

Ilse Wilson LRC Oral History Project 15" July 2008

Note: Partial Embargo until death or 2015

This interview transcript is substantially edited and certain excerpts are placed under embargo.

The audio-recording will not be made available under the embargo.

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This is an interview with Ilse Wilson and its the 15" July (2008). Ilse, thank you very much on behalf of the SALS Foundation for agreeing to be part of the LRC Oral History Project, we really appreciate it.

Itâ\200\231s a pleasure.

I was wondering whether we could start the interview...if you could talk about your early childhood memories, growing up in South Africa, what were... some of the memories that you hold dear, or some of the memories that may not be that dear and also when do you think your sense of social justice and injustice developed?

Well, I grew up in a highly politicised family; I mean my...one of my earliest memories is learning to sing Nkosi Sikelele sitting in the sandpit, with my nanny, in fact. But my parents were both politically active from before my birth, so that was thatâ\200\231s where it came from.

In terms of your parents...what sort of activity were they involved in? Theyâ\200\231d obviously been banned, of course?

They were members of the Communist Party and even after it was banned, they were...continued to be members when it was re-formed underground. But my mother particularly, my motherâ\200\231s background was that..she was a..her mother was a missionaryâ\200\231s daughter, they were not wealthy, but you never turned a beggar away, you always gave food. And it came from that sort of humanism really, this was her political involvement, and Iâ\200\231m not trying to say she was not a...didnâ\200\231t believe in communism, because she did, but, it was very much a caring for people, thatâ\200\231s...thatâ\200\231s where it came from.

And your parentsâ\200\231 background in terms of what they did and how that might have influenced...?

Well, my father was Bram Fischer a lawyer, came from a very respectable Afrikaner family. When he was a young man everybody said that he could go far and he could be Chief Justice or Prime Minister, or whatever, but he chose to...another route.

Ok. And the type of law he did, was it political trials only?

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In later years it was political trials, but he also had a very successful commercial practice. He was on a retainer from Anglo American for many years, he was an expert on water law, ya.

In terms of... the discourse at home, about people and what was happening in the country, was that from very early on?

Very much. Absolutely, right from the start.

What are some of your memories about discussions, etc?

It wasn't so much discussions, it was just a whole way of being when Moses Kotane came for dinner, he came for dinner, it was no different from Cecil Margo coming for dinner, except it was probably more relaxed when Moses (Kotane) came.

Ok.

It's just the way they lived, was that all people had rights and yes, obviously, we had domestic help, but it was just the way one treated all people you just...ya.

...and you grew up in Johannesburg?

Yes.

And then went to...in terms of schooling...?

Ya, [mean went to...obviously to whites only schools and it was...it was difficult to lead the two lives, almost.

In what way exactly?

Well, I mean, I was in...still at school when my mother in 1960, was detained in that State of Emergency, what did the little white girls at my school know what this meant. My school friends would come home and find, as I say, usually Moses Kotane, but at weekends the house was open and we had one of the only swimming pools that people on the left could use...

Right.

...and there was a continuous stream of people, all weekend, coming. I mean I still meet people, particularly Indians, or people of Indian...or whatever you want to call them, saying: I learnt to swim in your pool. So, it was very much open house, ya.

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How did you...you say that it was difficult to, kind of, live these two worlds, how did you reconcile these two worlds, because...you went to an "all whites" school and you lived a particular lifestyle, but then at the same time, as a young child, growing up in this home environment that's open and people of colour were close friends...how did you reconcile the two in your mind, as such?

I suppose again my mother made it as easy for us as possible, she would give us...

This is you and your siblings?

Yes. She would give us, excuses or show us ways around it, she wouldn't let us change our behaviour, to her friends and colleagues, but, inaudible, no, I think one just led separate lives, you had your school friends and your school life and you had your other life which...I was the conformist in the family and I never actually kicked against it, I always accepted that this was right.

The system?

No, no, what my parents were standing for.

Oh right...

I never sort of, ya...

Rebelled against...?

Rebelled against that.

In terms of...you mentioned that your mom was detained in the 1960s, was that the first time and for how long?

She was detained for three months that was the first detention without trial. So it was very scary, although with later...with what happened later, it was a picnic, I mean, they were kept...well, they were segregated obviously, but all the white women were kept together and, it was...and we could visit them and things like that. But, ya, my father had been arrested in 1946, in 1946, which I don't remember, I was born in 43, but that had been, sort of, gentlemen's agreement, they phoned him and said would he come down to Marshall Square and be arrested. That was the Mine Workers' strike and the Central Committee (of the Communist Party) were all charged with him.

Right, ok. And you mentioned subsequently, that was...the three months detention was relatively easy, what happened subsequently?

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Well, I mean, my father was then detained later, but very briefly and thatâ\200\231s a whole other story, but I mean, detentions then became solitary confinement, torture and that sort of thing, within three years...four years.

...and how old were you when this was going on?

I was sixteen in...so I could visit my mother, in 1960. On my seventeenth birthday she had picked some violets in the prison yard and she pushed them through the grille.

Right, gosh. Itâ\200\231s...it must have been very difficult for you in terms of...trying to make sense of this...the...separation from your mom?

Ya, as I say, I was quite, I was sixteen and I had to manage the house, because my sister whoâ\200\231s older than me, was already away from home. Ya, I believe that one copes in situations and...

How do you think that influenced you, in terms of...the kind of work you wanted to do, or your sense of what needed to be done, and...do you think in that way it, in some ways honed you, it made you stronger, tougher?

Ya, I'm sure, ya. But, [mean, it...that was, it was all part of the process of growing up like that, that one coped, I mean, I was brought up that if the bus conductor didnâ\200\231t take your ticket, you tore it up yourself.

Ok.

I donâ\200\231t think I ever did that, but that was...that was what I was being taught, so that one...if one was given too much change in a shop, you went and gave it back.

Sure, sure.

My mother would...if she saw a fight, (laughs), she would always interfere, always assume, of course that the black man was...he was the victim. So that it was, ya, I was sort of...

Iâ\200\231m wondering, Ilse...once youâ\200\231d finished your... schooling and then did yo

u go on to
university immediately?

Yes, yes.

And where did you go?

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To Cape Town.

Right, ok. And the period you went to Cape Town...in terms of student politics etc, what was going on at the University of Cape Town?

We had an organisation called The Modern World Society, which Iâ\200\231ve only relatively recently learnt, because my sister was...she was there before me and she had been instrumental in setting this up, and in fact it was the Communist Party whoâ\200\231d had asked us to...had asked for it to be set up. But it was a very small, very left-wing group on campus, and if we worked together with the liberals, who had their own little group, we could actually sway the whole campus, which teaches you something about student politics. And ya, I was, I suppose in my third year at university when I also joined the Communist Party.

Ok.

I think the parents let me be approached in Cape Town, Albie Sachs actually...

Ok...

(Laughs)...recruited me and he would probably deny it, but he did. On Clifton Fourth Beach. (Laughter).

Right. Wonderful. And, so then did you...did you, in terms of the liberal organisation...student organisation...speaking of NUSAS in particular? Had NUSAS been formed at that time?

NUSAS was, oh yes, NUSAS was very much part of it. We were a little bit, what...nowadays I suppose weâ\200\231d be called ultra-left. So, we would work with NUSAS, but not...we werenâ\200\231t sort of, heavy NUSAS members, in fact we were a bit critical because...I canâ\200\231t remember why.

NUSAS had the reputation certainly from certain quarters, of being this all-white student body...

Ya.

But of course...that split had occurred with Steve Biko in...

Well, that was much later.

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Yes...

Iâ\200\231m talking early sixties.

Early sixties, right.

Ya...I was at university from â\200\23161.

Was Margie Marshall part of ...at NUSAS at that time?

She was.

Right and she was NUSAS president?

Ya.

Ok. I wonder whether you could talk a bit about...Margie Marshall and did you...did The Modern World Society, for example, work with her, what were the kind of, ideological differences really?

Iâ\200\231'm not even sure any more. (Laughs). I think...ya. I mean, Margie (Marshall) was based here so we didnâ\200\231t...I didnâ\200\231t see a great deal of her because I was not involved in NUSAS, because as I said, I think it was just seen as it was liberal and it sold out a bit, ya, because it was well before (Steve) Biko; Biko was ten years later.

Yes, of course...

We were quite close to people like Fikile Bam, who also of course went through the LRC. But he was a student at UCT, (and part of the Unity Movement), who were all very critical of NUSAS.

Sure.

Ya.

What were some of the criticisms that you can remember that were very specific in terms of the politics of the day...?

Canâ\200\231t remember.

Ok. And so after university, what happened?

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Well, in my...in 1964, I took four years over my degree, my mother died and my father was arrested...

Right...

...the wheels fell off.

Right...

And everybody Iâ\200\231d ever worked with politically underground, was detained. I mean, if I werenâ\200\231t my fatherâ\200\231s daughter, I think they would have pointed fingers at me. (Laughs). I just think because...I donâ\200\231t know why it was...

When your mom passed away, was that...through detention, or was that...â\200\235?

No, no, it was terrible, my father led the Rivonia Trial.

Yes and he was working with Joel Joffe?

Ya.

Iâ\200\231ve interviewed Joel Joffe...

Ya. And he...and then they were coming down to Cape Town...the trial ended and the following day they were coming to Cape Town, partly for my birthday, and partly to consult with the trialists about whether they should go on appeal or not. And they had a car crash and my mother died in it.

Gosh...

And then...about two weeks later, that was mid June that she died, and about two weeks later, the mass arrests started, this is 1964 weâ\200\231re talking about.

Right, and your dad was detained?

He was detained very briefly, for about three days, and then they let him out and then

they went to other detainees and said: look, heâ\200\231s talked, why donâ\200\231t you talk? I donâ\200\231t know why they behaved like that. And then...that was early July and by September he was re-arrested and charged. But as I say, everybody that I had worked with underground was detained.

Int And he was charged...?

W Mm.

Int And so how many years...?

W No, he was charged initially with being a member of the Communist Party and then he escaped bail, went underground, was charged with being a member of the High Command, got life, but died after nine years.

Int Right, in prison...

W Well, they let him go to his brother's house which...but he was still a prisoner.

Int Right, ok, so it was house arrest?

W It was, ya, but in Bloemfontein, they wouldn't let him come here because they said that...

Int And could you have access to him?

W Only once he was at the house.

Int Right, ok. So that was...a very traumatic time, from 1964 onwards?

W Ya, those late sixties were very tough. Political organisations had been smashed; it was terribly difficult to have any contact with black comrades, because, the oppression was so severe. I've got my Security Branch...well, I've got my justice files, but because I kept applying for passports, there are a lot of Security Branch reports in that. It just...it just shows how much monitoring there was, I mean, phoned, so and so came to visit, they went to visit. So, it was very severe surveillance, it was...ya. So, ya, those were tough years.

Int Right. And had you trained to be a lawyer at that point?

W In 1965 I started doing law.

Int Ok.

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I couldn't get Articles...that was before my father went underground, he walked with me around to every law firm to try and get Articles, but he was on trial and quite often the excuse was: we don't employ women.

Right...

Anyhow then he went underground, so you can imagine, it was even more difficult. Finally Werkmans, I mean, for...there was somebody there who was very sympathetic, and they employed me briefly. They actually wanted a secretary but they...a typist, but they could pay a clerk less, so they paid me R35.00 a month, or whatever it was.

So did you do an LLB then?

No, I gave up after that...then at the end of that year, when my father was arrested and it was quite clear that I'd been supporting him all the way through it...I was listed, in terms of the Suppression of Communism Act, and partly that, partly Werkmans had made me do debt-collecting, which is enough to turn anybody off the law.

Right.

I looked for something safe where I could probably get employment, so I did librarianship the next year, I did a postgraduate diploma, you could.

Mm. And then you started...did you start working elsewhere before you came to the LRC?

Yes, I worked at Wits; the public library wouldn't employ me.

Gosh...

They used the fact that it was a closed shop, that I would have to belong to the union, and in terms of my listing I couldn't belong to the union. But again, one can find an excuse, anyhow Wits finally...look it was the late sixties, it was boom years, people could walk into jobs. So, finally Wits employed me and I...no, they were good to me.

Right. And at what point did you make the transition... the LRC started in 1979, so, prior to that you'd been working at Wits?

I'd been working at Wits, then the children were born in '77 and '81

9, and when the

do, and Colleen Taylor...does this name come up in your interviews?

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No...

Ask Cecilie (Palmer) about Colleen, Colleen Taylor was the first admin person at the LRC...

Oh, really...

...and she really was extraordinarily efficient and set up things...she died some several...many years ago, but she was quite remarkable in her organisational ability, and she was a friend of mine, and she wanted me to work there. So she would come to me and tell me Arthur (Chaskalson) wanted me...I mean, Iâ\200\231d known Arthur (Chaskalson), obviously since the Rivonia Trial, and so Iâ\200\231d known them well all the se years. And then sheâ\200\231d go to Arthur (Chaskalson) and tell him that I wanted to work there (laughter). I was doing some part time work at Wits, but for the SRC rather than for the library. Anyhow, the long and the short of it is that she finally...

...got her way?

...got her way, and I went to the LRC as a librarian.

Right. And those were the early days, so when did you start at the LRC?

That must have been about 80...ya, *82, *83.

Ok. So this is a very important time for the LRC because this is when they were really dealing with the Rikhoto Case, Tom Rikhoto and the Komani Case, I wonder whether you could talk a bit about that?

No, because I wasnâ\200\231t...I then left...

Oh, you did...

...and went overseas for a couple of years, when those cases were being fought.

Right...

But then I came back in â\200\23186, and what had happened was that I had put somebody in my job to keep it for me when I came back, but sheâ\200\231d had to leave because it was a

part-time job and she needed full-time work because her husband had been retrenched, and sheâ\200\231d passed it on to yet another person, and that person didnâ\200\231t realise it was my job. So when I came back, there wasnâ\200\231t actually a job for me, but Geoff (Budlender), who had actually stayed with us when he was separating from his first wife and (and I think felt obliged to re-employ me) he said: why donâ\200\231t you come and

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see the people who come through the front door and assist them? The Hoek Street Clinic was still functioning...

Right, that was with Morris Zimmerman...?

...and Pinkie (Madlala) was doing that with...yes...Zim.

Zimmerman, yes.

Mr. Zim we used to call him. Thereâ\200\231s a book to be written just on Zim.

Do you want to talk a bit about that, about Zim and Pinkie (Madlala)?

Ya. Let me just finish why I got in. So then, ya, the idea was that I would screen the clients as they came in to see what was...what should go on to a lawyer and what...and I mean I really had to learn as I was going because the pensions and the UIF and the Workmenâ\200\231s Comp. and that kind of thing, I could then start handling myself. But, theoretically there was a lawyer who supervised me and he didnâ\200\231t actually, there wasnâ\200\231t a great deal of supervision. I canâ\200\231t remember when Hoek Street Clinic closed.

Around 1984, â\200\23185...

Ya, because I think I was already at the LRC and then...because then Pinkie (Madlala) came, Pinkie and Zim, who were the, sort of, mainstays of the...of the Hoek Street Clinic, came into the National...into the Joâ\200\231sburg office. And, I mean, Zim (Morris Zimmerman) used to say he was working harder than heâ\200\231d ever worked in private practice. He came to Arthur (Chaskalson) when Arthur (Chaskalson) set up...when they set up the LRC, and he said: this is work I want to do, Iâ\200\231ll come, you donâ\200\231t have to pay me, Iâ\200\231ll just come and work, itâ\200\231s what Iâ\200\231ve been wanting to do all my life.

Right.

And he was just absolutely remarkable, in his nurturing of the young lawyers, of the Fellows, I mean, if you speak to Mahomed (Navsa)...

Yes...

...have you spoken to Mahomed (Navsa)?

I have, yes.

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I mean, he loved Zim (Morris Zimmerman), and you could always go into Zim's office and shout and say: look, this is terrible what do I do about it? And he...he once said to me: I'm just pleased that there are young people who still have passion about things.

... he obviously understood the nature of public interest law and he...he wanted to engage and he was willing to do it pro bono. That to me indicates the kind of progressive thinking, but I'm just wondering, when you were there early on, did you have a sense that the legal fraternity actually understood what the Legal Resources was trying to do and was there support for it?

I didn't mix much with the legal fraternity.

Right, ok.

Although I do remember being very rude to somebody who had been a judge for many years, at a dinner party, (laughter), saying to him ...he was still a lawyer...

I hope it wasn't a Trustee? (Laughs).

No, it wasn't a Trustee, no, no, I've learnt to keep my tongue, with the Trustees (laughs), no, it was...trying to think of his name, but I..it escapes me at the moment...but it doesn't matter, it was, somebody...some respectable lawyer.

Right...

Ya, so I'm not sure that there was a huge amount of sympathy for the LRC. I think the point...the fact that it was Arthur (Chaskalson) made a big difference, if it had not had Arthur's (Chaskalson) gravitas there, I think it would have been much less successful.

You were there during Arthur Chaskalson's stewardship, I'm wondering whether you could talk a bit about that, what made Arthur Chaskalson...what made the LRC function in a particular way, under Arthur Chaskalson, do you think?

I think Arthur (Chaskalson) led by example.

Right. How would you describe him?

How would I describe him?

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Look, I saw only gentle, good Arthur (Chaskalson). I donâ\200\231t know if thereâ\200\231s another side of him...

No, of course.

...because...perhaps of a history. But, I remember we had mutual friends in Harare, and Hugh, wrote to Arthur (Chaskalson) and asked for some sheet music, or something, could Arthur (Chaskalson) see that it got...assuming that Arthur (Chaskalson) would send a secretary out to do it, but, he didnâ\200\231t, he went out and bought it himself, itâ\200\231s that kind of thing. He was so upright. This was a private matter, you didnâ\200\231t send your secretary out to go and buy something for a friend. I think the standards that were set in those days, of being absolutely thorough, you never cut corners just because your clients were poor and werenâ\200\231t paying you. And again, as I say, that was...well and Geoff (Budlender) also, but, this is how they worked and they expected everybody else to work like this, and in those early days that is exactly what happened. I mean, it would be hard work late at night; you never went into a case unprepared.

What about Felicia Kentridge...what was her role in the LRC, she was really part of the whole group that started the LRC?

She was, and I think she was more of a, sort of, PR person. She was very good at speaking to funders, that sort of thing, she...ya. My memoryâ\200\231s not so good...but she didnâ\200\231t really, sort of, get involved in the cases as much as I...as I remember. I donâ\200\231t know if thatâ\200\231s...

Sure...

...the impression you get from elsewhere. I mean Colleen (Taylor) used to be very rude about her and say that she didnâ\200\231t like to use the loo after clients had used it, and things like that (laughs). Would come out and complain if the towels were dirty.

Right...

But I donâ\200\231t...I mean, I think that was just... Colleen (Taylor) was also a difficult person.

Right. So, you went abroad and then you came back and then you started working as a paralegal, and youâ\200\231d had some legal training at...youâ\200\231d worked at Werkmens and...

Ya, but very little.

Sure. At that point the LRC was really...the lines were long, from what I can gather, and people were coming in and it was a range of issues. The focus areas hadnâ\200\231t really

started, what were the types of cases that would come through the door and how did you evaluate them in terms of impact and high impact, etc?

W Ya, I mean, one looked for cases that were a matter of law, of... other than just sort of administrative stuff. But Iâ\200\231m not sure that there were many that came through the door, that went on, obviously if I couldnâ\200\231t handle it, it would...it would need to go to somebody else, even if it was...and in the early days, we did a lot of the administrative stuff, I mean, we took on the Unemployment Insurance Fund and issues that one would...ya, we were...it was much more broadly spread so that one would deal with all these cases, I think...and later years after I left, I think they became much more picky and it had to...ya. But in those early days, and particularly the Hoek Street Clinic, you just...you helped everybody who came through the door.

Int Right. So...you stayed until 1993...?

w Mm.

Int At what point did you start working with the Driefontein community?

W I canâ\200\231t remember.

Int ...was it...

W But I could probably, I could find it out. What happened was that Ingrid de Villiers, as she was then, she changes her name regularly...

Int Ingrid Wlotzka?

W Is that what she is now?

Int I am not sure...

W She should just go back to Lewin, which was her maiden name. She is a lawyer and she was running the law clinic at...in Driefontein, and...

Int The law clinic, was that attached to the LRC? Was it part of the LRC?

w Well, it wasnâ\200\231t a law clinic, I mean, it was...ya...

Int An advice centre?

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An advice centre, really.

Right...

And, I think she was pregnant and so couldn't go, so the first time she just gave me all her files with meticulous notes in them, she was a very meticulous worker. And I just went out with Aninka (Classens) to be there...to talk through the files. Now I'd had obviously quite a lot of experience in administrative stuff and a lot of the Driefontein stuff was the run-of-the-mill stuff. That was already the...Land Claim had already been settled by the time I went.

Right....

So it was shortly after that.

Right, ok. Now, Aninka Classens did she work for the LRC...at all?

No, she was working for TRAC, which was a branch of the Black Sash.

Sure... and so you really were representing the LRC?

Ya.

And then in terms of legal counsel, was that Moray Hathorn at that point or was it someone else?

Moray (Hathorn) came later.

Ok.

I can't remember who did it initially. Because I started with Paul Pretorius and Karen

Tip and Charlie (Nupen) were still there, so...

Right...

And I don't remember them ever being involved in Driefontein. Geoff (Budlender) was probably...

Yes, I think it was...

...involved, in those early days.

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Sure, because he gave his files to Moray Hathorn, so it probably was Geoff (Budlender), yes.

Yes, ya.

Can you talk a bit about Driefontein and the type of work that was going on, and what were some of the difficulties, issues, etc?

I must tell you about my first visit there. So, we get there and we stay with Beauty Mkhize. Now, I'm an urban girl so this was all new to me. Aninka's (Classes) not a morning person but by half past five in the morning, I can already hear people, and the house is surrounded by people who have come...because at that stage we worked actually in Beauty's (Mkhize's) home.

You were operating from there?

Ya. So, I mean, it was extraordinary, but anyhow we then...we spent two days initially, seeing people, and going through their files, and then, this is just a nice little aside, and this was my first...I hadn't met...known Aninka (Classes) before then. And then when we finished working she said: oh, well, by the way, I'm staying in Driefontein, so you just take my car, we were in her car, and find your way back, and you turn left and right and whatever, but she said: be careful because if you go wrong, there are quite a lot of land mines on the roads around here. So of course, on my way home, I go wrong immediately and I'm finding myself on all these dirt roads, (laughs).

Gosh...

Anyhow, so then Ingrid (de Villiers), as I say, was pregnant and I...so I started going regularly and just managing the cases because they were all...well...ninety-five percent were run of the mill stuff. No, ninety percent. But then there were all these hideous labour tenant cases, and that's really when Moray (Hathorn) started getting involved in this stuff, where people were being evicted.

By the farmers...?

By the farmers, and by the big...the timber companies.

I'm also wondering Ilse, because, it wasn't just the cases...about Driefontein, there were some serious political undercurrents and things happening because of political affiliation?

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There were, but we all, I mean, we were quite good at keeping the legal work we were doing, as clean as possible. And in fact, in later years, we learnt about much more political activity that was happening there, than we were aware of at the time. I mean, people were coming in...MK guys were coming in across the border and...

Moray Hathorn mentioned someone who was like a father figure to him, was actually an MK person, or housed people...

Baba Zwane or, ya, but Zwane was in fact in Amsterdam. That's right we used to do two days, so we'd go to Amsterdam and then we'd go to Driefontein.

Right...

Um, ya, but I mean, I, fairly recently met a young man who said he'd come across the border and he used to play soccer with....a very nice man called Amin Cajee...no, not Amin, Yusuf.

Yusuf Cajee and his wife.

And his wife, who were, I think ANC operatives.

Right...

Very supportive of the community, if ever we needed something, we could 'phone them.

What were some of the difficulties about being in Driefontein? What were some of the challenges as such, because it seems to me that...from my interview with Moray Hathorn, that there had...there was a lot going on there?

Ya, look, I mean, the...legally it was this problem of the labour tenants, which I am sure Moray's (Hathorn's) told you about. Although I remember the first case ...did he tell you about the Sheepmore case?. The magistrate's court was a room in a, sort of , police station about this size, so there was no space for observers, and these guys were charged with trespassing...and I can't remember what...and Moray (Hathorn) went in, in his batman outfit, I think the magistrate was so completely confused that he said: yes, yes, whatever you want (Laughter). And negotiating with the timber companies, because they were really awful, I mean, they would kick people off the land, and... trying to keep people on the land, I mean, that was the big issue, was trying to keep people on the land and keep some of their cattle.

What are some of your memories of working with Geoff (Budlender), for example, in the early days, before Moray (Hathorn) took over?

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You see, I don't really remember that. What I think Ingrid (de Villiers) did the, sort of, legal stuff, initially.

Right.

And you see, very often, once it went to the lawyer, then I was left out of it.

Right, ok. But...you were really the first person, the port of call...

Ya, mm.

...and I'm wondering, in terms of the cases, do you have memories of specific cases that were really horrific or that you felt the LRC would make a difference in, and in fact did?

Look, I think we made a huge difference in ordinary people's smallish concerns. I mean, L...by the end, I had set up a system where I could phone...I could phone a

bank in Piet Retief and say: has my client's money come into the bank account? Because they knew that it would cost the client too much to go and check for themselves, and they would tell me.

Right...

I mean, they shouldn't be telling me.

Right, exactly.

And yes, the Unemployment Insurance people...I got to know all the people that I needed to, so I had very good relations with them and would, would just call them and say, what's happening here? So, yes, I mean, to get a Workmen's Comp. claim or

Unemployment Insurance for a couple of thousand rand for somebody, in the greater scheme of things isn't important, but for those people, it made a huge difference.

Right...

And just the fact that they knew what their rights were and that it was...so it was very much part of Driefontein, people saying: here we are, we're staying here, we've won

the battle to stay, and this is part of our struggle. There were a group of elders and they would have meetings which ninety percent of which I didn't understand because it was all in Zulu, but ya, I mean, they saw it as an extension of their struggle. But, I was sort of a minor cog.

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You say that Ilse, but thatâ\200\231s not according to everyone else Iâ\200\231ve interview ed, because

your name comes up quite a bit...in interviews with other people in terms of the work that you did, and the dedication that you actually applied to it....you were at a time at the LRC which was...really under Arthur (Chaskalson) and then Geoff (Budlender), and I wondered whether that in fact made a difference, because, in fact, you could see all these cases, that isnâ\200\231t the case any more. The LRC has really specialised ...due to funding.

Ya, I mean it might... and I think they also felt that they needed to specialise, the Driefontein thing was a, sort of, historic hand-over from the struggle to remain on the land, and then we gave support, and I think because Geoff (Budlender) had been so involved in that struggle, he was happy to give this support. And the labour tenant stuff was an important part of the work that we did, and so you needed to be able to get that, although we had people in both Driefontein, and (Baba) Zwane in Amsterdam who would bring us cases, I mean, who were familiar enough with what needed to be done.

Sure. You mentioned Beauty Mkhize....I was told to ask you more about Beauty Mkhize and her role and how she might have helped you?

Well she was, we used to stay with her...

Right...

She was very much part of that group of village elders, village leaders, Iâ\200\231m not quite sure... they were probably an ANC cell, they never told us that but they were the leaders who made decisions about what happened in the community, and she was really there because her husband had been a community leader and then, he was shot by the police, and that was the turning point in their battle for staying.

Really...

Mm.

Ok, and is that the point at which LRC became involved?

Ya, well, they became involved in the land struggle, in the struggle to keep them there, I mean Geoff (Budlender) was very much involved in that, he was always said that...sadly saw (Saul)Mkhize who was the man who was shot; probably his death was what...

Turned it around...

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...turned it. All this...a lot of circumstances around why the government...they also, sort of decided, itâ\200\231s enough now, trying to get rid of black spots.

Iâ\200\231m curious because youâ\200\231ve had this very strong political leanings and background and you were listed, and the kind of work you did had political undertones, thereâ\200\231s no doubt about it, but...I wonder how you...did you continue your activism in particular ways, or...?

Not hugely, I mean, what one could, one did. I was a bit too obvious to be a safe house, although people used the house at the time. In the early days before the children came and we would go out for work, Joe Ggabi, John Nkademeng, Eli Weinberg, all had keys to the house and they would come here during the day when there was nobody here, have their meetings in the garden here. I mean, these are...but...ya, and, so that...

Iâ\200\231m wondering...

Mm, not hugely active politically after that, ya.

So by 1993, what was the decision for you to leave, what happened?

[was getting burnout, somebody would come through the door and I'd think: I actually donâ\200\231t care about your problem, I donâ\200\231t want to hear your problem.

Right.

And thatâ\200\231s what social workers do, you see, I mean we would sometimes see up to a hundred people in Driefontein. But even...and then, I would go...once a month to Driefontein but I would also still be doing...seeing people in Joâ\200\231sburg, I mean, obviously much less. And ya...I just got tired of peoplesâ\200\231 problems and also...

The ensuing portion of the interview (3 paragraph) was removed upon the intervieweeâ\200\231s

request.

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Right. Do you think that was a racial kind of sense or was it because there had been this kind of grouping...and there were these tensions...between different people, do you think that you were then placed...positioned in a particular category?

Ya, I think Mahomed (Navsa) did see things in black and white terms. I, I think when he first came and there was that clique of Charlie (Nupen) and Paul (Pretorius) and...who was the third one?

Karel (Tip).

Karel (Tip)

The NUSAS group...

The NUSAS group, ya. That it was quite difficult for Mahomed (Navsa) to break into that. Ya, and he did...

But you werenâ\200\231t part of the NUSAS group at all?

No, I wasnâ\200\231t, but I was Arthurâ\200\231s (Chaskalsonâ\200\231s) friend and Geoffâ\200\231s (Budlenderâ\200\231s) friend.

Right, ok. So what were some of the tensions in the Johannesburg office at the time that you were there?

Well, there were those tensions, Mahomed (Navsa) with a chip on his shoulder, I donâ\200\231t know if you understand what it was like to be black, which is true, I didnâ\200\231t but, I did understand what it was like to have them knock on the door at midnight, 4 am...and that, that wasnâ\200\231t only towards me.

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He was generally extremely hard on the black Fellows. I wondered whether you got a sense of that?

He...I think he saw himself as following in Arthur's (Chaskalson's) footsteps of setting high standards.

Right.

I mean, is this the black Fellows who tell you that he was hard on them?

I think both groups do.

Um, so, I don't...I mean, I think that that's where it came from, that he actually...he cared deeply; he wanted black Fellows to succeed.

Oh, they do say that. Yes, of course.

So that, yes, he would then say, the red pencil almost came through stuff that was written, I mean, ya. But that was not malicious, that was to try and get them to...

Become better lawyers.

Become better lawyers, ya.

Right. So, you left in 1993 and then...you said partly because of...?

It was '94.

...you said partly it was because Mahomed (Navsa) had become Director?

No, he was...as I said I'd lasted the four years and it was almost as if I don't want to give him the satisfaction of chasing me away.

Right, right.

So, Thandi (Orleyn) had already taken over from him and I got on very well with Thandi (Orleyn), and, I mean, I...I would not have minded working under Thandi (Orleyn), but somebody just approached me and offered me something else, so, as I said...it was much more the...that I knew I had actually burnt out on this job. And not being a lawyer, meant that you could never take it...

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...to another level?

...to another level...

Right.

So as soon as it got interesting, youâ\200\231ve got to hand it over.

That must have been frustrating? Because Iâ\200\231m sure thereâ\200\231s a concern at some level for what happens to the client ultimately?

Ya, but, it was perhaps my own lethargy, there was nothing to stop me doing a law degree later on, I could even...being listed, I could have practised as an attorney, I think, I donâ\200\231t think...I think it was only...no, I could have practised as an advocate, but I mean, I also donâ\200\231t, I donâ\200\231t have it in me to be a lawyer, Iâ\200\231m not a...

....Arthur (Chaskalson) strikes me as a very cautious man and yet he didnâ\200\231t really mind the fact that you were listed?

He loved Bram (Fischer).

Right.

And because I came in as a librarian, which is also quite a safe, sort of thing to do. And there were big advantages in not being a lawyer, I mean, this again might have to be edited out. When I think of Aninka (Classens) and I sitting there doing affidavits that we probably knew were not true, (laughter) helping people out with what age they were, so that they could get pensions. We sat and wrote out these affidavits in longhand with...I mean, it was before laptops, and so youâ\200\231d write an affidavit out in longhand with carbon paper that I was born, I was so old at the time of Hitlerâ\200\231s war, we had all these Black Sash with this wonderful form of dates so that you knew that the Rindepest was so and so, the great â\200\230flu, the this, the that, so that you could date people. Weâ\200\230d do these affidavits and get people pensions.

Ok, right. So you...you left at a very interesting time in the history of the country as well? Where did you go thereafter?

I went into an organisation that I still do some work for, called the Mvula Trust, which deals in water and sanitation. I mean, thereâ\200\231s no knowledge of anything that...again you see this is nepotism...the man who was directing it was a Director, was a friend of mine, he just came to me and he said: I know you understand rural people, because Iâ\200\231d now been working in Driefontein for all these years, why donâ\200\231t you come...

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Well, he was right. (Laughs).

...do a bit of training...Ya, look I think, you must find somewhere thereâ\200\231s an article called: â\200\234The Lawyer and the Field Workerâ\200\235, which was written before Geoff (Budlender) and Aninka (Classens) got together and separated and got together again, when they worked together. And it just describes how well they worked, I mean, Aninka, I donâ\200\231t think has ever read Paolo Freire, but she works in that way. Has an extraordinary ability to listen to people, to hear people, to get things out of people, um, really remarkably so, and I learnt from her. I learnt, how one can get stories, that one doesnâ\200\231t need to...And the contrast was so stark with...somebody like Odette Geldenhuys, I donâ\200\231t know if you...

Iâ\200\231ve met her...

Met her, but she...lovely person, caring...she took over from Moray (Hathorn) in Driefontein at one stage, but she was a lawyer, she cross-examined people and got far less out of them than Aninka (Classens) did. Aninka (Classens) of course is also a very good linguist, so she could do it all in Zulu.

Right...

And, so ya, we...I learnt a huge amount there, and loved going there, and loved being there and being accepted, and I mean, there were times we did all sorts of things. There was a wonderful time...we went to the shebeen, I donâ\200\231t know why we went to the shebeen, with Beauty (Mkhize). And everybody there insisted on buying us a drink, and by the time weâ\200\231d finished (laughs), and... Beauty (Mkhize) was also...sometimes weâ\200\231d have this huge meal and sometimes weâ\200\231d have no food at all.

Right...

But...

It sounds like you immersed yourself in that kind of...

Absolutely, and then Aninka (Classens) left and I was left on my own there. Well, I used to take the Fellows down.

Do you remember the Fellows in particular?

Dunstan. Dunstan (Mlambo â\200\224now a senior judge)..and we got there terribly late the one night when we were going there and got stuck in the mud, and I just got out and

left the car, and we walked to Beauty's (Mkhize's) house and we got there and I said

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I...and Beauty (Mkhize) and Dunstan (Mlambo) said: no, no, we canâ\200\231t leave the car, so they went and found the car and pushed it out of the mud while I sat in Beautyâ\200\231s (Mkhizeâ\200\231s) house, I was finished (laughs), I think weâ\200\231d worked the full day in Amsterdam first. Shirley Walsh...Welsh...Walsh...

That name...

...who then ran the Wits Law Clinic, the rural...they had a rural law clinic.

Right. And she worked at the LRC as a Fellow?

She worked at the LRC as a Fellow.

Right.

Iâ\200\231m trying to think...I mean...a lot of them came. Ya, so...but those are the two that really stick out in my mind.

When you were working as a paralegal at the Legal Resources Centre, what was your relationship with Black Sash, I know Aninka (Classens) came through TRAC, but in terms of people like Sheena Duncan etc, the Black Sash office?

The Black Sash office, Sheena (Duncan) wasnâ\200\231t actually in the office at the time, I donâ\200\231t think. Iâ\200\231m trying to think who was there.

I know she was there earlier on, during the Komani ...

No, no, I mean, we worked very closely with them and with the Johannesburg advice office, was that what it was called?

Legal Aid...

Where Goldblatt...whatâ\200\231s her first name...Lily (Goldblatt) worked there. So we would refer cases to each other, we would take advice from each other, we would...ya...I canâ\200\231t help this person, can you? All the time, all the time. We would never do stuff that wasnâ\200\231t public interest, so if we got somebody who had a reasonable gripe against

another individual we would send them up to the Johannesburg advice centre, I think the Black Sash did those. So that...ya...no, no...very, very cordial relations with them both.

Right.

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And I mean, there was also...Iâ\200\231m just one...sort of...wasnâ\200\231t an incident but it was the time, after Rikhoto, we got this flood of people...

Section Ten.

The Section Tens, I donâ\200\231t know if youâ\200\231ve heard those stories where theyâ\200\231d come on a Thursday, and it was just when word processors were first invented, and we had this room about this size with these huge machines, and we would sit typing â\200\230my name is...and it was usual a Venda name...Iâ\200\231m permanently resident in bed 236, Hostel Five. And then we would send them off to the pass office to get their 10 lb stamps.

Those must have made just enormous differences in peopleâ\200\231s lives?

Ya, ya. But I mean, it was...it was this awfulness of saying: Iâ\200\231m permanently resident...and then there was this woman, Mary Hope who came and helped us, she was a volunteer, an English woman, and she would come on Thursdays and help. And one day, she gave the wrong ID book to the wrong man, and they would come and weâ\200\231d say: here, take this letter and hereâ\200\231s your pass, go to the pass office and...And we realised that sheâ\200\231d given the wrong book, and Mahomed (Navsa) and I ran and the pass office was right at the other end of town, because we thought that he might think that this... heâ\200\231d been given a new identity, he was going to get there and whatâ\200\231s he going to say? (Laughs). Anyhow heâ\200\231d had the sense to look and see it wasnâ\200\231t his book, and came back.

Good for him. (Laughs).

But, ya, I mean, it was...it was a sausage machine, but it made a difference to people.

Absolutely... one of the legacies of the LRC, is that quite early on, the approach that they took, even though they did do...Mr. Zim (Zimmerman) and the office as well, look at the ordinary person that came through the door, there was this test case approach that had been adopted from the US, and just those two rulings, Rikhoto and Komani, and then there were additional, but those alone, made such a huge impact.

Ya, ya.

Iâ\200\231m wondering, give that you have some legal training and certainly you have a legal background, I'm wondering, Ilse, if...under apartheid, parliament was supreme, did

you ever feel that the law could be used to actually challenge apartheid effectively. For example the Rikhoto case, it could have...parliament could have overturned a victory like that, but it didnâ\200\231t. Whatâ\200\231s your sense of what was going on?

Goodness me, Iâ\200\231ve never thought of that.

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Mm. Also...by 1989, change was starting to happen... influx control was dying away, etc, what was your sense, did you have a sense, given your political background, that things were changing and that there would come this end of apartheid, or was it...or did it really surprise you?

It happened much more quickly than I imagined. We had a wonderful opportunity of going to Cuba in 1989...itâ\200\231s a long story...in â\200\23188 Iâ\200\231d gone with my friend, Sheila; Iâ\200\231d said if I get a passport...our passports were only valid for Europe.

Right.

And then in 88 we got passports valid for the rest of the world, and we...Iâ\200\231d said to my friend, whose mother was in exile, I would come with her to see her, so, we set off to go and see Violet Weinberg in exile and we passed through Lusaka because thatâ\200\231s the only way you get to the Dar on a South African passport, the ANC has to see you through, and we sit with Ray Alexander, and...the long and the short is that she organises a trip for me to Cuba.

So via Dar es Salaam?

No, this is not immediately...

Oh, after ...

No, she says: would you like to go to Cuba? I say: I would kill to go to Cuba. Anyhow, at the end of the conversation she says: what about Tim (Wilson)? I said: well, Tim (Wilson) will divorce me if I go to Cuba without him, but itâ\200\231s worth it. (Laughter). Anyhow, the long and the short is a year later, we get a message saying: come to Harare in a weekâ\200\231s time. And we get to Cuba via Luanda where we get stuck for thirty-six hours in the airport, which is a nightmare in itself, and then we get counted out, itâ\200\231s the Cuban soldiers going back from Angola, who had fought at Cuito Cuanavale. So, we think thereâ\200\231s still two soldiers left in Angola because we were ticked out by the UN. Anyhow, we get to Cuba, and this is now September 89, and FWâ\200\231s just come into power, and as part of the deal we obviously have to talk to the Institute...African Asian Institute or something, and they ask us how we feel about change and we say: no, itâ\200\231s...heâ\200\231s coming from the military, heâ\200\231s the same as the rest, itâ\200\231s not going to make a difference. And two months later, they were starting to release people. So, we were...I suppose because...partly because of what we were still both seeing...

Absolutely...

...on the ground, the change wasnâ\200\231t hitting the poor people of Driefontein or, ok,

maybe a miner, resident in bed 27 is secure there, but, I mean, what a security.

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Right. So, but you also were listed, but you were allowed to travel by then?

Ya.

So that had fallen away at some stage?

Well the listing didnâ\200\231t stop...the passport and the listing didnâ\200\231t...

...coincide...?

...didnâ\200\231t necessarily coincide.

Right. And so when change happened?

I mean, thatâ\200\231s another story about Arthur (Chaskalson), and we hear these rumours now on...what was it...when did he make his speech about unbanning organisations?

Iâ\200\231m not sure.

And Arthur (Chaskalson) quietly...so weâ\200\231re hearing these rumours and Vesta (Smith) is running around looking for a radio (laughter), and Arthur (Chaskalson) just quietly goes out and buys a newspaper, he doesnâ\200\231t send anybody, he goes out and buys the newspaper.

This is February?

This is February...February 2, wasnâ\200\231t it February 2?

Ya, February, the 2" 1990.

Ya. And comes back and finds us all clustered around Vestaâ\200\231s (Smithâ\200\231s) radio, Vesta

(Smith) and I are hugging each other and weeping. (Laughs).

What a memory.

Ya, I mean, youâ\200\231ve spoken to Vesta (Smith)?

Ma Vesta (Smith), yes, Iâ\200\231ve interviewed her.

But, again, itâ\200\231s the modesty of just quietly going and doing it yourself...

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And you left by 1993?

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â\200\23194. But, Arthur (Chaskalson) had left by then?

Arthur (Chaskalson) had left by then, yes.

From what I can gather from other people, the dilemma that presented itself for the LRC was that it had very much supported the ANC in its own way, because it was...aligned to the anti-apartheid movement, etc, there was this dilemma of an ANC government coming into power. Iâ\200\231m wondering what your understanding was of how the LRC would operate from then on?

Look, I think, it was easy to operate in opposition.

Exactly yes...

Yes, it is much more difficult when a democratic government comes in, to be fighting them, and I think the LRCâ\200\231s actually done quite a good job in adapting to this. But ,
ya, and I think that thatâ\200\231s also due to, sort of, very good foundations that have been set
by Arthur (Chaskalson) and Geoff (Budlender). But, you see, I left just at the time it was changing and not because of that, but because of...ya, really burn out, I suppose...

You... went on to do a similar type of job, in a way, you did deal with rural people and...?

Ya, it was a much more positive job, I mean, you...had I had that opportunity when I was twenty-five, I...with hindsight, thatâ\200\231s where...development work...and particular
the early days, at Mvula before, I mean, theyâ\200\231ve now legislated so much and thereâ\200\231s
so much bloody red tape. But when we first started putting water into rural communities, weâ\200\231d put money into their bank accounts, they ran...they ran the...
...the local community.

...the local community. So it was lovely stuff to do.

Whatâ\200\231s changed?

Itâ\200\231s now municipal responsibility.

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Ok.

And municipalities are very jealous of their rights and responsibilities and they donâ\200\231t want village committees to be...seen to be in control, which is very sad because, municipalities have got hundreds of villages, why not use the local community structures to manage it? Teach somebody in the village to learn to manage the pump and become pump operators, but theyâ\200\231re employed by the...by the municipality, rather have them responsible to some kind of village structure.

And is that because of an ANC-based approach, or is that just generally, how...?

I donâ\200\231t think itâ\200\231s that the ANC has thought through, as far as that, I think itâ\200\231s... one of the problems with the new government is that we...theyâ\200\231re trying to have perfect policies and perfect systems, and we spend all our energy on that instead of just actually getting on and...

...and getting things done.

...getting things done. Um, I think the whole training field with these SETAs and the NQF has been disastrous for people actually getting trained in this country.

So what impact does all of this have then on civil society? Because the funding, from what I can gather, is going straight to government.

No, civil societyâ\200\231s smashed, weâ\200\231re trying...whatâ\200\231s interesting is that in water, thereâ\200\231s been a lot of EU funding which has gone to government, but twenty percent is supposed to go through civil society, and weâ\200\231re battling...they use Mvula because we are an NGO and theyâ\200\231re trying to use us, to bring other civil society...a bit belated because it should have been happening all along.

Sure.

But, your civil society...and then because of the clumsiness of processes, you donâ\200\231t get paid, you canâ\200\231t expect some little civil society organisation to work and not be reimbursed for what theyâ\200\231ve spent. So, that thereâ\200\231s no understanding that if youâ\200\231re working with poor organisations, youâ\200\231ve got to support them. So thatâ\200\231s one of the big things. Also all the tender procedures, I mean even Mvula, which is a very big organisation and has a good reputation. We donâ\200\231t have shareholders, weâ\200\231re n

ot a
company, so we lose points, our BEE points because...ya, we could put out our
Trustees, but that doesnâ\200\231t help, they want to know who our shareholders are, we don
â\200\231t
have shareholders. So itâ\200\231s those sort of things, and I think...I think the ANC
government has emasculated civil society by also saying: weâ\200\231ll provide. This is
our..we must provide water, I mean, initially we had people digging trenches,
providing labour, sweat equity, that kind of thing, it doesnâ\200\231t happen any more. But
where we did that, those systems are up and running and being managed.

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Sure, right. Did you not have any relief when Ronnie Kasrils was in charge?

Well weâ\200\231d had Kader (Asmal) before that.

Thatâ\200\231s right.

Ronnie (Kasrils) was good in that he knew what he didnâ\200\231t know.

Right.

Um...

But... is there in any way, access to government to say: â\200\230why arenâ\200\231t we involving village communitiesâ\200\231, exactly what youâ\200\231re saying?

Weâ\200\231ve tried, you see what happened now is that national government says: well, itâ\200\231s not our responsibility, itâ\200\231s now municipal responsibility. Thereâ\200\231s a lot of passing of the buck, thereâ\200\231s also a lot of not wanting to make decisions, I think thatâ\200\231s the really sad thing. Also, is that when people make mistakes, instead of saying: thereâ\200\231s a mistake, first of all instead of admitting thereâ\200\231s a mistake, number one problem in this country, and saying: letâ\200\231s learn from it and put it right. Weâ\200\231ve kind of paralysed people so they donâ\200\231t make decisions...

...they donâ\200\231t want to make mistakes...

...they donâ\200\231t want to make mistakes, so itâ\200\231s easier not to do anything.

Right.

And thatâ\200\231s a huge problem. (Are you getting cold, should I bring a heater?)

(No, Iâ\200\231m fine. Thank you)

(Are you alright?)

(Better now. How about you?)

(No Iâ\200\231m alright.)

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Iâ\200\231ve come to South Africa and found that the Constitutional Court judges are called counter revolutionaries and a previous Fellow of the LRC, John Hlophe has...

...was he a Fellow?

Yes.

I didnâ\200\231t know that.

... heâ\200\231s made...accusations about...whatâ\200\231s your sense of...the areas of concern...whatâ\200\231s your sense of whatâ\200\231s going on?

Huge areas of concern, I mean, again it comes back to this, nobody actually admitting that heâ\200\231s made a mistake, I mean, (Gwede) Mantashe is now saying he didnâ\200\231t say counter revolutionary, but actually they caught it on tape, and so he should say: look, ya, maybe I shouldnâ\200\231t have used those words, thatâ\200\231s not what I meant, this is what I meant. But nobody ever does that. And I think his outburst is perhaps the most worrying. If it were to run its course, then let it happen, but, we donâ\200\231t. I mean, I also am grateful that Arthurâ\200\231s (Chaskalson) not there any more, I think itâ\200\231s good that itâ\200\231s two black judges, at the top, who could neither be faulted, I wouldnâ\200\231t have thought , although Iâ\200\231ve seen (Gwede) Mantashe is now saying that (Pius) Langa accepted an award from ((Thabo) Mbeki, and therefore heâ\200\231s not unbiased. Ya, so, I mean, I think that (John) Hlophe has got away with as much as he has got away with, is sad, they should have the whole Oasis thing, should have been dealt with.

Why do you think it wasnâ\200\231t dealt with?

I donâ\200\231t know. I think (Pius) Langa cast the deciding vote. But we donâ\200\231t deal with things, and people do get away with all sorts of things. As I understand it Dullah Omar had stopped being Minister of Justice long before the whole Oasis thing came, so it was not a reasonable excuse.

And the excuse was that Dullah (Omar)...had passed away, so one canâ\200\231t ask him?

Yes, but that Dullah (Omar) had given permission, verbal permission.

Right...

Which actually...and if they can let him gracefully get out of this, heâ\200\231s not far off for
time, I donâ\200\231t think.

John Hlophe?

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Hlophe, mm. Or heâ\200\231s not far off fifteen years, and once youâ\200\231ve served fifteen years, you can get your full pay.

Right.

But it is worrying, it is...it...

In this context of the concerns, how do you think...what do you think is the concern for the LRC, as a public interest law organisation thatâ\200\231s independent of government, and thatâ\200\231s willing to take on government?

Iâ\200\231m not sure that this bears directly on that, I mean, theyâ\200\231ve taken stuff to the Constitutional Court and had, I think, probably fair...

...judgments...?

...I'm sure theyâ\200\231d have fair judgments, TAC and Grootboom were...but itâ\200\231s the enforcement of the judgement which...

...exactly...

...seems, that maybe thereâ\200\231s a gap that needs to be filled.

But do you get a sense that the LRC might have to tread very cautiously in taking on government, in this kind of environment, I suppose thatâ\200\231s the context?

I would be sad if it did, and I...I mean, I think theyâ\200\231ve always been very cautious about taking on cases that there really is a moral core, thereâ\200\231s not been careless litigation from the LRC...

Absolutely.

...I donâ\200\231t think. And one just hopes that there are enough people at the LRC who wi

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be prepared to do that. I know that one of the problems (Thabo) Mbeki has with Geoff (Budlender) is that heâ\200\231s taken on cases, I think always through the...theyâ\200\231ve been through the LRC...although itâ\200\231s also been the TAC which hasnâ\200\231t endeared him to The Boss. But that seems to be a thing about Geoff (Budlender), rather than about the LRC. Iâ\200\231m not in the know enough now to know what the attitude...

Speaking of...how much contact do you have with the LRC; if at all?

Very little, almost none.

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Do you miss it?

I enjoyed it very much...
...while you were there?
...I did, while I was there.

Well your work certainly lives on, because your name...Iâ\200\231ve been wanting to meet you
for a long time...because your name always, always comes up in interviews, so, thatâ\200
\231s
the legacy you leave.

Iâ\200\231m surprised about that because...ya and Pinkie (Madlala)...Pinkie didnâ\200\231t
ever travel
to Driefontein and she bore the brunt of it and she did a lot of the consumer stuff, I
didnâ\200\231t do the consumer stuff.

Sure...

And then there was Richard Mojapelo, I mean, that was also something that, I think I
helped a bit with. It was very sad, he was the messenger, and he used to interpret for
me, and then he also became a paralegal and that was just a very nice progression for
him.

Sure...

And he stayed on after I left. But I think I left...by the time I left we were already
drawing out of Driefontein. We had decided that they needed to manage on their own.

...from what I can gather, thereâ\200\231s always been this tension between the everyday
person who comes off the street, this need to specialise and have focus areas, and the
LRCâ\200\231s very much gone down that latter route probably because of funding and other
concerns towards the specialisation routes, the focus areas. Social welfare, refugees,
land, they donâ\200\231t do labour any more...but the queues arenâ\200\231t there any more,
there
arenâ\200\231t those queues of people there anymore and so...and...ninety-five percent of the
heir
cases get referred away. Having worked in the context that you did, do... you have
concerns about that, do you think thatâ\200\231s necessary or do you think that they could
actually accommodate the everyday cases...?

Look, itâ\200\231s a decision that needs to be taken, somebody needs to accommodate the everyday. I donâ\200\231t know...is the Black Sash Advice Office still functioning?

Yes I think so, from what I can gather.

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You know...

But they donâ\200\231t litigate.

Ya, but they can then pass on.

Sure.

Well, I donâ\200\231t know what the relationship is, as I said it used to be really very close.

And Geoff (Budlender) always said that Sheena (Duncan), with no legal training, could interpret statutes better than anybody else.

Oh yes, thatâ\200\231s right...

Well, I think there is a place for it...and I mean, from someone aside , I donâ\200\231t know if

there are any of the other advice offices functioning...

Thatâ\200\231s why Iâ\200\231m asking the question.

Mkhabela, and his wife Bongzi, whoâ\200\231s...I canâ\200\231t remember if sheâ\200\231s done something...

there were advice offices, which were also, of course, covers for other political activity.

Right...

So that there were regional advice offices all around Gauteng...

Right...

...but that the LRC would support, particularly on the East Rand, which is where Mahomed (Navsa) came from. And they were they were vital both in assisting people, but it was...it was part of the political struggle, those particularly, were very much part of...

Thatâ\200\231s definitely the sense I get and thatâ\200\231s why I asked, because it seems to me that itâ\200\231s...thereâ\200\231s the Wits Law Clinic now, which does good work apparently, it â\200\231s really unknown where people are going and what their actual outcome options are?

Ya.

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Um...

But, you see, thatâ\200\231s also...itâ\200\231s part of this, a bit like the water stuff that I was talking about, itâ\200\231s part of community organisations falling apart because thereâ\200\231s not support, there...

I wonder where you think that the blame can be attached, is it international funding or is it government or is it a bit of both?

Or itâ\200\231s where people move to maybe if you were running an advice office youâ\200\231re now, an ANC branch chairperson whoâ\200\231s got other aspirations.

Right, ok.

I mean, I think the funding, there is a problem with the funding, itâ\200\231s gone through inaudible red tape, and so on, and so on. And also with this feeling that does come from the ANC, is that we are the elected representatives, speak to your ward councillor, the ward councillor must be responsible, not some little upstart village community.

Right...

And thatâ\200\231s very worrisome because if itâ\200\231s then seen that that is also a way to some position of power, I donâ\200\231t know. I just hope that there will be some sort of movement within the ANC now probably on Kaderâ\200\231s (Asmalâ\200\231s) lead, Iâ\200\231m not sure that heâ\200\231s the appropriate person to lead it, but this kind of thing, is...where is our morality?

Absolutely. Before the interview started, you, remarked and I marvelled as well, about the number of people whoâ\200\231ve emerged from the LRC and taken on key positions, particularly in the judiciary...

Ya.

What do you attribute that to?

Well, I think they got very good training, I think that, as I say, the standard was very high, that was set there, but perhaps it's also the people who chose to come to the LRC, that you came there because you were an activist, or...ya.

Right. Well...now it seems that there's concerns because the LRC's unable to compete with major law firms, such as Webber Wentzel, and attract young black lawyers in particular...what's your sense of that, have you heard anything about that?

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No, I mean I know that theyâ\200\231re battling to keep lawyers, I donâ\200\231t know now what their salaries are like but if youâ\200\231re in a commercial firm you can earn a fortune.

Right...

And one doesnâ\200\231t want people at the LRC to be there because of the good salaries, but...

Sure, of course.

...it does become an issue.

Ilse, Iâ\200\231ve asked you a range of questions, perhaps exhaustingly so, I'm wondering if thereâ\200\231s anything Iâ\200\231ve neglected to ask you which you think really ought to be part of your Oral History?

I donâ\200\231t think thereâ\200\231s any...I mean thatâ\200\231s LRC-related stuff, I donâ\200\231t think Iâ\200\231ve got such a good memory. (Interruption).

Weâ\200\231re nearing the end of the interview...

Good. (Laughter).

Iâ\200\231m sure youâ\200\231re relieved. I was wondering whether...you could share some memories of clients or even particular people youâ\200\231ve worked with, youâ\200\231ve mentioned Aninka and Arthur that you treasure, as part of your experience at the LRC?

I think it was the people who we worked with in Driefontein. There was an old man called Mancile who was practically blind, but who would come and help me interpret, I mean, I, all those years, could not manage without an interpreter. Mtuzini who was the local priest who also came and helped us and became very competent in sorting out cases. Old man Ndlangamandla, who Aninka (Classens) and I went to visit about two years ago, who was an old comrade, also from the community, very much one of the leading people in the community, and once we gave him a lift back to Joâ\200\231sburg and

he started...he didn't know I was Bram's (Fischer's) daughter until that trip, in fact, and then he told us he'd been one of the potato farmers. I don't know if there's a history of the potato boycott in the fifties?

Oh...

Ruth First, who was a journalist, went and discovered that the potato farmers were keeping their workers from the prison, as well as the ordinary workers, sort of, locked up in appalling conditions, and she exposed them and Ndlanamandla told us how

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theyâ\200\231d hidden her during the day and then at night they would bring her out to interview the people.

Gosh...

So those were, it was working with the people, not so much the clients, from my point of view, but the people...and (Baba) Zwane was just a most extraordinary man, and if youâ\200\231ve got an hour extra to talk to Aninka (Classens) about Zwaneâ\200\231s stories , because, I mean, he just cared, he cared so much about what he was doing and did it just so extraordinarily well, just looked after people and to be taken into these peopleâ\200\231s lives...

Sure.

...with such love and such acceptance and it was quite extraordinary, it was quite extraordinary.

Thank you so much, Ilse, I really, really appreciate you taking the time...

No, thatâ\200\231s ok.

...and just racking your memory...(Laughter)

Iâ\200\231ve got a very...(Interview ends)

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