicole Joshua  
Common Change*

The law of apartheid may have fallen in South Africa, but its legacy lives on. Entrenched in our economic, social and political spheres, the legacy is exhibited in massive economic disparity and the deeply felt wounds of inequality, oppression and lack of access to opportunity. More critically, the apartheid legacy of disconnection continues to hold us adrift, characterized by our personal economic and relational isolation. Common Change South Africa is a model for collaborative giving, supporting groups in giving together in deeply relational and restitutive ways. This practical session will focus on learning how this accessible model can help you and your circle of influence multiply your giving, expand your impact and longevity, grow your intentionality and increase your communal wisdom. Bridging the divide between theory and practice, the session will look at three key areas:

- Exploring the foundational principles of collaborative giving through aspects of relationships and collaboration
- Understanding Common Change as a practical model for collective commitment to longevity and proactive restitutive giving
- Participating in a shared case-study, modelling the insights of the group and demonstrating how principle meets practice moving from charity towards restitution

Connected under the understanding that what we all do on our own, will be done better together, the session will seek to build the connections between the “why” and “how” of restitution.

*Anderson served as the Operations Director for Common Change globally before launching Common Change in South Africa in 2015*

*Joshua is a board member of Common Change South Africa and is currently pursuing her Masters through the Centre for Contextual Ministry, University of Pretoria*

## **Models for Restitution**

*Deon Snyman  
Restitution Foundation*

Demands for restitution to address the socio-economic injustices and unfinished business of our colonial and apartheid past have arisen frequently within democratic South Africa's public discourse. Yet the debates have been caught largely on the validity of this demand, and held within intellectual and academic circles. Theories of restitution have developed; yet there are few practical examples of restitution within a community context. The Restitution Foundation is a Cape Town based NGO that seeks to be a catalyst for restitution within South Africa. Over the past seven years the Restitution Foundation partnered with all sectors within the Worcester community to develop a community-led restitution model. The process has entailed residents taking responsibility for the implementation of the South African National Development Plan (NDP) as a restitution intervention. This presentation will outline the principles of the Worcester community-led restitution model and discuss its successes and challenges.

*Snyman is the Chief Operating Officer of the Restitution Foundation*

## **A Family Restitution Model**

*Horst Kleinschmidt  
Claude Leon Foundation*

In retirement I investigated and unlocked family secrets: a white identity that concealed Khoi ancestry; the pursuit of racial purity to gain access to economic advantage and racial white classification in South Africa and Germany; family on 'both sides of the rail track'; denial, suicides and lies. A family comprised of some with a white consciousness or identity, others classified as Coloured during the apartheid era, and others who have now married into Black families. In 2014 and again in 2016, these three strands of family met. Space was created for 'TRC' sessions, which demonstrated the importance of inclusive group dialogue instead of 'confessions and conversations limited to certain spaces and people. It allowed for reflections on being on the wrong side of virtue/history and a yearning for belonging that cannot, for now, be realised. It spoke to the post-apartheid white generation that can only build half of the bridge, half of a new inclusive SA identity, half of being reconciled. Overcoming race does not replace the requirement for economic egalité: resolution of

the apartheid past must not obliterate class as a construct in race; land and property, institutional culture and access remain issues. Through images spanning over 200 years, and in deliberate non-academic terms, this family history becomes tangible and accessible, for other families to emulate. It takes the discussion from national and abstract 'imploring' for truth and reconciliation, to the tangible and personal level. My engagement is work-in-progress and my assertions are tentative and exploratory.

*Kleinschmidt was an anti-apartheid activist, has worked as both a civil servant and in civil society and is a trustee of the Claude Leon Foundation*

## **A2 GENDER AND PATRIARCHY**

### **Sexual orientation, gender identity & expression (SOGIE) and Restitution**

*Laurie Gaum, Zethu Matebeni, Judith Kotzé  
Centre for Christian Spirituality, the Institute for Humanities, UCT,  
Inclusive and Affirming Ministries*

If restitution goes further than a racial centering issue and is in the language of Ubuntu the restoration of right relationships, and if it even surpasses the notion of restorative justice in that it speaks to transformational justice, issues around sexual orientation and gender identity and expression (SOGIE) come into play. If transformational justice critiques structures which cause systemic patriarchy, from the perspective of SOGIE the effect of homo and transphobia and heteronormativity come into focus. What would restitution look like in this case seeking to create more humane and life giving communities which take (sexual) bodies seriously and deal with the millennia old experience of exclusion based on otherness related to SOGIE? What about churches and religious communities and institutions which have often been instrumental in their choice of continuing to interpret holy texts in an exclusionary way and continuing exclusionary practices, so furthering homo and transphobic hate speech and crimes? Immense suffering has and continues to be experienced because of this. Is access for LGBTQI people to leadership positions in churches and religious communities and institutions like marriage enough or should there be compensation or redress for past discrimination and inequalities? In this panel discussion of various interested parties we ask

the question: How will the new inclusive and diverse community as far as SOGIE is concerned which we are seeking to create together, look like?

*Gaum is Programme Coordinator at the Centre for Christian Spirituality and is ordained in the Dutch Reformed Church (DRC)*

*Matebeni is an activist, writer, documentary film maker and senior researcher at the Institute for Humanities, UCT.*

*Kotzé is director of Inclusive and Affirming Ministries and is ordained in the Dutch Reformed Church.*

### **Gender Based violence: why remorse and forgiveness is not enough?**

*Benita Moolman  
Human and Sciences Research Council (HSRC)*

Gender Based Violence (GBV) has been around for centuries, and we have always focused on women and girls as victims/survivors. While this has been necessary, it has not ended GBV. Increasingly, attention is being paid to engaging men and boys in prevention interventions on GBV. Tertiary prevention is ensuring that the men convicted of abusive behaviour, assault and sexual violence against women do not do it again. Tertiary prevention is usually conducted through treatment programs for abusers and men convicted of sexual offending, which ultimately means that these men have to significantly change their attitudes, deeply held beliefs and behaviour towards women and girls. This deep, introspective, psychological and cognitive change is not only found in the act of remorse. Remorse is a process of saying sorry and being regretful, yet it doesn't prevent a repetition of abusive behaviour. There are numerous stories of abused women who have explained that their abusive husbands have said sorry yet over the course of a few weeks or months, used violence against them, again. Remorse doesn't guarantee justice and accountability. This paper will explore the processes of remorse and forgiveness and what it means for holding abusive and violent men accountable for their abusive and sexually violent behaviour.

*Moolman is a Senior Research Specialist Human and Social Development Unit (HSD) at the HSRC*

## **The power of cross-gender story-telling to achieve restitution in gender relations**

*Antonia Porter  
GenderWorks*

This session will provide insight into the practical exploration and illustration of how restitution in the field of gender and sexuality may be achieved. A crucial means of confronting gender injustice, transforming patriarchy, and restoring dignity for all genders is the creation of safe spaces for women and men to share their stories of the impacts of patriarchy on their lives. The presentation will explore and demonstrate the value of cross-gender truth/story-telling in carefully-facilitated settings, as a vehicle for transforming patriarchy and achieving restitution for women and men in South Africa. The session will draw on ten years of Gender Reconciliation (GR) programmes in this country. The programmes involve facilitated processes of witnessing and deep listening to personal stories of gender and sexual injustice. Working through the challenges of gender injustice with integrity, compassion, and non-judgment, participants of all genders routinely experience restoration of dignity; a profound sense of their own humanity beyond gender identities; often forgiveness; and inter-connectedness across gender divides. Findings from a research project on the GR methodology at the University of the Free State, initiated by Dr. Pumla Gobodo-Madikizela, will be presented. Initial findings show that GR transforms hegemonic masculinities, and shifts underlying gender ideologies between women and men. Presenters will make recommendations for scaling-up GR in South Africa, and will also share outcomes from implementing this unique approach in India, Colombia, and USA.

*Porter is an International Programme Officer at GenderWorks*

### **A3 MAKING RESTITUTION POSSIBLE IN MULTIPLE CONTEXTS**

#### **Possibilities for restitution in Cameroon, Nigeria, Sierra Leone and South Africa**

*Sharlene Swartz (HSRC/UCT), Emma Arogundade (UCT), Jessica Breakey (Wits), Abioseh Bokarie (UWC), Anye Nyamnjoh (UCT)*

How best can university students be helped to bridge the gap between recognising or knowing about unearned privilege and injustice, and taking action to transform the situation? This was the problem which a

qualitative research study focussed on four African universities chose to address. Specific issues addressed were ethnic and political privilege in Sierra Leone, language privilege in Cameroon, racial privilege in South Africa and religious and ethnic privilege in Nigeria. Research methods included face to face interviews, a labelling activity, use of vignettes to elicit responses and a written reflection on personal privilege. This study uses a postcolonial conceptual-contextual framework that recognises the impact of the past on the present and promotes a theory of change based on geo-location and understandings of social solidarity, recognition and restitution to inform and promote social justice through moral education. This discussion will consider the usefulness of the notion of 'restitution' and report on how students understand, interpret and apply the term. Outlined also will be how a restitutive framework scaffolds the gap and provides intermediary steps between knowing and acting on moral issues – in concrete ways. In addition, we will describe how students consider privilege to be 'a spider's web' and how those who are privileged need to articulate its effects and come up with ways of how it could be disrupted. Lastly, we will tackle the difficult issue of why victims are reluctant to label themselves, and how the term 'victim' can provoke action towards a more just society.

*Swartz is the research director in the Human and Social Development (HSD) unit of HSRC, and an adjunct Associate Professor of Sociology at University of Cape Town (UCT)*

*Arogundade is a Senior Researcher in HSD at HSRC, and a PhD candidate in Sociology at UCT*

*Breakey is a Masters student in Sociology through the Wits Institute for Social and Economic Research, University of the Witwatersrand*

*Bokarie is a Masters student in Development Studies with the Institute for Social Development, University of the Western Cape*

*Nyamnjoh is a lecturer (part time) Business Ethics, Department of Philosophy, UCT*

### **Locating the Restitution within the Rome Statute: Zionism and "Grand Corruption" As a Crime Against Humanity**

*Terry Crawford-Browne  
Palestine Solidarity Campaign*

The 1917 Balfour Declaration that purportedly gave legitimacy to a Zionist homeland in Palestine formed part of a British land grab in the Middle East after World War I. The Declaration is an example of “perfidious Albion” at its most treacherous. The Israeli government’s behaviour towards Palestinians meets the legal criteria of apartheid was the subject of a detailed 2009 report by the Human Sciences Research Council. Plunder sucks the financial lifeblood out of a country, and impoverishes its people. Accordingly, there is growing international debate to include “grand corruption” as a crime against humanity within the terms of 7(1)(k) of the Rome Statute. Although South Africa was a founding signatory to the International Criminal Court, the government has given notice of intention to withdraw. In so doing it has signalled, and in contradiction of South Africa’s Constitution, that promotion of universal human rights is no longer a foreign policy priority. The paper proposes that civil society organisations should take the lead in 2017 (whilst observing the centenary of the Balfour Declaration) to launch litigation to oblige our government to meet its international obligations in respect of Israeli (and other) crimes against humanity. This could initially be undertaken within South Africa in the Cape High Court in terms of chapter fourteen requirements of the Constitution, and subsequently through the International Criminal Court and other global forums to declare Zionism and its attributes of “grand corruption” to be a crime against humanity.

*Crawford-Browne is a member of the Palestine Solidarity Campaign, and also a whistleblower on the arms deal scandal.*

### **Women as peace-builders: Restitution and Restorative Justice in Rwanda and South Africa**

*Gertrude Fester  
Sol Plaatje University*

Rwanda and South Africa (SA) share many parallels – it is the irony of history that April 1994 was in both countries a turning point. While SA was celebrating a peaceful first democratic election, Rwanda had the shortest, most intense genocide in which almost a million people were hacked to death in the period of 7 April – 3 July 1994. What has been remarkable in both countries was the subsequent commitment to processes of democratisation. SA, with its Truth and Reconciliation Commission captured global headlines while skepticism greeted Rwanda

in the adapted traditional community resolution, the large-scale *gacaca* process which complemented the UN created International Criminal Tribunal for Rwanda. Both countries have human rights constitutions and have particularly promoted the role of women. Rwanda has the highest number of women in government (64%) and SA globally remains in the top four. But what do the above all mean for genocide victims and victims of gross human rights under apartheid? To what extent have their lives changed for the better and to what extent have restitution, reparation and meaningful transformation taken place? This paper examines the role of women as agents towards peacebuilding and reconciliation; both as individuals and collectives, what has worked in terms of restitution and reparations and what are the challenges? Constructive proposals for forward-looking strategies to address the gaps and what lessons are to be learnt will be explored.

*Fester is a Professor at the School of Humanities, Sol Plaatje University in Kimberley and a Board member of the Khulumani Support Group*

#### **A4 THEOLOGICAL PERSPECTIVES I**

##### **Decolonization and renewed racism: A challenge or opportunity for reconciliation?**

*Christo Thesnaar  
University of Stellenbosch*

University campuses across South Africa have recently been challenged by significant student protests concerning issues such as the abolishment of study fees, aspects of colonization, language policies, to name but a few. This paper will briefly reflect on these encounters by engaging with the perspectives of decolonization, deimperialization and incommensurability as possible ways to assist the process of reconciliation. An area of particular focus is whether the notion of reconciliation is still relevant within the current South African context given the nature of issues driving the university protests. The aim of this paper is an attempt to provide some theological hermeneutical perspectives to assist the religious groupings of South Africa in their endeavor to engage with these challenges through responsible ways in order to be advocates of sustainable peace and reconciliation.

*Thesnaar is a Professor in Practical Theology, Pastoral care and counselling at the University of Stellenbosch*

## **The challenges and opportunities of applying the biblical principle of restitution for poverty reduction in post conflict northern Uganda**

*Omona Andrew David  
Uganda Christian University*

Restitution, the principle of returning what an offender took from a victim and additional compensation, seem so central to addressing post conflict poverty situation in northern Uganda. The devastating conflict that lasted for two decades left an ugly print in as far as economic wellbeing of the local community in northern Uganda. Even though the guns went silent since 2006 and the government of Uganda had tried to initiate some programmes to uplift the economic status of the local communities, up to now most families have failed to improve beyond national poverty levels. This paper will attempt to expose the principle guiding the implementation process of restitution as set in the Bible by explaining some of the challenges that are envisaged in applying such principles in the situation of northern Uganda. An analysis will be conducted of some of the opportunities that are likely to accrue if the principle and procedure of restitution set in the Bible is followed to execute a restitution programme for northern Uganda. In drawing a conclusion, practical action points will be detailed on following and implementing key principles and procedures.

*Omona is a Lecturer and Researcher on Peace and Conflict in the Theology Faculty of Uganda Christian University*

## **The Risk of Restitution without Reconciliation – Reflections on the Joseph Story**

*Julian Muller  
University of Pretoria*

The concept and idea of reconciliation is currently under suspicion. The message of reconciliation, social cohesion and the rainbow nation, which was part of the era of Mandela and the TRC led by Archbishop Desmond Tutu, is not only questioned, but rejected as a nostalgic dream. Instead, the emphasis is put on restitution and restorative justice. Restitution is about deeds of restoration, while reconciliation can easily be cheap talk without commitments for concrete change. The question, on the other hand, is whether restitution is possible without reconciliation? And, what the consequences would be of restitution without reconciliation? A

new imbalance seems to be looming, namely to put great emphasis on the concrete actions of restitution and to put such a high premium on restorative transactions, that the mending and reconciliation of relationships are forgotten. This paper will investigate the delicate relation between re-interpretation, reconciliation and restitution by way of a reflection on the Joseph story in Genesis 45.

*Muller is an Emeritus Professor, Practical Theology, University of Pretoria and Senior Research Fellow at the Centre for the Advancement of Scholarship*

## **A5 PEACE-BUILDING**

### **From complicity in injustice, to complicity in peacebuilding**

*Johan de Meyer  
Macassar Pottery*

Research has shown that interactions between South Africans are limited to the work place as well as shops and malls but not extending into home environments, churches and communities. We therefore need strategies that make the engagement in current spaces stronger, while creating spaces for engagement at home, in church and communities. This can be achieved through a holistic model that operates in different social and economic spheres but gains strength from grassroots buy-in. In my personal attempts to build restitutive pathways, four principles have arisen - Relate, Ideate, Incubate and Integrate. Working alongside my wife, we have put the principles listed above into practice; through living in what is still uncomfortably called a coloured township, building social enterprises in Macassar, hosting dialogues and retreats for people currently from Macassar, Khayelitsha and the northern suburbs. As a benefactor of apartheid and witness to overt racism and physical violence, my journey – and these principles – is therefore a very personal attempt at dealing with my own complicity in injustice, and learning how to become complicit in peace-building.

*De Meyer is the manager and owner of Macassar Pottery, a township-based social enterprise that creates employment in the crafts sector for unskilled and under-privileged youth*

## **Building Resilience for Sustainable Peace: addressing past and present conflict through the South African social contract**

*Daniel Hartford, Masana Ndinga-Kanga, Hugo van der Merwe  
Centre for the Study of Violence and Reconciliation*

Sustainable peace and the social contract are intrinsically linked in post-transition societies. In attaining peace that is durable and sustainable, there is emerging consensus that a robust relationship between society and the state - characterized by a *resilient* social contract - is vital. The 'Forging a Social Contract' research project is an attempt to measure the strength of South Africa's social contract through three 'spheres of social contract making:' the nature, legacy and durability of the political settlement; service delivery and the institutional capacity of the state; and lastly, the levels of social cohesion in a society. By tracing two 'core conflict issues' (Service Delivery and Economic Participation) and the 'resilience for peace capacities' that mitigate these drivers of discord throughout the three spheres, the research interrogates the nature of South Africa's social contract. Far from perfect, South Africa's experiences in forging a social contract are indicative of the increased tensions faced by society in the state's failure to deliver key services and address historical patterns of injustice. By focusing directly on the unequal distribution of adequate services, and drawing linkages to historical injustices with modern permutations, the research argues that the South African social contract can be edified by building existing resiliencies, present within state and non-state institutions, in ways that are responsive and adaptive to grievances, and inclusive of the multiplicity of identities and lived experiences of citizens and non-citizens alike.

*Hartford is a Research Assistant at The Safety and Violence Initiative (SaVI)*

*Ndinga-Kanga is a Senior Researcher at CSV*

*Van der Merwe is the Director of Research, Knowledge and Learning at CSV*

## **Power Sharing and the role Reconciliation and Restitution can play in resolving state conflicts**

*Janelle Mangwanda  
Independent*

This paper takes cognisance of the fact that as the theatre to some of the bloodiest conflicts in the world, the African continent is severely troubled. Conflict has become particularly detrimental in the progress and development of African states because of the devastating effects that it has had on the social, economic and political environments of affected countries. As a response to this endemic problem and as a means of resolving conflict, power-sharing has been brought under the limelight in recent years as a remedy to cease violence. As such, in the post-colonial era, conflict and power-sharing have become two-sides of the same coin. Premised on the notion of co-operation between feuding parties in a joint government, proponents of power-sharing suggest that it is a probable means of putting an end to violence. However, there are a few cases that speak to this. The argument of this paper is that power-sharing solely may not be enough as it seeks to cover up a problem rather than dealing with the root causes. Therefore in order to create relative stability and promote peace-building, power-sharing is to be accompanied by reconciliation. The act of reconciliation, by its very nature forces opposing parties to engage and discuss pertinent issues that led to the conflict, which, if left unspoken will lead to further conflicts. Reconciliation therefore opens the door for restitution, which, in extreme cases plays a pivotal role and the final stage of settling conflicts indefinitely.

*Mangwanda holds a Master's degree in International Relations from the University of Pretoria. Her research interests include foreign policy, diplomacy and African politics*

## **A6 LAND RESTITUTION I**

### **Land restoration deferred: barriers to land restitution in South Africa**

*Peter Jacobs, Charles Nhemachena, Shirin Motala  
Economic Performance and Development (EPD), HSRC*

Land dispossession and forced removals were salient features of colonial and apartheid rule in South Africa, thus fostering and entrenching highly

unequal land access and ownership patterns. The Restitution of Land Rights Act 1994 (Act No. 22 of 1994) provides that persons or communities are entitled to claim restitution by submission of a claim for the restoration of land, alternative land and financial compensation or a combination of the above. One of the main purposes of this programme is to redress the injustices of the past, with a focus on the expropriation of land as well as on contributing to nation building. The claims process closed on 31 December 1998. Two decades after the start of land restitution process, many questions arise from it: Why does the country still have about 8 000 unsettled land claims? What do these claims tell us about the capacity of the Commission to facilitate land restitution? This paper investigates reasons for the extraordinary number of unsettled claims, with an emphasis on inadequate institutional capacity.

*Peter Jacobs is a Chief Research Specialist in the EPD unit of HSRC and worked on land reform policy issues in the Institute for Poverty, Land and Agrarian Studies (PLAAS) at University of Western Cape*

*Charles Nhemachena a senior research specialist in EPD*

*Shirin Motala Senior Research Manager in EPD*

## **Land and cultural dispossession of the Khoe and San**

*Ron Martin*

*SA First Peoples' Museum, Ron Martin Heritage Consultancy*

This session aims to list the various pieces of legislation instituted in Southern Africa well before the infamous Native Land of 1913 with the laws and articles targeting the Khoe and San peoples forming the focus. Moreover, this session will seek to approach acts of systematized cultural dispossession as a process that took many years, as opposed to one major event or with no clear goal behind the processes. The result, as witnessed today, has been the complete eradication of the Khoe and San peoples' culture and heritage, followed by the wholesale assimilation of those with Khoe/San heritage into the racial sub-group today known as "coloured". The presentation will explore the current status quo regarding land reform policies. Specifically, it explores the potential for a strategy to be instituted whereby prospective claimants are not limited in practice by the legislative cut-off of 1913. This strategy would

allow those who seek reparations for land lost prior to that date access to state resources earmarked for such use.

*Martin is the Chair of SA First Peoples' Museum*

### **Land Restitution: case study in the Eastern Cape**

*Terence Rasmus  
Land claimant*

This session will focus on successful restitution land claimants providing a historical overview of a land restitution claim in the Eastern Cape. Due to the Apartheid policies of the South African state, the Rasmus family lost their land in 1970. This traumatic experience affected the family psychologically and socio-economically. The family joined other claimants in launching a restitution claim in 1996. Through the restitution process, the family experienced a range of challenges including a judicial case settled in the constitutional court. The restitution claim was successfully completed. The session will focus on claimants' experience and will entail personal accounts of the successes and challenges of the process and learnings made that could assist future restitution claimants.

*Rasmus is a Moravian church minster and community activist*

## **A7 EDUCATION I**

### **Daily acts of education restitution**

*Laura Singh, Heidi Segal  
Outliers*

One of the legacies of Apartheid is exemplified in unequal access to quality education in South Africa. After 22 years of democracy, quality education is reserved for those who can afford it, whilst schools that cater to the poorest 60% of students suffer low matric pass rates and poor learner retention. Government has many programmes in place as an effort to address these underlying issues. Meanwhile, thousands of students fall through the gaps each year, and will continue to do so. Outliers propose ways of doing education restitution to address these issues and stand in the gaps for these students. Moving away from common notions of charity and volunteering, Outliers champions the good work of disadvantaged communities and invites others to partner

with these passionate, knowledgeable people. Active engagement in community projects to enhance the impact of work already being done requires civil society to own the mandate for education restitution. Rather than acts of individual charity, the hope is that education restitution becomes a part of societal responses to their neighbours in need. These acts by different sectors of civil society will, collectively, provide holistic support for every student as they build agency and capacity to navigate their way through the education system to employment. Using concrete examples and case studies, Outliers invites civil society to join in everyday acts of education restitution so that all students access equal education in South Africa.

*Singh and Segal are the founders of Outliers, an NPO focused on helping disadvantaged youth to make informed decisions by increasing access to quality education in after-school programs that provide quality academic support*

### **Our languages as tools for educational restitution**

*Robyn Tyler, Xolisa Guzula  
University of Cape Town*

Healing the ravages of Bantu Education and providing quality education for all our children is a profound act of restitution. This session will draw on a documentary screening and a discussion. The documentary 'Sink or Swim' (PRAESA, 2004) reveals the contemporary reality for the majority of South African learners in schools with regard to the language of teaching and learning: the policy of English-only undermines the goal of deep learning. Viewing excerpts of the documentary will give participants a good outline of the current situation in schools where tacit language policies serve as barriers to learning. Successively following the screening, the discussion section will put forward a response to this situation by proposing a view of our learners as 'dynamic bilinguals' (Garcia and Li Wei, 2014) and by exploring pedagogies which position our learners as resourceful through the language repertoires they bring to school. We therefore underscore that extensive restitution can be achieved at all levels of education by reimagining what counts as good language practice for learners.

*Tyler is a PhD candidate in Language in Education at UCT*

*Guzula is a PhD candidate in language and literacy at UCT*

## **Restitution in Education: a case study of the Worcester Hope and Reconciliation Process**

*Jan Ungerer  
Worcester Hope and Reconciliation Process*

Research highlights that the most important tool to combat poverty in South Africa is education. Within the first thousand days of a child's life the brain develops up to 70% of its potential and 90% during the first 6 years. The best way to improve the development of the brain within this period is to ensure that four building blocks are in place: love, security, nutrition and stimulation. This session will bring together representatives of the community-led restitution process in Worcester, known as the Worcester Hope and Reconciliation Process. The session will be a space for sharing the learnings and challenges they have encountered in implementing restitution within the Early Childhood Development Centres in Worcester.

*Ungerer is a retired minister of the Dutch Reformed Church and is a founding member of the Worcester Hope and Reconciliation Process*

## **A8 BUSINESS MODELS FOR RESTITUTION**

### **An Employee Business Ownership Model**

*Michael Lawrence  
Martin and East*

This session will present an example of an employee ownership model that balances ownership of an enterprise with employee's responsibility to meet selected values that will enhance the profitability and sustainability of the business. An enterprise may have shareholders or venture capitalists who do not work for the business. Ownership may also be through the management team and those who add strategic value to the business. Selected employees may also be shareholders or beneficiaries of a trust. The relative percentage ownership of the different shareholders can vary depending on the nature and requirements of the enterprise and the shareholders. Typically an employee trust can own from 5% to 30% of an enterprise. An Employee Trust holds various objectives, including:

- Mechanism to manage many employees as shareholders of a business enterprise

- Mechanism for all employees to share in the financial success of the business
- Provide longer term employees financial benefit in proportion to their years' service
- Delivers financial benefit to employees when they retire from the company
- Encourage behaviour of employees as financial beneficiaries of the company

These objectives will be discussed as well as the steps that must be taken in developing an Employee Ownership Trust. In addition, the challenges that may arise in operating this model will be discussed.

*Lawrence is a director of Martin & East and the chairperson of Isidima Trust*

### **Partnership in Agriculture for Transformation**

*Keamogetse Mokomele, Jacobus Human, Andrew Snyman  
ACTISOL*

In 2009, I met the late Mr Jack Human. A pioneer in agriculture, who introduced conservation agriculture some +30 years ago in grain farming, Mr Human worked alongside my business partner and me in fish farming. He afforded me the opportunity to prototype my green technologies on his farm. In 2011, Jack tasked me to look into Land Reform; with the aim of empowerment of Black women, wealth sharing and land restitution. In 2012, Jack introduced me to his son Jacobus who is now my business partner. We had made strides through land reform via the Western Cape Government, but found that their procedures were too protracted. Jacobus and I then decided it was better for us to start a company together. Jacobus (through Eerstebos Boerdery) purchased a farm, creating ACTISOL, in which the majority ownership is black shareholders which include the employee trust. Located in Swellendam, the farm has the potential for renewable green energies as well as citrus development. Consultations and consideration of possible models and best practice, for the beneficiation of the employees are in progress and we will start planting summer crops by January 2017. We believe in starting small, working together and bringing different skills to benefit to the company with the hope that this model can be replicated by others that are interested in making a difference.

*Mokomele is Civil Engineer by qualification from CPUT, Principal of COR Environmental, Non-Executive Director for Eerstebos Boerdery and Director of ACTISOL*

*Human is a Farmer, Agricultural entrepreneur and a Director for Eerstebos Boerdery as well as ACTISOL*

*Snyman is a BComm graduate from the University of Pretoria and specialised in Labour Law and Corporate Governance*

### **Encouraging entrepreneurs**

*Msizi Cele  
Magaye Consulting*

South Africa critically requires high levels of job generation by small and medium businesses in order to overcome its historic economic inequalities. According to the Global Entrepreneurship Monitor 2015 (GEM) Report for South Africa, since 2013 the percentage of early stage entrepreneurs who expect to create no employment opportunities has increased. This is obviously affected by the prevailing negative current economic climate. Moreover this report also shows that level of entrepreneurship for the age group 18 – 34 years, which is the highest entrepreneurial age in similar efficiency-driven economies as South Africa, is more than 13% lower than the average for Africa. Somehow South Africans of prime entrepreneurship active age are not attracted to take step towards forming job generating businesses. This session will examine how restitution can be used to reimagine policy majors that are supplemented by both corporate and government sectors to address challenges facing entrepreneurs. The presenter will share a practitioner perspective in dealing with entrepreneurs as well as encouraging aspiring youth entrepreneurs in townships and rural areas. In addition, there are growing trends of micro franchise models of retail and technology in township areas, some of these models will be presented. The presenter will also welcome input and participation from the audience.

*Cele is the founder of Magaye Consulting which focuses on the growth and expansion of Small Medium Enterprises*

## **B1 PRACTICAL MODELS FOR RESTITUTION II**

### **The Worcester Christmas Eve Bombing: a case study of restitution and peacebuilding**

*Marje Jobson, Tshepo Madlingozi, Stefaans Coetzee  
Khulumani Support Group*

Processes of restitution and peacebuilding is greatly enhanced when perpetrators: (i) acknowledge that their actions were unjust (ii) take full responsibility for their actions (iii) provide the full truth about their unjust actions (iv) portray sincere remorse (v) render an unconditional apology (vi) provide evidence of transformed behaviour. The session involves Marje Jobson and Tshepo Madlingozi in conversation with Stefaans Coetzee, one of the perpetrators of the racially motivated 1996 Christmas Eve bombing in Worcester. The conversation will focus on the process of taking responsibility for his actions and how his subsequent interactions with the survivors of the bombing facilitated opportunity for restitution and peacebuilding. The conversation will further focus on how this case study provides lessons for South Africa in dealing with the racist legacy of colonialism and apartheid.

*Jobson is the National Director of the Khulumani Support Group.*

*Madlingozi is Chairperson of the Khulumani Support Group and a Senior Lecturer in the Department of Legal History, Comparative Law and Legal Philosophy at the University of Pretoria*

*Coetzee is one of the perpetrators of the racially motivated 1996 Christmas Eve bombing in Worcester*

### **Psychologists doing sorry: Narrative Therapy as a response to trauma and inequality in South Africa**

*Helen Malgas  
Psychologist*

Through the use of personal narratives as an English speaking coloured woman and an Afrikaans speaking white woman, reflections will be offered on our awareness of social injustices in South Africa. We will explore how Narrative Therapy assists us to view the impact of historical injustices, continued inequality and overwhelming trauma in the South African context where we live and work as psychologists. Through our

professional connection and personal friendship of the past ten years we have been able to engage in acts of restitution on a personal, professional and community level. As Christians we share a deep concern about the inequality in psychological service provision in South Africa where, according to the Department of Health, 85% of psychologists are in private practice, serving 14% of the population. We will share examples of the ways in which Narrative Therapy has inspired us to generate hope and possibilities beyond our middle-class practices in ways that we had previously thought impossible.

*Malgas has been practising as a Counselling Psychologist for the past 11 years and is currently working in private practice, she is also a part-time lecturer for South African College of Applied Psychology*

### **Complementary and Indigenous Practices for Healing Communities**

*Yasmin Jessie Turton  
University of Johannesburg*

Currently, methods of working with communities are largely based on Western models within a scientific worldview which often does reflect the reality of people at the grassroots. As a result social work practice in South Africa is still largely based on a Western model of practice which uses talk therapy as the main mode of intervention. Complementary and indigenous healing practices which are holistic and largely non-Western provide opportunities to integrate spirituality into social work practice. An individual's connection to the community and to moral and social responsibility increases when their sense of spirituality increases. For purposes of this paper spirituality (not to be confused with religion) is about giving meaning and purpose to our lives and what motivates us as human beings. Encompassing multiple facets, it is not simply an inward journey but inclusive of an individual's sense of peace, well-being and strength. Collectively holding the responsibility to make the world a better place, social justice activism is an integral and essential expression of spirituality. In using the term "spirituality of resistance", which links individual and community spirituality to social change, there is interconnectedness with social justice, making it indispensable to social work practice? Therapeutic benefits of social justice activism such as hope, empowerment and healing from oppressive social structures are as critical as liberation from intrapsychic constraints. It is within this context, that this paper addresses the contribution that complementary

and indigenous healing practices can make towards holistic social work interventions with vulnerable communities in South Africa.

*Turton is a lecturer in the Department of Social Work at the University of Johannesburg*

## **B2 RACE, PRIVILEGE AND INEQUALITY**

### **An Endless Violence: an analysis of the South African transitional justice process' handling of structural violence**

*Mamello Mosiana  
UCT*

One of the many criticisms of the South African Transitional Justice process was the emphasis placed on civil and political rights, in particular direct violence. The critique is evidenced by the TRC hearings which focused on murder, disappearances and torture based on political motive. This can be said to have resulted in the narrow perception that Apartheid only had 20 000 victims, discounting the everyday structural violence of the Apartheid government. Today – persistent inequality, high levels of unemployment, service delivery protests and a growing disgruntled born-free generation, bring to question the lack of socio-economic transformation of South Africa. Furthermore while these issues might be relegated to class, the overtly racialised and gendered nature of poverty bring to question the unmitigated institutionalised and structural violence that remains. This paper thus aims to provide an analysis and critique of the means in which direct and structural violence have been conceptualised in the South African transition. Moreover, it will discuss inequality as a form of structural violence.

*Mosiana is currently pursuing her Masters in Justice and Transformation, Politics Department, UCT*

### **Prevailed impunity in South Africa: the effect on restitution, sustainable peace and socio-economic development**

*Lance Claasen, Sylvia Vollenhoven*

The South African Truth and Reconciliation Process provided the opportunity to perpetrators of gross human rights violations to apply for amnesty from prosecution. To qualify for amnesty the applicants had to disclose the full truth about their actions and also proof that their actions

were politically motivated. Many apartheid era perpetrators did not apply for amnesty. Some perpetrators who applied were not granted amnesty. During the first two decades of the democratic South Africa the government did not fulfil its mandate to prosecute apartheid era gross human rights perpetrators who did not receive amnesty. This culture of impunity does not bode well for restitution, sustainable peace, reconciliation or socio-economic development in South Africa. In this session three South African commentators reflect on how this culture of impunity hinders the South African Society to sufficiently address the root causes of our violent past.

*Claasen oversees the daily content of all the Talk shows on Kaya FM*

*Vollenhoven is a journalist, writer and filmmaker*

### **A Seat at the Table: What is restitution to Coloured and Indian South Africans?**

*Tristan Pringle (Common Change) Parusha Naidoo (IJR) Marlyn Faure (UCT)*

Under South Africa's colonial-apartheid history, oppression was operationalised in similar and yet distinctive ways, targeting political and economically marginalised groups based on race. These systems of exploitation have affected various oppressed groups in different ways. A denial of how oppressive power has acted in particular ways against various groups further entrenches asymmetrical power relationships, forcing minority groups into narrowly defined and binary identities. Minority groups such as Indian and Coloured groups are often forced to choose between being Indian/Coloured or black. A denial of these distinctive histories is an erasure of significant narratives of these people groups. Thereby invisibilising that oppressed minority groups can in fact be both be black and ethnically/racially different, as they carry a complex set of historical ancestry, being positioned as oppressed people and sharing lineages with oppressors in certain instances. While these groups have all been structurally oppressed along economic, political and social lines, acts of restitution must therefore seek to match historic injustices faced by specific groups if these actions are to begin to contribute to a truly equal and just South Africa. We argue the history of oppression faced by minority groups (particularly 'coloured' and Indian groups) must firstly be acknowledged as a legitimate part of South Africa's unjust history. This acknowledgement must be framed as both

specific to these groups and also as part of the continuum of oppression faced by Black people through our colonial-apartheid history. Furthermore, the implications for such an acknowledgement must then also necessitate congruent acts of restitution, both materially and symbolically.

*Naidoo is an intern in the Justice and Reconciliation in Africa Programme, IJR*

*Pringle is a postgraduate student in Transformation in Urban Leadership through the University of Pretoria*

*Faure is currently a Masters student at the Faculty of Health Sciences (UCT) with a research focus on stigma and genomics*

### **B3 COMING TO RESTITUTION**

#### **Restitution as Community Building: Learning from Experiences of Interconnectedness**

*Kathryn Smith Derksen  
SADRA – Conflict Transformation*

Looking at interdisciplinary approaches to restitution between and amongst individuals and communities can teach us about the possibilities and limitations to such approaches. Seeking to apply insight to the current situation in South Africa, this paper looks at a variety of scenarios from personal experience, such as a victim-offender program, a traditional Mennonite community, divided Northern Ireland, and inner-city America. More than material compensation, restitution is part of the Biblical concept of shalom, right relationship, which therefore must build new processes of interacting. This kind of community building becomes complicated by issues of identity that exclude and deny, and there is often a lack of motivation to invest in such work. While there are traditional models of inter-community restitution that work, intra-community restitution is particularly complicated and even contradictory. South Africa's TRC experience showed that without reparations, community healing may stagnate. Yet, it is through our communities that peace must come, and there is both precedence and vision for communities to learn new ways of building relationship for a restored future. Concluding with a profound story of overcoming tribalism and a conflicted past in northern Uganda, the challenge is to

acknowledge our interconnectedness and commit to new ways of relating as South Africans.

*Derksen is a peacebuilding specialist with experience in coalition building, situation analysis and social justice advocacy*

### **The Home for All Campaign: lessons and relevance for the restitution debate in South Africa**

*Di Oliver, Mary Burton and Geordie Ractliffe*

On the 16th of December 2000 the Home for all Campaign was launched in St George's Cathedral, Cape Town. The initiative was formed by a group of non-partisan white South Africans who believed it was necessary to acknowledge the damage apartheid had caused. The campaign recognised that apartheid forced black South Africans off their land and from their homes, robbing them of their human dignity. The initiative called on white South Africans to support the campaign and be actively involved in the reconstruction and development of the country. At the launch a "declaration of commitment by white South Africans" was released with the names of those who had signed it, acknowledging that apartheid inflicted massive social, economic, cultural and psychological damage on black South Africans. Despite the noble intentions of the initiative, the negative responses from many sectors within the white community led to the campaign not achieving most of its set goals. In this session three key role players in the campaign, Mary Burton, Di Oliver and Geordie Ractliffe reflect on lessons learned from the campaign and the relevance of such a campaign in the current South African context.

*Oliver is a Black Sash Trustee and anti-apartheid activist*

*Burton is a former TRC Commissioner*

*Ractliffe is a research affiliate at the University of Cape Town*

### **Time to Trek: a rediscovery of Afrikaner leadership**

*Schalk van Heerden  
Foundation for a Safe South Africa: Youthzones*

Under the call to 'Trek', I argue that Afrikaners need to resist a Laager Mentality of closing down in homogenous pockets. Instead, we should

engage on a new Great Trek, a journey into the 'real' South Africa, a journey that embraces townships and different cultures. I offer an ethnographic confession as I share the actual activities I engage in as I try to become an African Afrikaner. I unpack notions such as '50 shades of pink', 'don't mess with my Tutu', 'jou ma se white privilege' and 'how Afrikaners knit EFF berets'. I use anecdotal accounts that invite proud Afrikaners to become proud Africans. I try to find a personal positioning that is simultaneously soft and strong as I learn to earn my seat at Biko's African Table. Applying the lessons learnt, I will introduce two new expressions of reconciliation and restitution: The first is called Zebra Crossing – A 'safe space to the other side' and a platform to promote reconciliation and integration at a very basic level. The second expression is focused on a Social Enterprise that reimagines BBBEE seeing young Afrikaners working with black business partners to do social good. I advocate a stance that has radical aims pertaining transformation, but an invitational and respectful posture of togetherness as tool to achieve desired outcomes.

*Van Heerden is a founding partner of Youthzone, investing in youth to reduce crime in a proactive manner by providing better opportunities to the youth of South Africa*

## **B4 THEOLOGICAL PERSPECTIVES II**

### **Mission as restitution**

*Craig Stewart  
The Warehouse*

The verb form of shalom, shalam, is often translated as restitution or to make amends and right a wrong. The lack of justice in the world is rarely exclusively a neutral event without historical and present roots that perpetuate and form the injustice. This is particularly evident within South Africa where the colonial and apartheid history have resulted in the world's most economically unequal society. In these contexts it is inadequate to have a praxis of integral mission that is framed within a charitable or mercy driven mindset even with a right understanding of justice. Nor is it sufficient to recognise that amends is being made for someone else's injustice. A truly biblical praxis of integral mission in South Africa, and indeed for the world in general, must wrestle with how that mission is restitutive in nature. Using a restorative justice framework it must listen to the story of those who have been wronged,

must recognise and acknowledge the crime that has been committed and then hear how amends, or restitution, can be made. This paper explore the theme of shalom as restitution through the experience of mission in South Africa and will address whether an understanding of mission as restitution, shaped through the experience and example of restorative justice, can enrich and promote the establishment of shalom in South Africa and elsewhere.

*Stewart is the Director of the Warehouse, an NGO that exists to serve the South African church network in its response to poverty, injustice and division*

### **Bicycle theology and the return of the bicycle**

*Rashid Omar, Fatima Swartz  
Institute for Healing of Memories*

Bicycle theology is when I come and steal your bicycle. Six months later I come back to you and admit that I am the one who stole your bike. "I am very sorry I stole your bike, Please will you forgive me?" Because you are a religious person, you say: "Yes, I do forgive you." The forgiven person then walks away still having the bicycle. Restitution theology requires that the perpetrator should not only return the bike in exactly the same condition it was before it was stolen but for the perpetrator to also compensate the owner for the period that the person did not have access to the bicycle. It is only after such a form of restitution that the perpetrator should consider asking forgiveness. Sometimes theologians reduce forgiveness to simply saying sorry. Forgiveness involves returning the bike. In this session the presenters from the Institute of the Healing of Memories will discuss bicycle theology and restitution from an Islamic perspective.

*Rashid Omar is a Research Scholar of Islamic Studies and Peacebuilding at the Kroc Institute for International Peace Studies, University of Notre Dame, and a trustee of the Institute for Healing of Memories and the Imam of the Claremont Mosque*

*Fatima Swartz is the programme manager at the Institute for Healing of Memories and has worked on issues of conflict transformation and diversity, mediation and social healing*

## **A liturgy for restitution**

*The Revd Dr Sarah Hills  
Coventry Cathedral, UK*

This paper explores the concept of restitution through the questions, 'How adequate are the current understandings of restitution in relation to the reconciliation journey?' and 'What would a theology of restitution based on a broader understanding look like?' The nature and role of restitution may be key to the process of reconciliation. The paper argues that reconciliation without restitution is at best, only partial, and needs to be based in praxis. The research is based within a community reconciliation process in Worcester, Western Cape, and seeks to understand with this community what restitution means theologically, and how it is enacted in practice. Analysis of the practical theological research led to exploration of emerging key themes and a conception of restitution as broader than currently understood i.e. as relational, radical, embodied and embracing. Themes of 'eucharistic space', gift, and embodiment point towards restitution as something sacramental, tangible, and communal. The paper argues that a theological understanding of restitution arrived at through the empirical work, enables a broader understanding of restitution, which enables transformative praxis in the journey towards reconciliation with God and with each other.

*Revd Dr Sarah Hills is the Canon Reconciliation at Coventry Cathedral in the UK*

## **A Theology & Spirituality of Environmental Restitution, and the Future of Peacemaking**

*Allen Goddard  
Anabaptist Network in South Africa*

In a biblical theology of peace, conflict resolution and environmental justice are integral aspects of one's reality - the spirituality or way of life of God's people. The Bible's vision of peace thus calls into question any history of environmental conservation that enables wealthy elites to exploit nature and poor and marginalized people. Through neoliberal, "free market" economic practices wealthy cliques are enriched denying poor urban and rural people access to shelter, land, potable water, food security and other life chances. The task of this paper will be to relate the Bible's theology of peace to the current state of the environment in South

Africa, where official conservation practice has been difficult to distinguish from official degradations of the environment. The paper will recount the emergence of three expressions of ecotheology in South Africa in recent decades, which relate to the Anabaptist peace theology tradition. South African ecotheologies to be introduced are the Transformation Theology of David Bosch, The Oikos Journey document of Diakonia, and the research of Klaus Nürnberger, Ernst M. Conradie and Steve de Gruchy. Finally, the paper will look to the future by extrapolating from Scripture outlines for environmental restitution. Suggestions will be made for ways forward for the church in South Africa to work for the shalom of Jesus Christ, in which broken environments in an unjust economy may be brought as one whole, into a just peace.

*Goddard is a Postdoctoral Research Fellow with a research focus on restorative justice in the Theology Department at the University of KwaZulu-Natal*

## **B5 TRAUMA AND THE INTERGENERATIONAL CONSEQUENCES OF INJUSTICE**

### **Perspectives of descendants of victims of apartheid era gross human rights violations**

*Cyril Adonis  
HSRC*

In post-apartheid South Africa, insufficient consideration is given to how historical injustices potentially affect current generations and how it could affect future generations. This has implications for issues such as intergenerational justice and equity. Framed within historical trauma theory and the life-course perspective, this paper explores the impact that the past has on descendants of victims of Apartheid-era gross human rights violations. It examines their views on the post-apartheid transition, and their expectations in contemporary South Africa by drawing on qualitative interviews conducted with 10 males and 10 females, who are children and grandchildren of victims of apartheid-era gross human rights violations. The interview data were interpretively analysed to uncover underlying meaning. In terms of the results, participants attach significant importance to the past, especially the implications it holds for victims and their families. At the same time, they concede to the inherent difficulty in engaging with the past. Much of their views on the post-apartheid transition relates to the Truth and

Reconciliation Commission (TRC), while the most salient themes emerging from their expectations in contemporary South Africa, centres on their outlooks of the government's responsibility towards them. Given this, the paper argues for an approach to addressing historical injustices that gives greater consideration to the structural legacy of apartheid, the impact it has on the contemporary realities of Black people in South Africa, and the impact it could possibly have on future generations.

*Adonis is a research psychologist by training and is currently a research specialist in the Research Use and Impact Assessment Unit (RIA) of the HSRC*

### **The family as a protective social structure and Intergenerational Humiliation of victims of apartheid-era gross human rights violations**

*Kudzai Singatsho Nyabadza  
University of South Africa*

Apartheid was a system that stripped Black families of their human dignity, well-being and their right to self-determination. To its credit, the Truth and Reconciliation Commission provided a platform to air the atrocities of the past. However, literature argues that the socio-economic harm done to victims was inadequately addressed as its mandate was solely on human rights violations. A recent study sought to explore and understand the intergenerational humiliation phenomenon in the lives of 20 children and grandchildren of victims of apartheid-era gross human rights violations. Findings revealed that participants' socioeconomic development was hampered owing to the structural legacy of apartheid as familial protective structures disintegrated. As a consequence, participants hold shared experiences of living in poverty and struggling to survive in the present day. This paper will therefore discuss participant views on victim-family identity status, reparations and the authority structures whereupon they have sought redress. As their cries go unheeded, feelings of anger and intergenerational humiliation continue to be stirred with implications on the wellbeing of their offspring and the social cohesion amongst racial groups in a transitioning society.

*Nyabadza is a Masters student in the Department of Psychology at UNISA*

## **Acknowledging the cycling violence through recognising continuous traumatic stress**

*Sarah Crawford-Browne  
UCT*

Many of the descendants of the South African families worst affected by colonial and apartheid policies have consequently been affected by cycles of cumulative structural violence, globalization and intergenerational trauma. Furthermore many live in communities affected by high levels of embodied violence. Living in a dangerous community is likely to affect a person's cognitive and emotional functioning, and impact their wellbeing in ways not described by post-traumatic stress – an individualistic frame that assumes that the trauma is in the past and the person has reached safety. This project asks: how do the participants' construct meaning of their context and of their experiences of violence, and how does this process of meaning making affect their adaptations to their experiences of violence and their context? Twenty-one adult women who live in a high violence neighbourhood were interviewed to account for their experiences, with the transcripts analysed using constructivist grounded theory guidelines. The analysis indicated that these experiences clustered around strength, vulnerability, loss, distrust and shame; with the sense of vulnerability often making it difficult to discern real from feared threat. Evidence-based post-traumatic stress intervention protocols may not be appropriate where violence is anticipated and safety is not assured. Appropriate mental health support programmes that move beyond psychiatry and counselling, to develop consciousness and engage community systems are needed to restore the wellbeing of people affected by South Africa's past and current injustices.

*Crawford-Browne is a lecturer in the Primary Health Care Directorate at UCT and Psycho-social trauma programme designer*

## **B6 LAND RESTITUTION II**

### **Restituting (more) justice: From land restitution to land redistribution in South Africa**

*Olaf Zenker  
Free University of Berlin*

Land restitution has been indispensable in the post-apartheid project of redressing the race-based dispossessions and discriminations of the past, underlying South Africa's inequalities until today. However, 20 years of land restitution has highlighted weaknesses of the process: restitution has benefitted only a small portion of the population with demonstrable historical rights; of these, the vast majority opted for financial compensation rather than land, leaving South Africa's racially skewed land distribution largely intact. The process has been cumbersome and expensive, compared to the benefits ultimately achieved. Restored lands have not been used to their full productive potential causing fears regarding food security and public discontent concerning ineffective state expenditures. Finally, the implementation of land restitution has been complicated by increasingly neo-traditionalist state laws. With the Constitutional Court declaring the Restitution of Land Rights Amendment Act (2014) invalid, there has been increasing fears that such problems would be amplified for decades to come. This paper argues that future forms of restituting (more) justice to South African society would benefit from moving beyond "land restitution" as we know it, focussing instead on land redistribution and tenure reform, while making "traditional rule" permanently conditional upon citizens' mandates, and a much more comprehensive politics of distribution (James Ferguson, 2015) than is currently the case.

*Zenker is the Programme Director of the BA in Social and Cultural Anthropology programme at the Institute of Social and Cultural Anthropology, Free University of Berlin*

### **Account on the History of the !Aman**

*Martinus Fredericks  
Amaquas of the Cape Records*

In the early 1800s Missionaries moved into the areas of the Cape where the respective tribes lived, to convert them to Christianity. It also happens that the son of one of the missionaries Samuel Hahn that work between Little and Greater Namaqualand, Theophilus Hahn were appointed in 1881 as the advisor of the Union to the Commission of Native Affairs and could give an account on the territory, the Culture, Tradition and Language of the Namaqua. This information was then used by the Odendaals Commission to devise the 1913 Natives Land Act, whereby all Native tribes were confined to Reserves although section 8(2) specifically excluded the Cape Province from the 1913 Land Act.

Different pieces of Legislation was then devised to contain the Khoi and San into Reserves like the Mission Stations Act, Coloured Areas Act, displacing whole communities and robbing the Indigenous people of their land. Nama people in Little Namaqualand and the Great Namaqualand in South West Africa were then put into reserves and most valuable portions of the land were then issued to white people. This move by government has then resulted in the loss of Culture, Tradition, Language and Land as the sustenance of the Indigenous Tribes were dependant on the access to land as they were traditionally herders. Restitution without Restoration would therefore be meaningless if it does not include the return of the Land and Resources of the Land to the rightful owners.

*Fredericks is a Senior Traditional Leader of the !Aman Traditional Authority*

### **Land restitution, tourism, and biodiversity stewardship: a meaningful form of redress?**

*Lindokuhle Khumalo, Shirley Brooks  
University of Western Cape*

Scholars have begun to look critically at land restitution settlements in which private sector companies are empowered to manage and control land that is owned (on paper) by a Community Trust. The focus of this paper is to explore how 'restitution' may effectively be robbed of meaning due to the form taken by the post-restitution land settlement. We argue that the form of this 'partnership' allows for little effective sense of ownership or redress for past injustices. The case study explored in this paper is the Nambiti Big Five Private Game Reserve located outside Ladysmith in KwaZulu-Natal. This private game reserve is part of the Biodiversity Stewardship Programme (BSP), initiated in the late 2000s in order to promote biodiversity conservation on land outside the formal protected areas where owners voluntarily put their land forward. The paper explores the lived realities of the land reform beneficiaries, the functioning of the community trust, and the day-to-day relationships of the beneficiaries to the tourism management company that manages the private reserve. In addition, the spatial exclusion of the beneficiaries from the land and their location many kilometres away, make it difficult to conceptualise this example as one of meaningful restitution. While the BSP promotes this as an example of successful 'community stewardship', the case study suggests that not only does the

arrangement prevent the community from becoming meaningful 'stewards' of the biodiversity found on their land, but it also undermines the very objective of land restitution.

*Khumalo is a student in the Department of Geography, Environmental Studies & Tourism at UWC*

*Brooks is the Head of Department of Geography, Environmental Studies & Tourism at UWC*

## **B7 EDUCATION AND LAND**

### **Race, Education and Emancipation: belonging and restitution in South Africa's universities**

*Alude Mahali, Adam Cooper, Sharlene Swartz  
HSRC*

Race, Education and Emancipation (REE): A five-year longitudinal, qualitative study of agency and impasses to success amongst higher education students in a sample of South African universities' is an ongoing study conducted by the HSRC. The REE study focuses on discourse around the individual, structural and social factors that students identify as aiding or hindering success. The conversation also involved the role of intersecting identities (race, class, gender and language) in students' perceptions, experiences and agency in creating opportunities or being 'shut out' in higher education institutions (HEIs). Volatility in South Africa's HEIs communicate that the current modes of operation within the universities are perceived as being oppressive, stifling and unsupportive. Furthermore, disguised or explained as 'institutional culture' are exclusionary practices that permeate everyday realities of students. Transformation (or lack thereof), higher education's oppressive financial schemes, lack of racial representation among faculty at historically white universities, the exclusion of African narratives and experiences in curriculum, the historical edifices (statues, monuments, building names) whose meanings have changed in a democratic South Africa, and the outsourcing of student residence and low income university workers have all been highlighted as challenges in HEI's. This session outlines HEI challenges exemplified by the REE study data and considers what needs to be done going forward.

*Mahali and Cooper are post-doctoral fellows/research specialists in the Human and Social Development (HSD) programme at the Human Sciences Research Council (HSRC), Swartz is a research director there.*

**Land as Literary Resource: in search of a discourse with which to transform South African Literary Studies at universities**

*Matt Winfield  
UCT*

Student movements have highlighted efforts at transforming spaces in which the frameworks and values pursued are either outdated, oppressive, foreign or Eurocentric. The use of terms “whiteness”, “Eurocentric”, “the West” and “neo-colonial” by activists highlight a trend towards questioning the innate value of research taught without question vis-à-vis their appropriateness. I use fiction by South African authors to explore prospects for a new, more inclusive template for English literary studies. Land holds historical significance through segregation, forced removals, the Group Areas Act of 1950 and rights to hold and/or sell property. Land affects personal identities espoused by South Africans; post-1994, moreover, legislative policies have made little impact to democratic land restitution. In this context, two strands of work will be examined: fiction by white female South African authors Pauline Smith and Marlene van Niekerk, whose work probes the flaws and contradictions in Afrikaner ideology. The second strand will be the work of Black female South African Lauretta Ngcobo, in which the land plays an integral role, governing hopes, thirsts, drives and endeavours amongst oppressed citizens. Smith’s 1925 collection *The Little Karoo* predates the modern feminist pastoral while, Van Niekerk’s *Agaat*, strikes a defiant blow to the views of elite, chauvinist ideologues and Ngcobo’s *And they didn’t die* will be explored in this essay to contrast epistemological stances on land in society.

*Winfield is a Masters student at the Centre for African Studies at UCT*

**St Mark’s Anglican Church and CPUT: universities as material and symbolic sites of land restitution**

*Fr Austen Jackson  
St Mark’s Anglican Church, District Six*

St Mark’s Anglican Church is in receipt of the first instalment of two land restitution claims for four properties it was forced to surrender in terms

of Group Areas legislation in the 1960s and 70s and later in 1980. The receipt of the first instalment comes at a time when St Mark's is financially able to begin the rebuilding and restoration of some of the building infrastructure it once proudly owned in the area around the church. Prior to the forced removals, the church owned four other properties: a junior school, a primary school, a rectory and a three storied community centre. The church is in need of a building within easy walking distance from where the community worships on a Sunday morning. The building we envisage would incorporate some of the purposes to which the dispossessed properties were committed. Education and community service were among the purposes. The building of a new structure would need to be no more than a 100 m radius from the church. This distance falls within two marking areas held by Cape Peninsula University of Technology (CPUT). As the sole beneficiaries of this dispossession there would be a very particular moral dimension to any approach to them for purchase. This case therefore has the potential for an institution of higher education to contribute to symbolically and materially changing the landscape and contributing to restitution.

*Fr Austen is the rector of St Marks Anglican Church, District Six*

## **B8 PRACTICAL MODELS FOR RESTITUTION III**

### **Black Christmas: a documentary discussion**

*Themba Lonzi, Mark Kaplan*

On Christmas Eve in 1996, the then 17-year-old Stefaans Coetzee and three other members of the Afrikaner Weerstandsbeweging (AWB) detonated a bomb in the packed Shoprite shopping centre in Worcester. A woman and three children died in the explosion. Some 67 other people were injured. The Worcester Bombers, as they became known, were all sentenced to life in prison. The documentary Black Christmas tells the painful but poignant story of how Coetzee, as one of the perpetrators of the 1996 Christmas Eve bombing in Worcester found redemption and forgiveness in the same community he had once hated. The film also tells how Macingwane and others had chosen to forgive Coetzee, and how Worcester had sought to bridge the divide between the town's communities through initiatives like its Hope and Reconciliation Process and annual Peace Table, supported and guided by Dr Deon Snyman of the Restitution Foundation.

*Lonzi is a musician, actor, community organizer, activist, and a reconciliation practitioner*

*Kaplan is an internationally acclaimed award-winning filmmaker, and a transformational media arts consultant, educator, and researcher.*

### **10-10-10 Restitution Dialogues**

*Sharlene Swartz, Nathan Begbie  
HSRC/UCT*

In *Another Country: Everyday social restitution*, social restitution is described as the acts and attitudes of individuals and groups towards making good in spaces where injustice has occurred. This is done based on principles of community, solidarity, dignity, dialogue, understanding the past and collective agency, in order to restore all of our humanity. Social restitution offers opportunities for engagement by everyday people in everyday acts to make good what past injustice has damaged. The book also records the many ideas that everyday South Africans of all kinds came up with for how restitution might happen practically. This happened after only a one-hour long interview! Because of this, the idea for 10-10-10 Restitution Dialogues arose: let's form groups all over the country, and have ten conversations, over ten weeks with ten people different to you, with the aim of making restitution real. This session looks at how these groups could be formed, what each conversation might look like, and what challenges groups might experience. It will also showcase a simple digital application that makes it easy to run these groups, and to record both feedback about the process and to collect a large number of ideas that could inspire others to make restitution real.

*Begbie is a Computer Science graduate student at UCT*

*Swartz is a Director at the HSRC, Adjunct Professor in Sociology at UCT and Chair of the Restitution Foundation*

### **Pilgrimage as a tool for deeper dialogue**

*René August  
The Warehouse*

How might we use physical space, place and time, as catalysts for deepening dialogue? How could we put history, context and sacred

stories in conversation with our stories? How could we leverage the power of sacred dates; 21 March, 16 June, 9 August, 16 December and sacred places: Marikana, The Castle, Robben Island, The Slave Lodge; to deepen our understanding of restitution? How could these connections help transform us and the ways we live, so that together, we express more faithfully our shared South African expressions and stories of Ubuntu?

*August is an Anglican priest and reconciliation trainer with The Warehouse*

### **Restitution and return: the campaign to declare District Six as a National Heritage Site**

*Chrischene Julius  
District Six Museum*

Similar to other areas across the country, the District Six land claim has been a protracted process, and has been bedevilled by a number of issues including the fact that portions of land has been legally whittled away as a result of statutory protections being delayed. The District Six Museum has initiated a campaign to have the area declared a National Heritage Site (NHS). A community of purpose has developed around this campaign and has involved site-marking through walks, processions, performances, storytelling and various artistic interventions. It has included oral histories, documentary research, and discussions, as well as engagement with the formal processes of declaration. The purposes of such declaration are manifold and enable those who have a historic connection to the land and its past but who have chosen not to return as residents, to experience the benefits of restitution albeit it in non-material ways. This presentation will explore the determination of the affected community to claim back the land in both material and symbolic ways. While the declaration has to be done through the provisions of the National Heritage Resources Act of 1999, the campaign is conceived as much more than heritage. It is designed to ensure that the community cohering around the campaign is a broad one which develops competencies on its trajectory, to engage actively with the redevelopment of District Six, and is able to develop the collective resilience to contest any future attempts to diminish the land available for restitution, including the threat of gentrification.

*Julius is the Collections Manager of the District Six Museum*

## **Plenary Speaker Biographies**

### **Jessica Breakey**

Jessica Breakey is currently completing a Master's degree in Gender studies at Wits University. She is the co-founder of the ITooAmUCT campaign and Disrupting Whiteness movement. She is a UCT graduate.

### **Mary Burton**

Dr Mary Burton is a former President of the Black Sash and a former member of South Africa's Truth and Reconciliation Commission. She is a recipient of the Order of Luthuli (silver) and holds an Honorary Doctorate Degree from the University of Cape Town

### **Lukhanyo Calata**

Lukhanyo is the son of Fort and Nomonde Calata. Fort Calata is one of the Cradock Four who in 1985 was killed by the apartheid era security force. Most recently he was one of the SABC 8 staff who was dismissed and reinstated. Calata as the Cape Town SABC Parliamentary reporter, had publicly criticised the SABC's controversial decision to no longer broadcast footage of violent protest actions in the country, receiving widespread support for his stance. Calata received the National Diploma in Journalism at the Peninsula Technikon. He has previously also been a TV and Radio sport and news anchor, has skills in editing, broadcasting, video production and social media and media relations. His concerns include children, civil rights, economic empowerment and poverty alleviation. He enjoys story-telling, photography and playing the bass guitar.

### **Nomonde Calata**

Nomonde Calata has lived through and survived the brutal and inhuman apartheid regime in South Africa. Her husband, Fort Calata, a high-school teacher advocating non-violent resistance, did not. He was one of the so-called "Cradock Four" – Matthew Goniwe, Fort Calata, Sicelo Mhlawli and Sparrow Mkhonto – who were tortured and brutally murdered by the apartheid government security forces in 1985. The "Cradock Four" was the major case which opened the hearings of South Africa's Truth and Reconciliation Council (TRC) in 1996. Journalist and poet Antjie Krog writes: "The starting point of the human rights hearing was the indefinable wail that burst from Nomonde Calata's lips." And Archbishop Desmond Tutu calls her cry the "defining sound of the TRC."

### **Paballo Chauke**

Paballo Chauke has a MSc from Oxford University where he was a Commonwealth scholar. He is a co-founder of the anti-racism ITooAmUCT campaign. He is a UCT graduate.

### **Marlyn Faure**

Marlyn Faure is a currently completing a master's degree in public health at UCT.

### **Marje Jobson**

Marjorie Jobson is national director of the South African civil society organisation the Khulumani Support Group, a membership-based organisation of more than 100,000 victims and survivors of Apartheid-related gross human rights violations in South Africa. Marjorie Jobson is a medical doctor with a specialisation in anaesthesiology. Her mother was a founding member of the Black Sash. Her involvement with Khulumani came about through her involvement in the Pretoria Black Sash which she co-chaired between around 1986 to 1991. Pretoria Black Sash was infiltrated by security police during apartheid. As a result some members of its executive committee were detained and deported and had their homes searched, even petrol-bombed. A small group took on the Campaign to End the Death Penalty. It was through this work that she became acquainted with death row prisoners. One of the Sharpeville 6 approached her in 1997, to be on the board of Khulumani. Khulumani is unique in that it is a movement for human rights and social justice, founded by victims themselves.

### **Thuli Madonsela**

Advocate Thulisile Madonsela grew up in Soweto with parents who were traders. Her first degree, a bachelor of Law, was from the University of Swaziland in 1987 and three years later she obtained an LLB degree at Wits University. She worked as a teacher, and as a legal and education officer at the Paper Printing Wood & Allied Workers Union. Madonsela has worked in several government departments and civil society including, as law lecturer at Wits University, at the Independent Electoral Commission (IEC), deputy director at the Justice Department and managing director at the Office of the Status of Women in the Presidency. Madonsela was appointed Public Protector by President Jacob Zuma in 2009. This position put her in the public eye. She has investigated several high-profile cases and has received praise for her efficiency and professionalism. Madonsela is a member of South African Women Lawyers Association (SAWLA) and Business Women's Association of South Africa (BWASA). In 2012, she was honoured with South Africa's most Influential Woman Award. She has authored and co-authored several publications including books, chapter, journals and handbooks on gender management and gender mainstreaming. Madonsela was a drafter of South Africa's constitution in 1994. Adv Madonsela will shortly take up a chair in social justice at the Stellenbosch University.

### **Tshepo Madlingozi**

Mr Tshepo Madlingozi holds the degrees LLB LLM MSocSci (UP). He is currently a PhD candidate at Birkbeck, University of London and a senior lecturer in the Law Faculty at the University of Pretoria.

### **Wenzile Madonsela**

Ms Wenzile Madonsela is currently a LLB student at the University of Pretoria (UP). She holds the Social Welfare Portfolio of the EFF branch at UP. She plays an

active role in the FeesMustFall movement at UP and was recently a panellist on the Fees Must Fall movement at the Gordon Institute of Business Science in Johannesburg. She is inspired by her mother, Adv Thuli Madonsela.

### **Thabo Makgoba**

The Most Reverend Dr Thabo Makgoba is Metropolitan Archbishop of the Anglican Church in Southern Africa, and Bishop of Cape Town, to which position he was the youngest person yet to be elected. Born in Alexandra, Johannesburg and schooled in Orlando, Soweto, he went to Wits where he obtained a BSc, Honours in Applied Psychology and MA in Educational Psychology. He subsequently studied at St Paul's College in Grahamstown and was ordained. He also studied for his PhD at UCT in the field of Workplace spirituality. He has a strong social and development concerns. He was for a season the chair of the committee on environmental concern for the worldwide Anglican Communion. He has received two honorary Doctorates of Divinity. He ministered in the Johannesburg Diocese till elected Bishop of Queenstown and later of Grahamstown. He is married and has two young adult children.

### **Zinzi Mgolodela**

Ms Zinzi Mgolodela is Head of Transformation at Woolworths. She was last month awarded the Black Management Forum's National Manager of the Year award. Every year BMF acknowledges and rewards exceptional individual managers who have gone the "extra mile" to improve Black Owned Enterprises and develop black managerial leadership from different companies and organisations. She grew up in Whittlesea, Eastern Cape and came to the Western Cape for education, where she received her Honours Business degree at University of the Western Cape. After 10 years in the financial sector she moved to retail. Zinzi's career has been dominated by driving socio economic issues in corporate in a way that makes business sense, covering issues like HIV AIDS, CSI, sponsorship, BEE and Transformation. Committed to South Africa's transformation, she helps young leaders from grassroots communities thrive as emerging entrepreneurs and economic change-makers. She serves as a board member of the Restitution Foundation. She is a proud mom of three children.

### **Mamello Mosiana**

Mamello Mosiana is currently completing a master's degree in politics at UCT.

### **Parusha Naidoo**

Parusha Naidoo works at the Institute for Justice and Reconciliation, and was former editor of the UCT campus newspaper, Varsity. She is a UCT graduate.

### **Sabelo Ndlovu-Gatsheni**

Prof Sabelo Ndlovu-Gatsheni is Head of Archie Mafeje Research Institute (AMRI) and Full Professor in the Department of Development Studies at the UNISA Pretoria, South Africa. The Institute's work is informed by decolonial thought and

decolonial theories. He holds a BA (Hons) in History, MA in African History, DPhil in Historical Studies (University of Zimbabwe), and Post-Graduate Diploma in Tertiary Teaching from Wits. He has published 40 peer reviewed articles and written 4 books, *The Ndebele Nation: Reflections on Hegemony, Memory and Historiography*; *Do 'Zimbabweans' Exist? Trajectories of Nationalism, National Identity Formation & Crisis in A Postcolonial State*; *Empire, Global Coloniality and African Subjectivity*; and *Coloniality of Power in Postcolonial Africa: Myths of Decolonization*. He has taught at the University of Zimbabwe, at Midlands State University, International Studies at Monash International University, and African Studies at the Open University in the United Kingdom and became Senior Researcher at the South African Institute of International Affairs.

### **Siya Njica**

Siya Njica is a poet and artist, a founding member of RhodesMustFall and FeesMustFall student movements, and currently a graduate student at UCT.

### **Max Price**

Dr Max Price is the Vice-Chancellor of the University of Cape Town. He also serves as Chair of the Medical and Dental Professions Board Education and Registration Committee. Price is an Independent Consultant for the National Department of Education. He was born in Johannesburg. He received a Bachelor of Medicine and Bachelor of Surgery (MBBCh) and did studies in Occupational Health; at Oxford BA (Honours) & PPE (Philosophy, Politics and Economics) and at the London School of Hygiene and Tropical Medicine an MSc. Price has a strong transformation record, built primarily during his tenure as Dean of the Faculty of Health Sciences at the University of the Witwatersrand from 1996 to 2006. He established a new graduate entry medical degree, academic programs in rural health, bioethics, sports medicine, emergency medicine, and biomedical sciences. Price has published extensively including 38 local and international refereed journal articles.

### **Deon Snyman**

Dr Deon Snyman is an ordained minister of the Uniting Reformed Church in Southern Africa and served the congregations of Northern Zululand (1992 – 1997), Dingaanstat (1997 – 2003) and KwaMakhutha (2003 – 2006, self-supporting). In 2003 he was appointed at the Manager of the Priority Issues Team of the Diakonia Council of Churches in Durban where he was responsible for the management of the following programmes: HIV & AIDS, Democracy, Reconciliation, Restitution, Stress and Trauma support and Economic Empowerment. In March 2006, he was appointed as Chief Operating Officer of the Restitution Foundation with the responsibility of developing and implementing processes that could serve as catalysts for restitution. He holds the following Degrees: MA (Semitic Languages, University of Pretoria), MPhil (Political Studies, University of Cape Town) and PhD (Old Testament Studies, University of

Pretoria). In 2015 he was an international peacekeeper of the Presbyterian Church of the USA.

### **Crain Soudien**

Prof Crain Soudien is the CEO of the Human Sciences Research Council and the chair of the Mandela Initiative. He was formerly professor of sociology of education and Deputy Vice Chancellor for Transformation at UCT.

### **Sharlene Swartz**

Prof Sharlene Swartz is a Research Director at the Human Sciences Research Council in South Africa, an Associate Professor of Sociology at the University of Cape Town, and a Visiting Fellow at Harvard University and the University of Cambridge. Her expertise centres on youth development in adversity, and on restitution and redress. She is the author of, amongst other books, *Ikasi: The moral ecology of South Africa's township youth* (2009); *Teenage Tata: Voices of Young Fathers in South Africa* (2009); *Youth citizenship and the politics of belonging* (2013), and most recently (2016), *Another Country: Everyday Social Restitution*. She is the Chair of the board of the Restitution Foundation.

### **Erika Wessels**

Ms Wessels is an attorney. She received her LLB from Stellenbosch University and LLM Tax from UCT. Her Master's degree in Tax from UCT, has focused on among other things creating an enabling environment for NPOs. She has worked for the Black Sash as legal advisor and subsequently as National Advocacy Manager. She is currently responsible for the KPMG Centre for Excellence, providing services to income-tax exempt entities. She has assisted prominent foreign funders, local and philanthropists. She also works within the Global Mobility Services and employees' tax contexts.

### **Leon Wessels**

Prof Leon Wessels graduated in 1997 with a LLB (cum laude) from the University of Potchefstroom and received his LLD degree in 2001 from the University of Johannesburg. His political career stretches over 20 years as National Party member of Parliament of Krugersdorp constituency, Minister of Local Government, National Housing and Manpower in the last apartheid administration, participant in the Codesa negotiations, deputy chairperson of the Constitutional Assembly and South African Human Rights Commissioner. Currently he serves as a honorary law professor at the North West University. He is a research associate at the institute for reconciliation and social justice at the Free State University. He participated in many peace negotiations in the Middle East, Northern Ireland, Tunisia, Sri-Lanka and South Sudan. He is the author of several books. *Die einde van 'n era* (Tafelberg, 1994); *My Regte! Jou Regte? Kom ons praat* (Lapa 2006) translated as *My Rights! Your rights? Let's talk* (Lapa 2007) And *Vereeniging – die Onvoltooide Vrede* (Umuzi 2010).

## **Pilgrimage of Reflection**

To take a pilgrimage requires us to take a journey that connects ourselves with the stories of the place through which we journey. As we connect our feet to the historical context of this soil, we also connect the current challenges of our context and hopefully in it, find connections with our sacred stories and for some, sacred texts. The Castel of Good Hope holds many sites of significance, and sacred life. We hope that in you, it would evoke memory, emotion and reflection. We invite you to fully participate and be present in these spaces.

The *liturgy* (*work of the people*) is an offering to help kindle contemplation. It is an opportunity for you to clothe the words laid out with your convictions or expose contradictions. It is intended to serve you and not rule you. Take your time with it and allow the words to foster in you a dialogue that will serve you in the time we will spend together. Please feel free to participate as you are able to. Vote with your feet. Feel free to return to any or all of these stops again over the time we have together.

We so appreciate the relationship with the Khoisan and the Castle who are hosting us in this place. The Castle was built in the place that the Khoikhoi and the San people called home. The Kraal was hemmed in by the mountain that provided vistas, protection and a home for the indigenous people of the Cape. The meeting of the rivers from the mountain provided drinking water and nourishment to the fertile soil for growing food. These all contributed to making the location idyllic and desirable.

The construction of the Castle was both physically and symbolically an act of land dispossession. The Castle was built by the Dutch East India Company between 1666 and 1679, and is the oldest existing colonial building in South Africa. It replaced an older fort called the Fort de Goede Hoop which was constructed from clay and timber and built by Jan van Riebeeck. The five bastions were named after a European monarch and it's construction remains a symbol of occupation and Colonial ideology.

**Let us begin our pilgrimage.**

## **SITE 1: THE ENTRANCE - LAND**

**Reader 1:** *As you enter this place, crossing the moat and passing through its fortified walls, we take some time to remember. Remember the lives of those who first walked in the place. The Khoisan, indigenous to the Cape, connected deeply to the soil and the air and ocean and the rhythms of nature, living in harmony with creation.*

*We remember too, those who came, as explorers, visitors, the colonisers. People who had very different ideas about ownership, possession, production and wealth. The conflicts of value systems and world views are still something we witness today.*

**Reader 2:** *A day after the Natives Land Act of 1913 was enacted in South Africa, Solomon Plaatje (1995:13) remarked: "Awakening on Friday morning, June 20, 1913, the South African native found himself, not actually a slave, but a pariah in the land of his birth."*<sup>1</sup>

*The systematic internal displacement of Africans from the land of their birth continues today.*

### **TAKE A FEW MINUTES FOR REFLECTION**

- Have your views and values ever been in conflict with people you live and work with?
- How have you resolved it?
- What are those differences currently?

Leader: Every time our views are in conflict with another, we make choices about how we will use our power. Every time we have abused our power for our benefit, protection and gain....

**People: We need forgiveness, wisdom and humility. We offer the use of our power for the good of all**

Leader: For each time that conflict has left us poverty stricken, powerless and bereft; when the abuse of power has dehumanised us, sometimes repeatedly to the point of our breaking...

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<sup>1</sup> Plaatje, ST. 1995. Native life in South Africa. Randburg: Ravan.

**People: We need forgiveness, wisdom and humility. We offer the use of our power for the good of all**

*Reader 1: At this place, we remember people who were victims of genocide, enslavement, human rights' violations and loss of life*

**OBSERVE A MINUTE OF SILENCE**

Leader: Millions have been dishonoured and have paid a heavy price to serve the greed of a few. Restitution opens a door to true repentance and reconciliation

**People: This beautiful land was created for all of us. We long for a South Africa in which all of us can live, and enjoy the land for generations to come**

## **SITE 2: THE BALCONY - LAW**

**Reader 1:** *On this balcony, all laws and decrees were first read into existence. These laws were often crafted to create privilege for a minority at the expense of the majority. When crimes are made legal in the form of "State Laws" we need courage and resolve to resist evil and to fight for justice.*

### **TAKE A FEW MINUTES FOR REFLECTION**

- Think about the laws that have changed since 1990. Which is your favourite new law in our constitution?
- How does it express the dignity and value of all people? If you'd like, share it with one person in your group.

**Reader 2:** *In the silence, we remember the countless lives that were cut short, abused and disregarded, all because a Law made them something less than a human being with dignity and value. Today we celebrate the power and victory of our constitution.*

Leader: They used their laws and they tried to bury us

**People:** **But they did not know that we are seeds**

Leader: Give us all reverence for each law, from a stop sign to an employment act or the right to protest. We commit to upholding these laws and holding civil servants to them too

**People:** **Laws that give unmeasured privilege to some and not to others, violate all of us. Laws in business, trade, labour, education, religion and society, create inequality and injustice. It is in the places of historic privilege, that we need restitution**

**All Together:** *Give us all a new dream. A dream where each child and each adult will be able to thrive. May our commitments to the constitution, be lived out the spirit of UBUNTU that binds us to one another*

### **SITE 3: THE CHAPEL - FAITH**

**Reader 1:** *The V.O.C. [The Dutch East India Company] did not decide to stay on their own. They brought with them their religion and church. The chapel and many others like it, was a place where people were baptised, buried and married. It was also a place of instruction. Theology upheld many of the laws that the V.O.C. lived by. Their belief, or faith, valued their lives, culture and exploration, as being superior to those that they may have encountered (who were not like them) and qualified “those people” as subject to Europeans.*

**Reader 2:** *Today, some may label this as “religious extremists” and by others, it may be labelled “devoted”. Either way, what we believe matters. What we believe will shape the futures we dream of.*

#### **TAKE A FEW MINUTES FOR REFLECTION**

- How does your faith ascribe value to people who are not a part of your faith?
- How could we think differently about difference in faith today?

**Leader:** Our constitution celebrates the diversity of the South African population. We value the contribution of each citizen. We have a Commission for the Promotion and Protection of Culture, Religion and Language

**People:** **We celebrate the freedom of religion in South Africa. We are thankful that no one prescribes to us, what we should believe, nor prohibits us from the practise of our beliefs**

**Leader:** Apartheid was both imposed and opposed by Christians using their bibles to give instruction. Colonialism too, happened all over the world, using the bible as the authoritative and supporting text

**People:** **We cannot leave theology to “those who study and teach”. We all have a responsibility to do theology faithfully**

#### **REFLECT**

- What does theological restitution look like?

## PRAY

*A prayer of Khoisan leader, Robin-Dean Fourie*

*We are Mountains  
No matter if we don't amount to much  
We are Mountains  
We cannot be measured by the mere  
Sense of touch  
Mountains yes  
We are hard to the core  
If you only rely on feelings  
Then the feeling is raw  
Stones in our blood and bones  
We don't use words  
We speak by our stance alone  
These peaks speak  
Of how deep we're grown Mountains  
From our heads, hearts and our  
chromosomes  
We are Mountains  
You better go around us*

*Or blow a hole  
We overflow with waterfalls  
When it rains upon us  
We remain the strongest  
We are nature's giants  
We're His people with no equal  
We won't bow before a tyrant  
We are Mountains  
Yes, we know the clouds  
But we are rooted in Him  
So we cannot be uprooted or polluted  
By things  
Mountains  
Our name is a song that they sing  
Mountains  
Our structure is formally structured  
In the structure of our King  
We are Mountains.*

## **SITE 4: THE QUAD & WAR MEMORIAL - SOLDIERS**

***Reader 1:** We gather in this quad to remember all those who have died because of war. We think of continent at this time. We remember our siblings in countries beyond our continent.*

### **OBSERVE A MOMENT OF SILENCE**

*In the 2004 film Troy, the character Achilles says "Imagine a king who fights his own battles. Wouldn't that be a sight. War is simply young men dying and old men talking. Soldiers fight for kings they have never even met. They do what they're told to do and they die when they are told to die." We may hold differing views about wars. In this place, we want to think of those conscripted into the military. Those who fought for misguided ideas of freedom. We also remember all those who sacrificed their lives so that we can enjoy freedom today.*

### **TAKE A MOMENT TO CALL TO MIND THE NAMES OF THOSE WHO MADE SACRIFICES FOR YOU AND YOUR FREEDOM**

Leader: Let us listen for the footsteps of those who walked nervously, for those who walked willingly, for those who walked in fear and trepidation

**People:** Soldiers sent from this quad to fight a war for a king they would never meet. Soldiers who willingly chose to serve people that would never thank them.

Leader: We remember the eighteen year old white South African males conscripted into the army. For those who resisted, for those who chose prison and for those who chose exile.

**People:** We remember those sent from this place, to terrorise their fellow South Africans, to defend a "whites only" sign. For those who died on a border not their own. For those who still suffer trauma. We remember

### **QUESTIONS TO PONDER**

- What kind of restitution does a soldier make?
- What kind of restitution does one make to a soldier?

## **SITE 5: THE TORTURE CHAMBER - LABOUR**

***Reader 1:** People were first enslaved at the Castle. If anyone was caught after trying to escape, they were chained and tortured until they confessed and were then sentenced to death. Sometimes, they had in fact not run away, but confessed so that the torture would stop, despite having to pay the ultimate price of death.*

### **REFLECT IN SILENCE ON THE FOLLOWING QUOTATIONS**

“They shall build houses and inhabit them; they shall plant vineyards and eat their fruit. They shall not build and another inhabit; they shall not plant vineyards and another eat; for like the days of a tree shall the days of my people be, and my chosen shall long enjoy the work of their hands. They shall not labour in vain, or bear children for calamity; for they shall be offspring blessed by the Lord – and their descendants as well.”

*Isaiah 65:21-23*

“A just wage is the legitimate fruit of work. To refuse or withhold is a grave injustice. In determining fair pay, both the needs and the contributions of each person must be taken into account ... Agreement between the parties is not sufficient to justify morally the amount to be received in wages.”

*Catholic Catechism 2434*

Leader: Where our treasures are, our hearts are too. We have stumbled and fallen victim to consuming people and valuing things.

**People: We have lived like people enslaved, measuring worth by the same measure as production. We ask for forgiveness for our unjust and greedy lifestyles**

Leader: A minimum wage is not a living wage. A living wage is not a just wage. When we fail to pay a just wage; for gardening, cleaning, childcare, etc. we treat the contributions of others with mockery and diminishment. We need forgiveness

**People: For each time we were measured by what we produced, and not who we are. When our labor was considered worthless and our sweat was for the benefit of those who have enough; We forgive and we remember.**

## **SITE 6: THE PRISON - SLAVE or ENSLAVED?**

***Reader 1:** They suffered at the cruel hands of the prison guards and the devastating conditions of daily torture. There were no windows, just cold bars and the exposure to the harsh weather, especially in winter. Their bodies endured physical pain and suffering. Blood, sweat and tears. Displaced, disconnected from their families and betrayed and sold by their own kin, they arrived in their hundreds. Men, women and children - to provide free labour and to live by a separate set of laws.*

Leader: We remember the pain of separation, censorship, hard labour, the cold and hunger. We also remember the camaraderie. This helped to counteract the cruelty of the system and created new family and new 'race' groups

**People: We remember the men and women behind these bars. We will remember all people around the world who find themselves in prisons and stuck behind metal bars. In metal cages dismembered and dislocated from society.**

Leader: When our actions cause pain and our victories come at the expense of another's freedom; when we care nothing for the wellbeing of those trapped by the seduction of comfort; when comfort makes us forget the suffering of our neighbour, God, have mercy and forgive us.

**People: When we have paid the price again, and again, for the prosperity of others, and we are forgotten and our pain is ignored by our offenders. When we have allowed incarceration and injustice to define us and shape up and limit us and shut us up. Let us join with one another and become family again, so that together, we can work for the good of us all**

## **QUESTIONS TO PONDER**

- Who works in conditions like this today?
- What does just labour look like? What is a just wage?

## **SITE 7: THE V.O.C. - Business**

**Reader 1:** *In March 1602 a group of Dutch merchants and independent trading companies, founded the Dutch East India Company [V.O.C.] Their monopoly of the spice trade meant that it determined the prices of the commodities, their production and availability and determined which other powers could participate in the trade, setting out clearly the conditions under which this would be possible. In 1649 a recommendation, called a Remonstrantie, was made to the Directors of the VOC to establish a refreshment station at the Cape of Good Hope for ships who passed en route to the lands of tea and spices. In this memorandum the quality of the land at the foot of Table mountain and the shores of Table Bay were praised for their fertility.*

**Reader 2:** *Today the work of the Department of Trade and Industry includes a mandate to promote structural transformation, towards a dynamic industrial and globally competitive economy; to broaden participation in the economy and to strengthen economic development. Yet, not much has changed as the gap between the rich and poor continues to increase in South Africa, and all over the world.*

Leader: Our story is rooted in our history

**People: South Africa produces enough resources for all of her citizens to live well and eat well**

Leader: How can we affect change? How can we help? What can we do? What is causing poverty? What is causing wealth? Who and what is needed to restore our society?

**People: Charity and goodwill are no longer enough. We all have work to do. We can no longer be silent and ignore the pain**

Leader: Efforts towards reconciliation that have fallen short of justice...

**People: Have spent the hope we carried for a rainbow nation**

**All: Let us sit together and listen together. There is something here for everyone – to do, to have, to be**

## **SITE 8: THE GARDEN - Personal Sustainability**

**Reader 1:** *The Castle started out as a refreshment station. It was a garden and a farm and a hub of life. It was a place to replenish energy and strength. Take a moment now to think about the places where you have just walked.*

### **REFLECT ON YOUR OWN**

1. Where did you feel most able to participate?
2. Where did you feel least able to participate?
3. What new questions have emerged for you?
4. How has this experience helped you think about restitution?
5. What do you think you can do about the issues raised here today?
6. What are the acts of restitution you need to be getting involved with?
7. What commitments are you ready to make?

### **AN OPPORTUNITY TO PARTICIPATE**

- Write a prayer or your hope for restitution on a sheet of paper and place it in one of the clay pots in the garden.
- Tweet your ideas of what restitution is using #RestitutionConference and #SomethingForEveryone
- Write down you own commitment to restitution and share it with someone
- Read through the *litany of restitution* on your own

- .....
- .....
- .....
- .....

## **Litany of Restitution**

One: We stand humbly together before one another

**All: We are united in hope**

One: We are committed to facing the past

**All: We need deep courage to do this**

One: For the actions and attitudes of restitution

**All: We humbly strive**

One: With words that do not result in action

**All: We are no longer satisfied**

One: For excuses and reluctant leadership

**All: They are not enough**

One: With government programmes alone

**All: They are not enough**

One: For accusations, fear and blame

**All: We renounce these**

One: For our forgetfulness and short memory

**All: We are truly sorry**

One: For demanding that those who have been hurt bear so much

**All: Forgive us**

One: For those of us who have grown up after Apartheid

**All: We offer up our privilege**

One: For those of us who were complicit with Apartheid

**All: We have considered our ways**

One: For those of us who were dishonoured by Apartheid

**All: We open our hearts to true sorry-ness**

One: Give us a new vision of South Africa

**All: That we know to be possible**

One: A South Africa where the weak are protected

**All: And none go hungry or poor**

One: A South Africa where the riches of land and soil are shared

**All: And everyone can enjoy them**

One: A South Africa where different races and cultures

**All: Live in harmony and mutual respect**

One: A South Africa where peace is built with justice

**All: And justice is guided by love**

One: Give us the inspiration and strength to build it

**All: To this vision we deeply commit ourselves.**

## **What Are Our Next Steps?**

We have a few next steps already decided, but we are hoping that more will emerge from our time together. Each are active options.

**Summarise:** Immediately we will regather on 17<sup>th</sup> November in the offices of the Human Sciences Research Council (around the country) between 12.00 and 14.00 to summarise the outcomes of this conference.

**Record:** A readable and accessible proceedings book detailing the outcomes of the conference will be compiled in the first quarter of the new year and made available for open access distribution.

**Read:** The book *Another Country*, is now available, and proceeds from the sale of the book will go towards making future copies cheaper. No royalties will be distributed.

**Discuss:** An app for iPhone (iTunes) and Android (Google Play) based on the book *Another Country* is now available for free download. It aims to ignite dialogues about restitution wherever people are able to gather and can commit to three months of talking together once a week.

**Commit:** The Restitution Garden, designed and planted for this conference, will be a permanent feature of the Castle of Good Hope. Come here to reflect, to ponder but also to commit to a course of action. Write down your commitment and place them in one of the clay pots. A virtual facility on the website [www.restitution.org.za](http://www.restitution.org.za), a *register of restitution*, offers another place in which to register your commitment to restitution.

**Reflect:** The pilgrimage we have arranged as the first event of the conference will remain a feature here at the Castle of Good Hope. The banners marking each site will be available to groups (by prior arrangement) who wish to repeat this important reflection. A pdf of the liturgy is also available from Deon Snyman ([deon.snyman@telkomsa.net](mailto:deon.snyman@telkomsa.net)) for use without restriction.

**Donate:** We have strived to make this conference accessible to everyone and so have not charged a conference fee. Our expenses have been met from local business (Mars Music – sound), the City of Cape Town (parking), Solms Delta (the wine), Woolworths (the garden), our

partners (the Groote Kerk, the HSRC, the Restitution Foundation) and countless individuals. If you have the means we would like to invite you to make a contribution to the Restitution Foundation, or to any other of the partner organisation listed on the back of this booklet. The Restitution Foundation's bank account details are as follows:

Restitution Foundation  
ABSA (Branch code: 632005)  
*Account Number: 40-5734-8021 (Current Account)*

**Fund:** We are investigating setting up a national Restitution Fund, to be administered by trusted members of civil society, many of whom are here at the conference or are already involved in the organisations represented here. In the near future we hope to announce how to both give to and receive from this Fund.

## **Conference Chairs and Partners**

### **CONFERENCE CHAIRS**

- Prof. Sharlene Swartz, Human Sciences Research Council and University of Cape Town
- Ms. Zinzi Mgolodela, Woolworths
- Rev Dr. Lionel Louw, University of Cape Town (ret.)

### **PARTNERS**

- Prof Ben Cousins, Plaas, University of the Western Cape
- Mr Calvyn Gilfellan, Castle of Good Hope
- Prof Pumla Gobodo-Madikizela, Stellenbosch University
- Mr Stanley Henkeman, Institute for Justice and Reconciliation
- Dr Marje Jobson, Khulumani Support Group
- Mr Horst Kleinschmidt, Claude Leon Foundation
- Fr Michael Lapsley, Institute for the Healing of Memories
- Mr Ron Martin, SA First People's Museum
- Prof Sabelo Ndlovu-Gatsheni, UNISA
- Dr Deon Snyman, Restitution Foundation
- Mr Craig Stewart, The Warehouse
- Rev Johan van Rooyen, Groote Kerk

### **MODERATORS**

A1 Di Oliver and Theo Mayekiso  
A2 Selina Palm and Ayanda Nxusani  
A3 Ros Irlam and Judy Cooke  
A4 Hans Engdahl and Glenda Wildschut  
A5 Tim Murithi and Theresa Edlmann  
A6 Mqondisi Vena and Mary Burton  
A7 Cindy Tyrell and Fatima Swartz  
A8 Lou-May Immelman and Crossing Bridges Africa

B1 Ros Irlam and Ayanda Nxusani  
B2 Linda Martindale and Horst Kleinschmidt  
B3 Laurie Gaum and Crossing Bridges Africa  
B4 Selina Palm and Glenda Wildschut  
B5 Tim Murithi and Theresa Edlmann

B6 Lou-May Immelman and Theo Mayekiso  
B7 Astrid and Crossing Bridges Africa  
B8 Caroline Powell and The Warehouse

## ORGANISING PARTNERS

- **THE RESTITUTION FOUNDATION** is a Cape Town based non-profit organisation that promotes socio-economic justice, healing and reconciliation through restitution. Its mission is to be a catalyst for restitution in South Africa. Its patrons are Archbishop Emeritus Desmond Tutu; Archbishop Thabo Makgoba; Prof Jonathan Jansen; Prof Mark Solms and Dr Mary Burton. Board members are Prof Sharlene Swartz (Chair); Mr Mike Winfield; Prof Geoff Everingham; Mr Ashley Herold; Ms Zinzi Mgolodela; Ms Nolubabalo Ndevu; Dr Charles Robertson; Rev René August; Mr Msizi Cele; Rev Lynn Pedersen; Rev Lionel Louw (honorary) and Dr Deon Snyman (COO).
- **THE HUMAN SCIENCES RESEARCH COUNCIL** is South Africa's statutory research agency and is the largest research institute in the social sciences and humanities on the African continent. Our mandate is to inform the effective formulation and monitoring of government policy; to evaluate policy implementation; to stimulate public debate through the effective dissemination of research-based data and fact-based research results; to foster research collaboration; and to help build research capacity and infrastructure for the human sciences and national development.
- **THE CASTLE OF GOOD HOPE** is a historically important venue; a place that holds stark reminders of exploitation, persecution, pain and dispossession, yet offers opportunity for critical active reflection. This year the Castle commemorates its 350<sup>th</sup> year of existence. As Calvyn Gilfellan, the Castle's CEO says, "This is a commemoration not a celebration. One cannot in all decency celebrate the slavery and oppression synonymous with the Castle under colonial and Apartheid rule. However a conference such as this, aimed at inclusivity and understanding, provides a momentous opportunity to re-imagine the Castle as a catalyst for restitution".

## **Notes**

