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*South African Land Restitution, White Claimants and the Fateful Frontier of Former KwaNdebele**

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South African land restitution, through which the post-apartheid state compensates victims of racial land dispossession, has been intimately linked to former homelands: prototypical rural claims are those of communities that lost their rights in land when being forcibly relocated to reserves, and they now aspire to return to their former homes and lands from their despised 'homelands'. However, white farmers, who were also dispossessed (although usually compensated) by the apartheid state in its endeavour to consolidate existing homelands, have lodged restitution claims as well. While the Land Claims Court has principally admitted such restitution claims and ruled upon the merits of individual cases, state bureaucrats, legal activists, and other members of the public have categorically questioned and challenged such claims to land rights by whites. Focusing on white land claimants affected by the consolidation of former KwaNdebele, this article investigates the contested field of moral entitlements emerging from divergent discourses about the true victims and beneficiaries of apartheid. It pays particular attention to land claims pertaining to the western frontier of KwaNdebele – the wider Rust de Winter area, which used to be white farmland expropriated in the mid-1980s for consolidation (which never occurred) and currently vegetates as largely neglected no-man's-(state-)land under multiple land claims. Being the point of reference for state officials, former white farmers, Ndebele traditionalists, local residents, and other citizens and subjects, this homeland frontier is hence analysed as a fateful zone of contestation, in which the terms of a new South African moral community are negotiated.

Introduction

South African land restitution, in the course of which the post-apartheid state compensates victims of racial land dispossession, has been intimately linked to former homelands: prototypical rural claims are those of African¹ communities that lost their rights in land when being forcibly relocated to reserves, and now aspire to return to their former homes and lands

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1 I use the conventions of 'African', 'Indian', 'coloured', 'black' (inclusive of the previous three categories) and 'white' to describe the different social groups that were identified as 'distinct' under the apartheid system and continue to have a social existence, while acknowledging, of course, the dilemma that the inevitable usage of these socially constructed terms might reinforce their alleged 'reality' as biologically predetermined categories.

from their despised ‘homelands’.² This is made possible by a profoundly transformed politico-legal order, enshrined in the new Constitution of the Republic of South Africa (Act 108 of 1996), which also includes a principal constitutional duty for a land restitution programme. The legal and institutional set-up of this duty is further spelled out in the Restitution of Land Rights Act (Act 22 of 1994), defining the criteria according to which individuals and communities are entitled to restitution – that is, restoration of the land or equitable redress. Claimants had to be dispossessed because of racially discriminatory laws and practices after 19 June 1913 – that is, the day of the promulgation of the Natives Land Act (Act 27 of 1913). They must not yet have received just and equitable compensation, and they had to lodge their claim before 31 December 1998, at least initially.³ The Restitution Act further established the Commission on Restitution of Land Rights and the specialist Land Claims Court (LCC) as its key players.

Although the vast majority of all land claims were put forward by black people, a few restitution claimants are white, even though it is very difficult to obtain exact figures or identify specific cases, since claimants are not classified or distinguished – at least officially – on the basis of race. In the course of 14 months of ethnographic fieldwork, conducted between 2010 and 2013, it thus took me quite some time to identify, through my Commission contacts, a number of white land claimants. Two of their cases, and very different ones at that, I will present in this article.

As we will see, the LCC has in principle admitted restitution claims by whites as legal, and ruled upon the merits of individual cases. However, state bureaucrats, legal activists, and other members of the public have categorically questioned and challenged such land claims by whites on moral grounds. Focusing on white claimants affected by the establishment of former KwaNdebele, this article investigates the contested field of moral entitlements as emergent from divergent discourses about true victims and beneficiaries of apartheid. Put differently, given that individuals ‘have beliefs about the sorts of beings that should be treated justly’, and that ‘moral values, rules, and considerations of fairness apply only to those within the boundaries for fairness’,⁴ such boundaries effectively circumscribe the limits of what people imagine as their acceptable ‘moral community’.⁵ South African land restitution can thus be interpreted as a contested arena, in which the contours of acceptable moral communities of former victims of apartheid in need of redress (from which former beneficiaries are necessarily excluded) are continuously renegotiated, redefined and remade. In this process, white claimants constitute a classificatory anomaly, as they individually claim victimhood while categorically belonging to the formerly privileged race of beneficiaries (or even perpetrators). As such, their land claims offer a particularly useful entry point into analysing the contested production of land restitution’s moral community and its underlying histories of victimhood.

As Henrik Ronsbo and Steffen Jensen note, the presence of ‘victims’ typically refers to experiential forms of suffering, often perceived as objectified and passive, whereas

2 D. James, *Gaining Ground? ‘Rights’ and ‘Property’ in South African Land Reform* (Abingdon and New York, Routledge and Cavendish, 2007); C. Walker, *Landmarked: Land Claims and Land Restitution in South Africa* (Athens, Ohio University Press, 2008); O. Zenker, ‘New Law Against an Old State: Land Restitution as a Transition to Justice in Post-Apartheid South Africa?’, *Development and Change*, 45, 3 (2014), pp. 502–23; O. Zenker, ‘Bush-Level Bureaucrats in South African Land Restitution: Implementing State Law under Chiefly Rule’, in O. Zenker and M.V. Hoehne (eds), *The State and the Paradox of Customary Law in Africa* (Aldershot, Ashgate, forthcoming).

3 On 29 June 2014, President Jacob Zuma signed the Restitution of Land Rights Amendment Act (Act 15 of 2014), which re-opened the period for lodging land restitution claims and extended it until 30 June 2019.

4 S. Opotow, ‘Moral Exclusion and Injustice: An Introduction’, *Journal of Social Issues*, 46 (1990), p. 3.

5 K.A. Hegtvædt and H.L. Scheuerman, ‘The Justice / Morality Link’, in S. Hitlin and S. Vaisey (eds), *Handbook of the Sociology of Morality* (New York, Springer, 2010), p. 340.

‘victimhood’ is more of a political construction highlighting subjects’ heroic agency and intentions. Invoking the notion of ‘histories of victimhood’, they suggest tracing the mutual and often conflictual interrelations between both aspects over time.

[I]n the figure of the victim resides an experience of a particular moral value that, as it becomes entextualized and circulates in conflicted social fields, gives rise to sets of questions and dilemmas. These include the commensurability of the status of different victims, the authenticity of the experience of being a victim, the ways such claims reflect on the agentive potential of the subject, and how they may deny other subjects access to recognition.⁶

Different versions of such histories of victimhood are evoked in contested constructions of the moral community of South African land restitution. Yet probably nowhere do the ambiguities and dilemmas arising from this process become more apparent than in the frontier zones of the former homelands, in which white rural claimants are immediately enmeshed. White claimants in rural areas are usually former farmers, who were dispossessed of their lands by the apartheid state in its endeavour to build and consolidate the evolving homelands. Rural white claimants are thus intimately linked to the creation of the former Bantustans. It is in this sense that the former homelands can be seen as current ‘frontiers’ – that is, as condensed zones of contestation (as Steffen Jensen and I argue in the Introduction to this special issue), where important remnants, left-overs and loose ends of apartheid become apparent and are renegotiated with particular intensity.⁷

Within the field of land restitution, essentially concerned with the making and unmaking of past injustices surrounding the former homelands, this leads to thorny questions: who is to qualify as a true victim of apartheid and thus is in need of current redress? How is one to conceive and enact a belated form of justice for those who suffered and resisted? In what ways should race, recognition and relief intersect with each other and shape the contested contours of a legitimate moral community? Is it admissible for whites to claim individual victimhood regarding apartheid politics, even though such politics inevitably made them into collective beneficiaries? Can there be a white restitution claim that does not intrinsically violate the boundaries of an acceptable moral community in the new South Africa?

This article deals with these loose ends of apartheid through a case study of two land claims by whites pertaining to the western frontier of KwaNdebele – the wider Rust de Winter area, which used to be white farmland expropriated in the mid 1980s for consolidation that never occurred, and currently vegetates as largely neglected no-man’s-(state-)land under multiple land claims. In the first section, I briefly introduce the conflictual history of the KwaNdebele homeland, and use this as a springboard for presenting the land claim by Wessel Vermaas,⁸ who has requested an exceptionally high amount of financial compensation in addition to what he received from the apartheid government. An extraordinary case by many standards, this claim can nevertheless be treated as iconic for precisely those characteristics that have led critics to exclude whites from their constructions of land restitution’s moral community. This is the topic of the second section, where I give an overview of the range of arguments about white claimants’ moral status. This leads to the question whether it is at all conceivable within the morally charged climate of land restitution to accept individual victimhood for white claimants. The third and fourth sections present the case of Abraham Viljoen – the identical twin of Constand Viljoen, the former Chief of the South African

6 H. Ronsbo and S. Jensen, ‘Histories of Victimhood: Assemblages, Transactions, and Figures’, in S. Jensen and H. Ronsbo (eds), *Histories of Victimhood* (Philadelphia, University of Pennsylvania Press, 2014), p. 5.

7 S. Jensen and O. Zenker, ‘Homelands as Frontiers: Apartheid’s Loose Ends – An Introduction’, elsewhere in this issue.

8 I have been unable to anonymise actors whose names were already in the public domain through media coverage, court files, and publications. In other cases, informants did not wish to remain anonymous. However, whenever possible and desired by my informants, I have not revealed their identity.

Defence Force and political leader of the right-wing Freedom Front. Abraham Viljoen's dispossession of land rights, combined with his left-liberal anti-apartheid activism, to my mind instantiates such a moral case of individual victimhood. Again an exceptional land claim by many standards, Viljoen's case is iconic for the opposite end of the spectrum of white claimants, whose moral legitimacy is, arguably, hard to deny. However, his claim has been rejected, stalled, and endlessly delayed for many years, thus, so far, seemingly excluding him from South Africa's moral community, to which he could formerly more easily imagine himself to belong during the pan-racial struggle against apartheid. Morally objecting in principle to any post-apartheid racialisation of South Africa's moral community through state-driven land restitution, I have tried as much as possible – and am still trying at the time of writing (October 2014) – to help Viljoen finally to receive official recognition of, as well as redress for, his history of victimhood under apartheid.

More Bucks for Bucks in Former KwaNdebele

Situated to the north-east of Pretoria, between Groblersdal and Bronkhorstspuit, the former KwaNdebele homeland developed as the tenth and last Bantustan under apartheid, proclaimed as the official 'home' of the Ndebele. In 1972, the South African government released plans for the creation of KwaNdebele. In 1974, the first Ndebele regional authority was established; the Ndebele Territorial Authority was installed in 1977; legislative assembly status followed in 1979; finally, in 1981, KwaNdebele received rights as a self-governing state in terms of the Bantu Homelands Constitution Act (Act 21 of 1971).⁹

The territory of KwaNdebele comprised an expanding collection of mostly state-owned farms and parts of the neighbouring Bantustans Lebowa and Bophuthatswana. This required several waves of territorial consolidation, in which strategically placed land was bought by the state to join other detached portions to form larger blocks, while adjacent areas belonging to other homelands were excised and also added to KwaNdebele.¹⁰ After earlier consolidation waves in 1975 and 1983, the last consolidation plan, of 1985, concentrated mainly on the expropriation of the irrigated and highly productive white-owned farmland in the Rust de Winter area on the western border of KwaNdebele.¹¹

One of the white farmers, who was expropriated in the early 1980s on the further and further encroaching western frontier of KwaNdebele, was Wessel Vermaas. A lawyer by profession, he had owned portions of both the farm Zandspruit 189 JR (measuring in total 1,146.35 hectares) and the neighbouring farm Christiaansrus 182 JR (measuring 1,655.46 hectares). After initially opposing the government's Notice of Expropriation, Vermaas finally agreed to a forced sale, receiving R1,965,000.00 as compensation for both portions.¹²

After apartheid ended, Vermaas lodged a land claim, demanding restitution of the land, its improvements, and all the game he had lost, simultaneously tendering repayment of the financial compensation he had received in the past.¹³ However, the land claim was dismissed by the responsible Regional Land Claims Commissioner, since the past compensation was

9 Surplus People Project, *Forced Removals in South Africa: The Transvaal*, Volume 5 of the *Surplus People Project Report* (Cape Town, Surplus People Project, 1983), pp. 47–52.

10 L. Platzky and C. Walker, *The Surplus People: Forced Removals in South Africa* (Johannesburg, Ravan Press, 1985), pp. 178–9.

11 C. McCaul, *Satellite in Revolt: Kwandebele, an Economic and Political Profile* (Johannesburg, South African Institute of Race Relations, 1987), pp. xii, 61–76.

12 See 'Referral Report', in *Vermaas v. Mpumalanga Regional Land Claims Commissioner and Another* (LCC 73/07), sections 1–10.

13 See 'Land Claims Form' in *Vermaas v. Mpumalanga Regional Land Claims Commissioner and Another* (LCC 73/07).

declared just and equitable.¹⁴ Vermaas did not accept this dismissal, making use of his right to have his case reviewed by the Land Claims Court.¹⁵

In his Referral Report, the Regional Land Claims Commissioner summarised the claimant's rather unusual demands: Vermaas requested a total of R81,840,762.00 (about US \$10.5 million on the date of referral, 27 May 2008) in compensation for the land, the game, goodwill, future potential, as well as improvements on the farm, to be added to the compensation of R1,965,000.00 he had already received from the apartheid state in the 1980s.¹⁶ When I last researched the case (March 2012), it was still pending in the Land Claims Court, but even in the field of restitution, where exploded land prices have already caused enormous restitution costs for the state, the demanded total of R82 million is a mind-boggling sum for any individual claimant.¹⁷ This is even more so considering the wider South African situation, in which severely limited resources must be equitably spent on other expensive government budget items, such as public health, education, and economic development.

Contesting the Boundaries of South Africa's Moral Community

Land claims by whites like the Vermaas case, arguably iconic in its excessiveness, are at the centre of contested debates about the moral entitlements to land restitution in the new South Africa, embedded in divergent discourses about true victims and beneficiaries of apartheid. Take, for instance, the former Regional Land Claims Commissioner for Mpumalanga and Northern province, the late Durkje Gilfillan. A white, left-liberal, human rights and land activist throughout the 1980s, she had worked for the Legal Resources Centre (a public interest legal NGO) in Pretoria since 1992, before serving as Regional Land Claims Commissioner between 1997 and 2000.¹⁸ When we discussed the issue of 'white land claimants' in 2010, Gilfillan expressed a strong and uncompromising position: she claimed that her approach as Commissioner had been to insist that while white people had evidently also been dispossessed 'as a result of past racially discriminatory laws or practices' (see section 2[1][a] of the Restitution Act), they themselves had not been racially discriminated against as whites – on the contrary, they had categorically benefited from these racially discriminatory laws and practices. Furthermore, white claimants had been properly compensated and also had had the legal means at the time of dispossession to have the amount of compensation reviewed in court. Hence Gilfillan claimed to have dismissed white land claims *tout court*, arguing that it was not the task of the Land Claims Commission to review past compensations, as this could and should have been done at the time of dispossession. Gilfillan finally explained that the Restitution Act should have explicitly restricted the entitlement to restitution in section 2 according to 'equity and justice'. This, Gilfillan claimed, would have excluded white claimants automatically. Yet, as the Restitution Act stands now, Gilfillan admitted, it is technically 'colour-blind'.¹⁹

14 See 'Referral Report' in Vermaas v. Mpumalanga Regional Land Claims Commissioner and Another (LCC 73/07), sections 4, 12 and 29.

15 *Ibid.*, section 30.

16 *Ibid.*, sections 5, 7 and 10.

17 In the financial year 2008/9, when Vermaas made his demand, the Commission on Restitution of Land Rights spend a total of R223,156,536 for transfer payments in the form of financial compensation. Had Vermaas got his way during that year, he alone would have consumed 36.7 per cent of the year's entire budget for financial compensation. See Commission on Restitution of Land Rights, *Annual Report 2008/09* (Pretoria, Department of Land Affairs, 2009), pp. 42–3.

18 Interview with Durkje Gilfillan, 26 August 2010. (All interviews for this article were conducted by the author.)

19 *Ibid.*

Several African officials currently working for the Commission expressed similar attitudes to me privately. Thus a high-ranking public servant in the national office of the Commission in Pretoria argued that it was an irony of how land restitution had been institutionalised during the 1990s, in both the new Constitution and the Restitution Act, that those who had benefited under apartheid because of their race were now in the position to benefit yet again, from the very process intended to undo the race-based injustices of the past. However, the same official also insisted that, as he strongly subscribed to the modern ideal of social contract, equality, and the rule of law, he did not allow this private attitude to bias his work in public service.²⁰

Such critical attitudes towards white claimants are not isolated phenomena within the Commission on Restitution of Land Rights. This is illustrated by the fact that this organisation, in 2005, commissioned a Legal Opinion regarding the questions, whether it could be argued on the basis of legislation that whites are in principle not entitled to make restitution claims and, if they are so entitled, how the legislation could be amended in a constitutionally acceptable way to categorically exclude whites as claimants. As it turned out, the two commissioned advocates expressed the Legal Opinion that on the basis of the Restitution Act, as it stands, it cannot be argued that whites are not entitled to claims. Furthermore, it was submitted that the Restitution Act cannot be amended to exclude whites as claimants, because such an amendment would be struck down by the Constitutional Court.²¹ Thus the matter of legally excluding white land claimants was not pursued any further by the Commission.

It is important to emphasise, however, that there were also voices within Commission echelons that were more sympathetic towards white claimants. Cheryl Walker had been a long-term white land activist during apartheid, and served as the Regional Land Claims Commissioner for KwaZulu-Natal during its first term, between 1995 and 2000. As she explained to me in 2010, she had believed in ‘due process’ while working for the Commission, and still did so. Therefore she advocated that each land claim be assessed purely on its individual merits, irrespective of the race of the claimants.²² I encountered similar attitudes among African officials currently working for the Commission. Everyone in the new South Africa was entitled to the same rights, I learnt; hence, white claimants had to be treated in exactly the same way as black ones. This was so, Gusta Mbatha, a high-ranking female bureaucrat from the Mpumalanga office, emphasised quite strongly, not least in order to distinguish the new South Africa morally and legally from its apartheid past, which the restitution was, after all, trying to overcome.²³

In any case, the right in principle of white claimants to the restitution of land rights has been tested and confirmed in terms of positive law. In a number of reported cases, the Land Claims Court has clarified that the Restitution Act does not in principle preclude white claimants, as long as they satisfy the requirements of the Restitution Act.²⁴ Thus the merits of each case involving white claimants need to be established on an individual case-by-case basis. In some cases, the Land Claims Court ordered in favour of white claimants;²⁵ in other cases, the Court ruled against restitution.²⁶ As a matter of fact, the case law on ‘so-called “white claims”’ is even summarised in a Commission Handbook, *Jurisprudence on*

20 Interview with a high-ranking official in the national office of the Commission on Restitution of Land Rights, 8 October 2010.

21 Legal Opinion: Ex Parte: The Commission on Restitution of Land Rights / In Re: Section 2(1) of the Restitution of Land Rights Act No 22 of 1994 (19 October 2005): sections 177.1–177.3 (in my possession).

22 Interview with Cheryl Walker, 11 November 2010.

23 Interview with Gusta Mbatha, 29 August 2011.

24 See Department of Land Affairs v Witz (LCC152/98) (2000) ZALCC 42 (12 October 2000).

25 For example, Randall and Another v Minister of Land Affairs, Knott and Another v Minister of Land Affairs (LCC136/99, LCC 01/00) (2002) ZALCC 18 (10 May 2002).

26 For example, Department of Land Affairs v Witz (LCC152/98) (2000) ZALCC 42 (12 October 2000).

Restitution of Land Rights in South Africa, as one of the main findings of the courts on restitution matters, in order to ensure that the Commission deals with white claimants in the legally correct way.²⁷ Yet even within the Land Claims Court, which has persistently made clear that restitution law explicitly includes white claimants as legally legitimate, moral doubts can be encountered. Thus a former LCC judge privately expressed a critical opinion regarding the morality of land claims by whites. He felt that such restitution claims were not morally right since the past expropriation that such white claimants had suffered had been effected by a system representative of white minority rule; in other words, it had been ‘their’ government. Moreover, echoing Gilfillan’s argument, white people at the time did have legal means at hand to challenge state action, for instance the Expropriation Act (Act 63 of 1975). Nevertheless, it was acknowledged that whites also could have experienced psychological and social loss through dispossession. All things considered, however, this judge thought it morally wrong for whites to have the right to claim restitution in the new South Africa – irrespective of the fact that, as a judge, he had of course to apply the law as it stands.²⁸

The perception that skin colour does make a difference in the restitution process is also shared on the other side of the divide, namely among white claimants and their lawyers. Peet Grobbelaar, a white attorney usually representing white landowners against land claimants, but also occasionally acting for white land claimants, vehemently insisted that such a racial bias exists in the work of the Commission. According to him, the Commission intentionally delayed all claims that had been lodged by white victims of land dispossession. Evidently, Commission officials would not openly admit to this racism against white claimants, but would simply push white cases back again and again in the queue. Although Commission officials were supposed to act as champions of claimants and would, of course, do so if claimants were black, white claimants actually had to defend their claim *against* the Commission that was supposed to help them. Therefore, Grobbelaar explained, as soon as a white claimant became his client, he immediately made use of the claimant’s right of direct access to the LCC, thus forcing the Commission to hand over the case to the Court, which, according to Grobbelaar, applies the law in a just way.²⁹

It is against this background that the somewhat cynical comments by a white claimant need to be seen, when discussing his experiences with the Commission. Being one of three cousins and co-claimants, whose fathers had been dispossessed of four farms near Marble Hall in the course of building the Lebowa Bantustan in the 1980s, Cornelis Uys stated cynically that the ‘new South Africa’ was now ‘colour-blind’; he and his cousins would hence be entitled to restitution too, just like anyone else. However, their actual experiences appeared quite different: when I first met them in October 2010, the Uys family reported a 15-year-long history of encounters with Commission officials that had not led them anywhere (the ambiguities surrounding the fact that delays are experienced by many claimants is taken up below). Their attorney, who was not a specialist in land law, had written numerous letters, but to no avail. When I mentioned that other white claimants used the method of direct access to the LCC to push their cases forward (as I had learnt from Grobbelaar and others), they listened attentively. When I came back to South Africa almost one year later, they had become clients of Peet Grobbelaar too, and had filed an application at the LCC.³⁰

This brief overview shows that while the question of the legality of land claims by whites was decided favourably by the courts, quite a diverse spectrum of perspectives has persisted on

27 M. Tong, *Jurisprudence on Restitution of Land Rights in South Africa: Lest We Forget* (Pretoria, Department of Land Affairs/Commission on Restitution of Land Rights, 2007), pp. 44–5.

28 Interview with a former Land Claims Court judge, 9 March 2012.

29 Interviews with Peet Grobbelaar, 10 September 2010 and 31 August 2011.

30 Interviews with different members of the Uys family, 11 October 2010 and 18 August 2011.

the morality of such restitution claims. On the one hand, these different attitudes comprise an outright rejection of any moral right for whites to claim restitution, given the collective and categorical status of whites as beneficiaries of apartheid. On the other hand, some have advocated the moral inclusion of white claimants, on the grounds of the basic belief in equality for all and a colour-blind rule of law in the new South Africa. A slight variation of this latter approach has consisted in the declared intention to treat whites as equals in order explicitly to set apart the new South Africa as a polity founded on a new and decidedly different morality, compared to the one on which its colonial past had been built. Depending on which discursive constructions (including histories of victimhood) are evoked, white claimants are thus either excluded from or included in the imagined moral community of South African land restitution.

In the different positions presented above, moral exclusion was explicitly related to a discourse of whites as collective beneficiaries of apartheid, whereas advocates of moral inclusion rather emphasised the justness of equality as a value in itself. Hence histories of white victimhood as such did not actually figure. Thus, ultimately, the question remains: is it morally admissible for whites to claim individual victimhood with regard to apartheid politics, even though these politics inevitably turned them into collective beneficiaries? In other words, can there be a restitution claim by whites that does not intrinsically violate the boundaries of a new moral community in South Africa?

The Prodigal Twin

In late August 2011, I first met Abraham Viljoen, a slender man then in his late 70s, who had lodged a restitution claim in 1997. I had invested a lot of time and energy, with the help of my friends at various Commission offices, to identify white claimants related to the build-up of the former KwaNdebele. However, many of these contacts did not lead anywhere. Having finally traced the claimants or their descendants, it often turned out that the claims had either been rejected or still not been processed (and the claimants had usually given up on the matter). As it turned out, the situation was to be different in the case of Abraham Viljoen.

Despite his age, Viljoen proved to be an untiring interlocutor, with whom I conversed for many hours about his life in general and his land claim in particular. Early on, he told me that he had been active in the struggle against apartheid, for which – so he claimed – he had suffered in many ways. My initial scepticism was shared by friends in the Commission. When I first told them about Viljoen, they jokingly exclaimed that ‘suddenly, all white people have been part of the struggle’, especially when demanding restitution.³¹

However, when subsequently researching his case, I realised that Viljoen’s role, especially during the transitional period, had already been studied by others.³² Using this literature, I further cross-checked the information provided by Viljoen through interviews with other key players, documentary evidence from newspapers and other sources contemporaneous to the events at issue.³³ The following summary of Viljoen’s biography and his land claim is based on these triangulated sources.

31 Conversation with public servants in the national office of the Commission, 5 September 2011.

32 G. Boynton, *Last Days in Cloud Cuckooland: Dispatches from White Africa* (New York, Random House, 1997); A.H. Sparks, *Tomorrow Is Another Country: The Inside Story of South Africa’s Negotiated Settlement* (Johannesburg, Jonathan Ball, 2003); F. van Zyl Slabbert, *The Other Side of History: An Anecdotal Reflection on Political Transition in South Africa* (Johannesburg, Jonathan Ball, 2006); D. Cruywagen, *Brothers in War and Peace: Constand and Abraham Viljoen and the Birth of the New South Africa* (Cape Town, Zebra Press, 2014).

33 I. Okery, ‘Unusual Alliance Blocks KwaNdebele Independence’, *Work in Progress*, 44 (1986), pp. 3–11; TRAC, *KwaNdebele: The Struggle Against Independence* (Johannesburg, Transvaal Rural Action Committee, 1986); McCaul, *Satellite*; E. Ritchken, ‘The KwaNdebele Struggle Against Independence’, *South African Review*, 5 (1989), pp. 426–45.

Abraham Viljoen was born on 28 October 1933 in the then eastern Transvaal as the identical twin brother of Constand Viljoen. After matriculating in 1951, both twins joined the newly established military gymnasium in Pretoria for one-year training. In 1952, however, the brothers' ways parted, when Abraham Viljoen started studying philosophy, Greek, and theology at the University of Pretoria, planning to enter the ministry of the Dutch Reformed Church.³⁴

By contrast, Constand Viljoen continued his military career, and rapidly rose within the ranks of the South African Defence Force. In 1975, he was appointed Chief of the Army and, in 1980, Chief of the entire South African Defence Force, a post from which he retired in 1985.³⁵ Described as a right-wing 'model Boer',³⁶ Constand Viljoen in 1993 became head of the directorate of the Afrikaner Volksfront, a right-wing umbrella organisation demanding a separate Afrikaner *volkstaat*.³⁷ While publicly staying out of the transitional negotiations at the World Trade Centre, and repeatedly threatening a 'Third Boer War', Constand Viljoen and a few other Volksfront generals secretly began direct talks with the African National Congress (ANC) about the right-wing demand for an Afrikaner *volkstaat*.³⁸ Given Abraham Viljoen's very different political trajectory, right-wing Constand could turn to his left-wing twin to facilitate these crucial encounters, including with Nelson Mandela and Thabo Mbeki.³⁹

Compared to his brother Constand, Abraham Viljoen likened himself to the 'prodigal son' of the New Testament: while Constand had remained the deeply religious and steadfast 'model Boer', he had left behind the religious and political path of true Afrikanerdom and never came back.⁴⁰ Starting off as a pietistic Christian with the intention of becoming a Dutch Reformed Church minister, Abraham Viljoen spent almost two years abroad between August 1960 and March 1962, while preparing for his PhD, which changed his thinking substantially. He first went to the USA, where he became aware of the extent to which pietistic Christianity and racial discrimination went hand in hand. During the second year, in the Netherlands, he studied under Professor Johannes Hoekendijk, who had been active in the resistance against Nazi Germany and taught an openly political theology. Both left a deep impression on Abraham Viljoen. When he returned to South Africa in 1962, he realised that he could no longer tolerate the racist politico-religious gospel of apartheid that prevailed in both the Dutch Reformed Church and among most professors of theology at local universities. Given the various arguments he had with influential members of his Church and at the University of Pretoria, Abraham Viljoen found himself between a rock and a hard place, as the ministry no longer constituted a vocation or livelihood option, and university employment also became less and less likely for this 'tribal dissident'.⁴¹

With the help of the supportive theology professor Ben Marais, Abraham Viljoen finally succeeded in securing some employment at the University of South Africa (UNISA) in Pretoria, where he worked as a lecturer in theology and church history for more than two decades. However, given that his financial situation continued to be precarious (he had to repay his student loan to the Church, as he had refused the ministry), Viljoen also started farming: when his father-in-law decided to stop farming cattle on his portion (portion 3) of the farm Bezuidenhoutskraal 166 JR (measuring 1,057.26 hectares), in the Rust de Winter

34 Interview with Abraham Viljoen, 22 February and 7 March 2012.

35 *Ibid.*

36 Boynton, *Last Days*, p. 231.

37 Sparks, *Tomorrow*, p. 148.

38 *Ibid.*

39 *Ibid.*, pp. 154–9; Slabbert, *Other Side*, p. 17; Cruywagen, *Brothers*.

40 Interview with Abraham Viljoen, 22 February 2012.

41 Interviews with Abraham Viljoen, 30, 31 August and 1 September 2011; Sparks, *Tomorrow*, p. 157; Cruywagen, *Brothers*, pp. 53–71.

area, in 1968, it was agreed that Abraham Viljoen could lease the cattle farm for an annual rent until he, as the only possible buyer, was finally able to purchase the portion from his in-laws. So he did, all the while continuing to teach theology at UNISA.⁴²

Besides his professional life, Viljoen became a very active member of the South African Council of Churches (SACC), an interdenominational forum and anti-apartheid organisation under the leadership of, among others, Desmond Tutu, Beyers Naudé and Frank Chikane. In addition, Viljoen engaged in liberal politics, standing as candidate for the Progressive Federal Party (PFP) in Waterkloof/Pretoria in the parliamentary elections held on 6 May 1987. To do that, however, Viljoen had to take a quite far-reaching decision: in order to stand as a candidate, he had to quit his employment at UNISA with no option to return, which was risky, because if not elected he would lose his main income and the prospect of a reliable pension. Viljoen did in fact lose the election by a slim margin to the candidate of the National Party, Org Marais, leaving himself without employment or pension.⁴³ This situation was aggravated by the fact that he was simultaneously losing legal access to his grazing land in Rust de Winter, as we will see below. Abraham Viljoen then ended up working for the Northern Transvaal Peace Committee and, subsequently, the Institute for a Democratic Alternative for South Africa (IDASA). Viljoen was also one of the first Afrikaners to meet with the exiled ANC, when he travelled with Frederik van Zyl Slabbert to Dakar, Senegal, in 1987 for a clandestine meeting with outlawed ANC leaders.⁴⁴

Being a 'dissident Afrikaner',⁴⁵ Abraham Viljoen stuck out like a sore thumb within the strongly Christian community of 63 white farming households in the Rust de Winter area, whose internal political differences centred on the question of whether locals supported the National Party or the even more right-wing Conservative Party. Nevertheless, Abraham Viljoen got along well with his neighbours, many of whom even helped him during his electoral campaign for the Progressive Federal Party in 1987. Thus, despite their different political positions, Viljoen was an active member of the local Elands River branch of the conservative Transvaal Agricultural Union (TAU), as this was the only agricultural union available, and he even served as the chairperson of one of the two local branches between 1973 and 1989.⁴⁶

The Rust de Winter area has long since had a reputation for fertile soils, a sufficient water supply, through the Elands river, abundance of game, and the occurrence of great winter grazing (sweetgrass), which made the place into an almost perfect camp for a 'Winter's Rest' (as the name literally translates). During the 1930s–1940s, the South African government built the Rust de Winter Dam as a job creation measure for whites during economic depression, providing enough water for extensive irrigation schemes that were developed alongside the Elands river. With expanding irrigation technology and infrastructure, and sufficient cheap labour in the nearby reserves, Rust de Winter emerged as a highly productive farming region from the 1960s.⁴⁷

This was the situation in 1985, when the South African government declared its intention to incorporate white-owned farmland in the wider area into KwaNdebele. An area of 105,000 hectares was to be added to the homeland, including a large portion of Rust de Winter (34,000

42 Interviews with Abraham Viljoen, 30, 31 August and 1 September 2011.

43 Interviews with Abraham Viljoen, 30, 31 August, 1 September 2011 and 18 March 2013; Cruywagen, *Brothers*, pp. 99–107.

44 Interviews with Abraham Viljoen, 30, 31 August and 1 September 2011; Sparks, *Tomorrow*, p. 157; Slabbert, *Other Side*, p. 82.

45 Cruywagen, *Brothers*, p. 53.

46 Interviews with Abraham Viljoen, 30, 31 August, 1 September 2011 and 18 March 2013; McCaul, *Satellite*, p. 94.

47 Interviews with Abraham Viljoen, 30, 31 August, 1 September 2011 and 18 March 2013; interviews with Kobus Germushuis, 27 January and 8 February 2012; interview with Kerneels van der Walt, 3 March 2012.

hectares), but excluding the Rust de Winter Dam.⁴⁸ Despite the combined and persistent resistance of local white farmers, the South African government insisted on consolidating Rust de Winter into KwaNdebele. After finally deciding against taking the government to court, more and more local farmers started to give in between 1987 and 1989. They either sold their land (usually under protest) or were expropriated and financially compensated by the state.⁴⁹

This also happened to portion 3 of the farm Bezuidenhoutskraal 166 JR, which Abraham Viljoen still leased from his in-laws for cattle farming. While his in-laws, as the owners of the land, were indeed paid out, Viljoen (as the lessee) was not compensated in any form. Having no other place to go, he simply refused to leave, and stayed on Bezuidenhoutskraal for another year and a half without any state permission. In 1989, two non-Ndebele African farmers, who had worked as labour tenants on neighbouring farms, were also expelled. Viljoen invited them to move on to Bezuidenhoutskraal as well, since they had nowhere else to graze their cattle. Viljoen and his African co-farmers, Philemon Phatlane and Simon Babedi, wanted to stay on this farm that was earmarked for inclusion into the KwaNdebele homeland. For this, Viljoen could rely on the explicit support of the Ndzundza Ndebele King, David Mabua Mapoch Mahlangu, in Weltevreden/KwaNdebele, and several other members of the royal council – including the Princes Cornelius, James, and Andries Mahlangu – because of the extensive help that Viljoen and even conservative farmers in Rust de Winter had given to Ndebele citizens, subjects, and traditional leaders during the struggle against KwaNdebele independence in the mid 1980s.

While set to become South Africa's fifth independent homeland in December 1986, '[i]n one of the most dramatic episodes of the nationwide unrest that has afflicted South Africa since September 1984, a massive popular uprising in KwaNdebele put an end [...] to these constitutional plans'.⁵⁰ This complex situation forged an unlikely and rather unusual alliance of resistance, comprising politicised youth and supporters of the banned ANC and the United Democratic Front (UDF), dissatisfied KwaNdebele civil servants, the KwaNdebele royal family – especially the Princes James, Cornelius, and Andries Mahlangu as well as King David Mabua Mapoch Mahlangu – white left-liberal activists, including Abraham Viljoen, and members of the conservative white farming community in Rust de Winter.⁵¹

Kobus Germushuis, a white farmer in Rust de Winter at the time, recently explained to me that the deeply religious and conservative farmers in the area – like himself – had been profoundly appalled by the extent of brutal and illegitimate violence that the South African government either allowed the KwaNdebele government to exercise against its own residents or that South African forces even committed themselves: 'we could not tolerate this to happen in a Christian country', he recalled.⁵² Thus several of these conservative farmers, in principle supporters of racial segregation, joined forces with Viljoen, a strong opponent of the homeland system, in order to protest against the South African government and support African anti-independence activists. Out of religious and political convictions, but also fearing disruption of their labour supply and angered by the expropriation of their land,

48 McCaul, *Satellite*, pp. 61–3.

49 Financially, it did not make much difference to be paid out through either a forced sale or financial compensation following expropriation. Forced sales were simply less bureaucratic and involved less in legal costs than expropriation. Thus many farmers agreed to sell under the threat of expropriation – hence a 'forced sale' – once they realised that going to court would not save their land.

50 McCaul, *Satellite*, p. 3.

51 *Ibid.*, pp. 57–63, 94; Okery, *Unusual Alliance*, p. 8; TRAC, *KwaNdebele*, p. 25; Ritchken, *Struggle*, p. 430; P. Delius, *Mpumalanga: History and Heritage* (Scottsville, University of Kwazulu-Natal Press, 2007), pp. 425–7.

52 Interviews with Kobus Germushuis, 27 January and 8 February 2012.

[t]he Elands River Farmers Association in particular took a stand against Mbokodo [a state-sponsored vigilante group in KwaNdebele] and independence. They made representations to both the South African government and the security forces in an effort to ensure that popular demands would be won and peace would return.⁵³

Prince Andries Mahlangu, one of the few surviving royal activists, and chairperson of the Ndzundza Mabusa Traditional Council in the former KwaNdebele at the time of our interview, recalled that Abraham Viljoen and other white farmers from Rust de Winter played a significant role when turmoil in KwaNdebele was at its height. According to Mahlangu, Viljoen and his friends provided financial help, transport, and food, organised secure accommodation and hide-outs when activists were under threat of arrest and torture, brought in the media to cover events in the mayhem of 1986, and also facilitated the contact with human rights lawyers, who eventually helped to shatter the legitimacy of KwaNdebele. ‘These were very good people’, Andries remembered, ‘and especially Braam [Abraham]; I respect the old man, he was a role model’.⁵⁴ Former friends and comrades from apartheid times, black and white, have thus continued to include Abraham Viljoen in their imagined moral community; however, this situation was to change substantially with the end of apartheid.

The Fateful Frontier of Post-Apartheid KwaNdebele

Although the 63 farming units in Rust de Winter were indeed finally expropriated during the late 1980s, against the strong resistance of the local farming community, the actual consolidation with KwaNdebele never occurred. Like all other homelands, KwaNdebele was only officially dismantled and re-incorporated into the Republic of South Africa with the first democratic election on 27 April 1994; but in the context of the transitional negotiations in the early 1990s, the anticipation of the coming political transformations brought much of local politics to a halt, and the 1985 consolidation was never fully implemented. Therefore the wider Rust de Winter area never joined KwaNdebele, though it did become state land, and *de jure* remains so, for the most part, until today. Abandoned by their former white landowners, yet also largely neglected by the state during the uncertainties of its political transition, much of this formerly productive farmland, with a functioning irrigation infrastructure, became rapidly occupied by African people from KwaNdebele and beyond. Without the skills and capital to make commercial use of these farms, much of the infrastructure and implements were subsequently either sold or left to decay. Many of the former ploughing fields were not regularly cleared any more, and have since slowly merged again with the encroaching bushland.

While the wider area thus developed into no-man’s-(state-)land increasingly neglected by the state, some Ndebele traditionalists have continued to insist on their right to take over the whole region under ‘customary rule’. In part, this emerged from agreements reached in the context of the 1985 consolidation plan.⁵⁵ Moreover, the chief of the Litho Ndzundza Ndebele residing on the local farm Witlaagte 173 JR also lodged a land claim, demanding the restitution of 15 farms basically covering the whole of the Rust de Winter area. Although this restitution claim was dismissed by the Land Claims Commission, it was subsequently referred to the Land Claims Court, where it has been pending for many years.⁵⁶

53 TRAC, *KwaNdebele*, p. 25; interviews with Abraham Viljoen, 30, 31 August, 1 September 2011 and 18 March 2013; interviews with Kobus Germushuis, 27 January and 8 February 2012; interview with Kerneels van der Walt, 3 March 2012.

54 Interview with Prince Andries Mahlangu, 16 February 2012.

55 McCaul, *Satellite*, p. 61.

56 Interview with Chief Alfred Mahlangu, 7 March 2012; interview with Malesela Moloto, 7 March 2012; interview with Abraham Viljoen, 18 March 2013.

These neo-traditional assertions by local Ndzundza Ndebele chiefs also seem to have been the main reason why Viljoen's, Babedi's, and Phatlane's plan to stay on the farm Bezuidenhoutskraal could not be realised in the early 1990s. After negotiations with the Department of Land Affairs, they were offered alternative grazing some 15 kilometres away at section 4 of the farm Enkeldoornpoort. Since 1993, this loose joint venture has had to renew its lease contract with the Department of Land Affairs virtually every year, which made long-term planning and capital investments through bank loans impossible. Furthermore, the contracts expressly excluded an option to buy the farm. Since their arrival on Enkeldoornpoort, Abraham Viljoen has continuously covered the costs for all three partners. After the deaths of both African partners, however, tensions grew, as the sons of the former partners started refusing to co-operate in the necessary work, such as fencing, dipping the cattle, and renewing the fire breaks, arguing that this was now the era of 'black economic empowerment'. Moreover, competing land claims were lodged with regard to Enkeldoornpoort in addition to the Litho claim, which creates substantial tenure insecurity for Abraham Viljoen and his partners, which continues. This situation is aggravated by the fact that, being in his 80s, Abraham Viljoen is still financially dependent on farming, as he receives no pension.

Against the backdrop of these overall developments in Rust de Winter, Viljoen lodged a restitution claim in 1997. For several years, however, he received no response. Viljoen's claim was then dismissed by a letter from the Regional Land Claims Commission of Gauteng and North-West, dated 9 February 2006. In this letter, Viljoen's case was (mis)construed as that of a labour tenant who had not been dispossessed on the basis of racially discriminatory laws. Interestingly, the Commission file for his land claim also contains a research report dated 16 August 2006 (that is, after the dismissal letter had been written), which yet again (mis)construed Viljoen's claim – this time as if he was claiming under-compensation on behalf of the former owners of the land, namely his in-laws.

When I learnt about the details of Viljoen's land claim in 2011 and saw the letter of dismissal, I agreed that this was probably legally inappropriate. According to the Restitution Act, Viljoen was arguably dispossessed of land rights due to 20 years of (beneficial) occupation and the unregistered right for a long-term lease on, with the exclusive option to buy, the portion of Bezuidenhoutskraal. So Viljoen and I went to see the project manager responsible, Kenneth Matukane, on 1 February 2012, who immediately admitted that this dismissal was incorrect. Matukane stated that the refusal of Viljoen's claim had been part of a blanket dismissal. He claimed that after the development of some new case law, all such claimants had been contacted and their cases re-opened around 2006 or 2007. Viljoen, however, had never received such a letter, and had never been contacted by any official from the Commission. In the course of further communication with Malesela Moloto, the responsible legal officer at the Regional Land Claims Commission for Gauteng and North-West, in February 2012, Viljoen was advised to request formally a review of the dismissal by the Regional Land Claims Commissioner. For this purpose, Viljoen was helped extensively by legal officers of the Commission to provide affidavits from himself, detailing his rights in land lost in the process, and from his in-laws, confirming the details of the former lease agreement. These documents were compiled and delivered by early March 2012. Moloto then filed his legal recommendation on the basis of the documents and promised a decision by the Regional Land Claims Commissioner within seven working days.

This submission, however, became subsequently stuck within different sections of the Commission. Weekly enquiries since March 2012 by Viljoen and myself did not yield any results. Then a letter in August 2012 eventually informed Viljoen that 'research on your land claim has been completed and the report is currently en-route to the Regional Land Claims Commissioner (RLCC) for approval'. Since I knew the above-mentioned attorney, Peet

Grobbelaar, through my research, I asked him for help, and he sent a letter on Viljoen's behalf on 20 September 2012, requesting access to this research report. Despite continuous enquiries on a weekly basis, neither the research report nor any further progress materialised over the following months, leading into 2013.

Over all these months (and years) Abraham Viljoen continued wondering during our conversations how to make sense of these delays – and so did I. From the literature and my own research experience of other African land claims, I knew that many, if not most, claimants endure numerous delays, and often experience their dealings with the Commission as frustrating, if not infuriating.⁵⁷ At the same time, the Commission has operated under extreme pressure, dealing with the complexities of individual claims while having to satisfy public concerns about service delivery under conditions of heavy capacity constraints, bureaucratic in-fighting and lack of public consensus about the purpose of land reform.⁵⁸ Were the experiences of Abraham Viljoen hence comparable to those of most claimants, irrespective of their race, or were the delays in his case partly also due to the fact that he was a white claimant? Given the very limited evidence that Viljoen and I had on this matter, this question has proven notoriously difficult to answer, for Viljoen and me.

For a long time in our conversations, Viljoen favoured an interpretation according to which he was just a claimant, like any other South African. As such, he had also not wanted to jump the queue by asking favours from his powerful ANC acquaintances. Over time, however, he contemplated more and more the possibility that his claim actually might have been sidelined, at least by some, because he was white. Such a reading increasingly forced Abraham Viljoen to consider taking the legal route that other white claimants had taken before him, namely direct access to the Land Claims Court. Viljoen evidently had difficulties with such an interpretation, and these did not primarily stem from the fact that litigation would be very expensive. Instead, it became evident again and again that Viljoen did not want to give up imagining a non-racial moral community in South Africa to which he could belong.

This dilemma and sense of despair was a recurrent topic in our talks. Thus Viljoen told me that he felt increasingly insecure and disappointed about what had become of his dream of a non-racial South African society of equals. It is here, where Viljoen touched upon a personal sense of nostalgia, a longing for a past on the fateful frontier of former KwaNdebele, when he – the tribal dissident isolated from his kin and racial peers – could nevertheless imagine himself as a moral citizen of a new and better South Africa:

What I do miss is the sense of camaraderie and of mutual support and appreciation between white farmers and black 'homelanders' who made common cause in the fight against the homeland system. The pressures caused mutual friendship which lasted for some time, but have now faded in the new dispensation. In other words, what I miss is the effect that anxious moments and pressure had on white farmers and black 'homelanders' to join forces against what we considered to be evil.⁵⁹

Conclusion

The boundaries of the former KwaNdebele could never crystallise into a stable imagery of exact borders, constituting shifting and fuzzy frontier zones from the inception of this

57 Zenker, *New Law and Bush-Level Bureaucrats*.

58 C. Walker, 'Finite Land: Challenges Institutionalising Land Restitution in South Africa, 1995–2000', *Journal of Southern African Studies*, 38, 4 (2012), pp. 809–26; O. Zenker, 'Failure by the Numbers? Settlement Statistics as Indicators of State Performance in South African Land Restitution', in R. Rottenburg *et al.* (eds), *A World of Indicators: The Making of Governmental Knowledge through Quantification* (Cambridge, Cambridge University Press, 2015), pp. 102–26.

59 Interview with Abraham Viljoen, 4 March 2012.

homeland in the early 1970s until its final demise in 1994. Under the former dispensation, the South African government followed its high-modernist plan of grand apartheid, constructing through massive social engineering what it proclaimed to be a reconstruction of the natural order of cultural difference. In response and resistance to this multi-layered form of state violence, an unexpected alliance between radicalised youth, UDF and ANC supporters, Ndebele traditional leaders (often, rather, co-opted supporters of apartheid), white left-liberals, conservative white farmers, and Christian fundamentalists emerged in the mid 1980s. For them, the frontier made possible the imagination of a shared moral community delineated against the evils of apartheid, even though they were hardly united in terms a common vision regarding the political alternative aspired to.

With the end of apartheid, the state, hitherto forcefully present through social engineering, retreated more and more from the frontier zones of former KwaNdebele, in particular from the western borderland sliding into the formerly white farmland of Rust de Winter. Since then, various players with different agendas have moved into this no-man's-land of multiplying and typically weak institutions (among which the local state has become but one), attempting to make the area their political and moral home: Ndebele traditionalists have attempted to transform the whole region into their kingdom of custom, as promised under apartheid, excluding not only whites but all non-Ndebele residents from their moral community. New African residents have moved into this neglected *de jure* state land, making residential and agricultural use of formerly commercial farmland in ways easily used in populist accounts of post-apartheid decay and demise. And numerous overlapping restitution claims by individuals and communities, black and white, have created a complex texture, giving officials in the Land Claims Commission an enormously difficult task to unravel.

These land claims also include demands from former white farmers in the area, desiring either restoration of the original land lost during homeland consolidation or financial compensation. I gave the example of the land claim by Vermaas, who demands the staggering amount of almost R82 million, on top of the nearly R2 million he received at the time of expropriation. For many South Africans, differently positioned in the restitution process as state officials in the Commission on Restitution of Land Rights or judges in the Land Claims Court, lawyers or legal activists, claimants or general members of the public, such demands are perceived as out of kilter with what any citizen of the new South Africa can morally desire. Put bluntly, such restitution claims by whites are often seen as iconic of precisely the despicable white self-enrichment that is made legally possible through land restitution, thereby facilitating illegitimate claims to victimhood and intrinsically violating the boundaries of any acceptable moral community for South Africa.

It remained to be discussed, therefore, whether it can be morally admissible for whites to claim individual victimhood with regard to apartheid politics, even though such politics inevitably turned them into collective beneficiaries. I offered the example of Abraham Viljoen, whose racially motivated dispossession of land rights, together with his left-liberal activism in opposition to apartheid, to my mind actually instantiates such a moral case. Having lost the rights of a cattle farming lessee in the Rust de Winter area in the late 1980s without any compensation, Viljoen lodged a land claim that, until the time of writing, has still yielded no satisfactory solution. In March and April 2013 – during two further months of fieldwork for me in South Africa – the Viljoen family, the attorney Grobbelaar and I intensified the pressure on the Land Claims Commission, threatening to take the case to the Land Claims Court. This eventually proved effective, and the land claim was finally recognised as valid by the Regional Land Claims Commissioner on 6 May 2013. Since then, however, the implementation of this recognition, through either land restoration or financial compensation, has again been held up within the state bureaucracy, caught up between officials who apparently see legitimacy in Viljoen's claim to individual victimhood (and who

privately told us that the claim could have easily been finalised by September 2013, if the will had existed) and other civil servants, who indeed seem intentionally to delay the process because Viljoen is white (at least, this interpretation seems very difficult to avoid).

As Steffen Jensen and I emphasise in the Introduction to this special issue, Cheryl Walker astutely observes the restitution process to be generally haunted by a 'master narrative', depicting a paradigmatic, yet misleadingly simplistic, version of black victimhood through land dispossession in ways that do not do justice to the complexities on the ground.⁶⁰ As I have attempted to show in this article, a complementary 'master narrative' for whites arguably constructs them as collective and categorical beneficiaries under apartheid, which seems to leave little room for individual white victimhood. Inadvertently perhaps, such homogenising discourses have led to a stronger racialisation of the boundaries of South Africa's moral community, at least within land restitution, than could be imagined during the pan-racial struggle against apartheid. The ruins of apartheid – most importantly, the lives that it ruined – live on in ways not easily captured by such master narratives; these discursive framings do not do justice to such loose ends of apartheid. Hence current and future negotiations on the fateful frontier of former KwaNdebele might possibly benefit from being more prodigal in their offerings of moral citizenship across and truly beyond the racial divide.

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⁶⁰ Walker, *Landmarked*, pp. 11–29.