

Eddie Brewis Constitutional Court Oral History Project
11th January 2012

This interview has been substantially and substantively edited by the interviewee

Int This is an interview with Eddie Brewis, and it's the 11th of January 2012. Eddie, thank you so much for agreeing to participate in the Constitutional Court Oral History Project, we really appreciate it.

EB My pleasure.

Int Eddie, I wondered whether we could talk about early childhood, where you were born, a bit about your family background, and what were some of the key events in your life while you were growing up in South Africa?

EB Okay, yes. I was born on the 16th of April, 1966, in Pretoria I'm the only child who's actually born out of the provinces of the Eastern Cape.. I'm the fourth child, and we're five siblings in the family. I went to a number of schools. I start school in Kimberley. My father was working on the railways, and those days if you want to have a promotion, you will need to be prepared to travel. We as children, had to sacrifice our schooling. But anyway...if I can take a highlight out of...I think that's probably one of the areas what actually made me who I am today. We in standard five, we were all subjected, before going to high school, to IQ test. After doing my IQ test, a teacher, Mr Rossouw, came to me and he said, ja, Brewis, you're going to be an artisan one day. And those days to be an artisan, it was ok, but not me. I was actually feeling discouraged about it, because it was degrading to me. But nevertheless, it didn't stop me. I went to high school, and at the age of sixteen, I decided that I'm not interested in going on with school. It was in standard eight. So I left school.

Int What made you...make that decision?

EB I think because both of my brothers were artisans, m. I looked very much up to my second brother, who's Freddie. We are actually still close, although we're not that close as we used to be. Because of that, I said, but why must I be different. Let me also become an artisan. And I left school. My father didn't like the idea, but he said, if that is what you want, you can do it. Any case, only to find after about four weeks, I realise that this is not what I actually wanted. At that stage we stayed in Brackenfell...I was too afraid to tell my dad, that I want to go back to school, I decided rather to make the best of what I'm currently doing. At that stage I was doing an apprenticeship as an artisan mechanic. I didn't like it actually. My brother, Freddie, arranged for me to do a trade as

a welder/boilermaker. But I had to come up from Cape Town and left my family behind, and so I started with my apprenticeship in, Elandfontein, not far away from Germiston. It was tough for me, I was still a youngster, sixteen years old, and it was really tough for me, and I remember at sometimes I used to go be with myself, because missing my parents get the better of me, and I would start to cry. But I realised also I can't go back, I'm too afraid of my dad. I again decided to make the best of situation. In 1984, I was called up for my National Service, it was compulsory at the age of seventeen years...I turned eighteen in my first year in the army. Again it was also tough to be far away from my family, loved ones, but again I needed to make the best of the situation. In my first year of apprenticeship...I'm jumping a bit now, at the the railways, that was the place where I did my trade, they forced us to go back to school to a technical college. And the subject I most hated was...and maybe that was one of the reasons why I just decided leave school, was maths. The first classroom I walk in was maths. I was also very naughty as a youngster al of a sudden I had this freedom, friends were not that good of an influence, and we were used to not going to classes. My brother, Freddie, he had notice this, he came to me and said, "listen, if you're going to continue with this nonsense, I'm going to phone dad. Immediately I stopped. So in a class of forty in mid of apartheid, we were only whites...in a class. We did N1, its equivalent to standard eight, I think we were only about two guys who actually passed.

Int Really?

EB With maths, we had a teacher by the name of Mrs Stols, and he started with the basics, going back to apples and pears. And that actually triggered me, and I was actually now in a position to assist the other students in the class with maths. But anyway, I went to the army, I became a chef. It was good for me to become a chef, because you learn a lot of skills, and most of all-important I was in a kitchen where we were preparing food for eight to nine hundred people. That taught you how to organise. So, that was my army. I came back, but during my army years I met my wife, she was from an orphanage, and I felt very sorry for her. I couldn't let her go back to the orphanage, and I made her pregnant and we got married. At that time my parents also moved to Gauteng they were supporting us in a way.

Int They moved to Johannesburg?

EB To Johannesburg, yes but it was only up to a stage, then my father said, now, you must find your own way. In 1986 my first son was born, Eugene. I was, at that stage, only twenty years old. My wife was seventeen years old. And most people told us, but our marriage won't last, you're too young. I can gladly say, today after almost twenty-six years, we're still together.

Int That's fantastic...

EB We had another son, Wynand, who's almost two and a half years younger than Eugene. Melissa was the last-born, who's only turning seventeen this year. But anyway, I went back to the railways and I completed my artisanship. I went on to do N2, its standard nine. N3 was actually matric. Nice part of that was that I accomplished something for myself, but that was not good enough for me. I left the railways at that stage to join the Correctional Services. I joined Correctional Services, for the first time in 1988. And people talk about a Rubicon, I think I had mine at that stage. I worked in the workshops and I gave training to inmates. Zonderwater, the place I was appointed, was a whites only prison. The first day at work they assigned a fellow warder, Sakkie Venter orientates me. I went with him into a prison, there were different camps (sections). I went into a camp, I saw all these people, elderly, young, white people in this green wear. And I look at them, and I asked "Sakkie, is this what they call inmates?" He said, "yes" I was so surprised to realise that so many white people are actually in prison. Please bear in mind my background, because I was brought up in a way that whites are the superiors and they don't do anything wrong, so it was actually kind of a shock to me. My mind-set of being white changed that day. Although in my house, where I'd grown up, there was nothing like racism in our house. We didn't grow up in a racist but still you have the influences at school and the army where I was coming out of.

Int When you were saying that in your house there was no racism, what do you mean? Did your parents...did they say things that were different from school?

EB Yes, yes. We never use to use the K word and that kind of thing. My father always used to say, if a black man or a coloured man, deserves credit, he must get it. It's not because you're white you must have a preference. That was the attitude we grew up with.

Int Why do you think that was, Eddie? What made your parents different from, say, your school friends' parents?

EB this is interesting, you know, I never realised it at the time, but only afterwards, I realised that my grandfather, who was George, he was the driver of General Jan Smuts in the World war two, and he was a great supporter of him. The issue of the Nats (*National Party*) and the Saps (*South African Party*). I think my father's understanding actually came from my grandfather. We actually just continued with that. And I'm actually really grateful for that today. But anyway, there was not a lot of incidents in Zonderwater that I can recall. It was a nice life experience. At that stage Zonderwater was also known for the treatment of psychopaths. So some inmates(patients) will be released from that programme, to at the workshops. You won't realise at that time, but after some time you also adapt to the way they talk and when I go back visit Zonderwater, and I hear the people talk, I remember talking like that. We used to call it "bandiet taal". You start

to communicating with the inmates and fellow warders in that manner. So in 1989 I decided this is not for me anymore. I loved to work with people, it was always a great, to help people, to understand people, I think maybe that's why I first joined Correctional Services.. In 1989 I got fed up with the situation, and my brother, Freddie, he mentioned, the bosses want you back at the Railways. We used to work together. I fall into that trap. But life got its own circles so maybe it was meant to happen. I went back to the railways, and I was so honoured when I came there and the foreman called me and he said, are you Brewis? I said, yes. He said, you know, we are so honoured to have you back, as we believe you can read drawings. These guys can't even read the drawings, he placed me on one of the lines. I told myself, ja, they wanted me back but now I'm going to do donkeywork. This was actually a disappointment to, because remember I was not used to that work anymore, I just used to trained and supervised inmates.. But, you know, it was ok.. I hold out for another year, but I always had this urge to go back to Correctional services I also realised that there's no way I can work myself up in life from this position, I need to do something else, and the only way of doing that is to better my qualifications. To better my qualifications I need to be in an environment that will actually allows me, and because coming from that environment Correctional Services , I know that that was the right environment. So I applied again for a job at Correctional Services, and in 1990 I was re-appointed, on the 1st of July 1990, . I met a fellow warder by the name of Fanie Redelinghuys, he was at that stage busy studying I decided to join him. I think that was one of the best decisions I ever made in my life. I started with N4. I remember so good, it was with a at a technical college in Kempton Park. I started with the subject Mechnotechnics . I passed the subject with good point. The first person I was thinking of was Mr Rossouw my Primary school teacher. And I wish I go to him today to say, listen, I'm not that failure, because at that stage when he told me I'm going to be an artisan, I felt I was going to be a failure. I had this great urge just to go up to him and say, listen, here made it I continue and I got my second subject. Later on I got my N4 and I felt actually proud of myself eventually I completed my Diploma. I only completed my Diploma in 2003 but that was my own mistake, it was not of anyone else. But to dwell a little bit again on Correctional Services, I was appointed at Leeuwkop in Bryanston JHB, and at that stage it was prison for Africans only. This was a different working environment, working with blacks compared to white inmates it was huge and it was so actually nice, eager to learn , accepting whatever you give them, whatever you to learn them. The first inmates, African inmates, who was actually sent to Olifantsfontein for a Trade Test, I trained them, and they passed, both of them. Even today, it's a few years back now, I remember their names: it was German Majola, Million Shoba, and the last guy was Amos Mvimbi. In those days 1990's there were a lot...riots in the prisons country wide, they were kept at a prison we called the "oop kamp",. A day before the three inmates was about to do their trade test the inmates burned off the prison. The warders had to go in there to get the riot under control. They the inmates were all moved to Maximum prison in Leeuwkop. I had to ensure that these guys go the next day to Olifantsfontein to do their trade test. I was not allowed to escort. They got escorted, and all of them...even one of them got hurt, as they were beaten with batons by the

warders...they still managed to pass. Just to know that I helped these inmates to accomplished something in life made me feel good about myself.. At that stage in my I met a guy by the name of Lt-Col Daantjie Bruwer who took me under his wing, and he said, Eddie, I'm going to make something of you. Maybe he saw potential in me...Daantjie Bruwer asked me, to help him, he was tasks establish a new prison workshop in Boksburg, I helped him with the drafting of specifications for the machines and tools. I eventually landed up at Boksburg Correctional Services; I was one of the first people working at the new prison. We were establishing workshops for metalwork's, and woodwork. We also did some upholstering and clothing.. The riots in prison became actually very bad. The first hostage drama was at this prison when two warders got apprehended by...overtaken by the inmates in one of the single cellblocks, we had to get the police out to assist us to get the warders released. It was actually bad in this sense that all the prisoners got hurt that night, and I remember at that stage I was a warrant officer at that stage, and whilst the inmates were coming out of the cells , the warders start to hit them with the batons. . I must confess that initially, I was one of warders beaten the inmates.

Int One of the warders?

EB Yes I was beating these inmates. And I think it was about the third one I hit, and I told myself "Eddie, now you're making nonsense". If you're not going to step in here, we're going to kill the inmates tonight. I threw my baton aside and I start to stop my fellow warders to , stop. "Yes, we got their punishment now, now it's time to relax, they're still humans, we've got the control back. Yes, warders who were taken hostage are our colleagues, t but we need to stop now we need to move on now. I think one of the biggest mistakes for the inmates , they took a black warder and a white warder hostage, and this made us to stand together. The inmates had certain requests, demands: they want to see Nelson Mandela. The only persons who pitched up was Tokyo Sexwale and Mac Maharaj. Tokyo (Sexwale) came to me and he was talking in Afrikaans, he said, "Don't worry, I hear what they say, but remember myself I was an inmate. I know they can also talk a lot of nonsense". So the next day I was called by Major Swanepoel, Tony Swanepoel, wanting a statement from me . I asked, for what? He said you know who hit the inmates. I said, Major, I can't remember now, you know, it was all-dark. Actually I knew who it was but I had to protect also my fellow warders, because at that stage even having a low rank like a warrant officer, I was still a senior, and you can't get people charged now because emotions was running high. It was our colleagues who was taken hostage; and it could have been me.. That happened at Boksburg. I was transferred to Krugersdorp Prison...

Int You were transferred, as a consequence of this riot?

EB I requested for a transfer.. Something personal happened in our life and we took a...the transfer actually to make a new start. . They the management of Krugersdorp actually asked me to come to Krugersdorp because they had a problem with a maintenance workshop to be established and they couldn't find someone who really had the abilities to do that. Fortunately I had the background, to start the maintenance workshop. I stayed there for almost nine years. At a stage I realised, that, I will die as a CO1 and I was not happy with it. I stayed on the premises, it was a comfortable cheap life. One day there was a guy by the name of Johann Visser, we were talking about qualifications, and he asked me, but how far are you with your diploma? I know you were busy with your diploma. I said, no, Oom Vissie, I'm short of two subjects. He said, but why don't you complete it? I said, ag, promotion nowadays is only for the Africans. What will be the purpose of completing my qualification to it? He taught me a lesson that day, he said, but you don't learn for promotion, you do it for yourself. But still I was not convinced, and at one stage my brother-in-law, Hendrik van der Rooyen, came to me and he said, you know, you'd better finish your diploma. I think I was thirty-five. I said, no. He said, you know what, I'm going to enrol you, and I'm going to pay for you. I was too embarrassed for myself to allow him to pay for my studies.. . I managed to attend class only two times a week, sitting with these youngsters. They were actually helping me a lot. I completed my diploma only in 2003. During 2004, they were advertising positions and they were looking for persons with a technical background to do occupational health and safety.

Int Where?

EB In Correctional Services, but there were a number of positions available at various regional offices. So I applied for these positions, I got shortlisted for , two of positions. One in Gauteng and other in Limpopo, Mpumalanga, North West. Both the regional offices are all situated in Pretoria. I first went for the Limpopo, Mpumalanga, North West interview. I did not feel comfortable during the interview . I realised, that, I won't make it. I was also invited for the Gauteng interview. For the in Gauteng , I think I did actually well, one of the guy who part of the panel members afterwards told me, you didn't make it only because this guy who eventually they had in good relationship with the Regional Commissioner. That's was the only reason, but you actually done the best during the interview. I accepted that.. In 2005 all of a sudden I got a phone call from LMN and they asked me, are you still interested in the position? You applied for the position, would you still like it? I said, yes, of course. Because it means from a CO1 I will go to the rank of an assistant director. I got appointed. I was actually the second choice, the first choice declined, a lady,, b it was better for me, so I helped myself with some courses better my knowledge around this subject. Because I'm a technical person and that were actually what they needed, I was good in what I was doing. Two years after that the position at the Constitutional Court was advertised as a facility manager. I told myself no, let me go for this opportunity. With first round of applications, I didn't make it. They didn't even shortlist me. But for one or other reasons they had to

re-advertise. I jacked up my CV, make it more relevant to what I'm doing now, at that stage of my career, I got shortlisted. It was a very stressful period for me. Because I realised as a white man, I only had this one chance and I must make the best of it. I did a lot of research. I was totally grumpy at the house. But my wife luckily understands it. Eventually I got to the interview, and I remember it was still with Ms Martie Stander, and Sheryl Luthuli, they interviewed me and was a guy, named Louis Hanekom. During the interview I corrected them on some aspects of the Occupational Health and Safety Act. I was well prepared and got appointed at the Constitutional Court. What an honour. I started here and Vick Misser then the Court manager took me around.

Int This was in 2008?

EB 2008, yes. Took me around, and I said, gosh, but what a beautiful place. What an honour to work with judges amongst other like (Pius) Langa, (Dikgang) Moseneke, (Sandile) Ngcobo, . Vick (Misser) told me, he said, "no, no, no, here you can't not just be working in facilities, you will need to the Procurement section also under your wing.. You will also take under your wing, security." It was fine with me After a few months Vick (Misser) told me that I also need to take HR. This was a total a new world to me. When I took charge of HR, it was a new world opening for me. I'm a people's person; I actually fall in love with HR. And this is where we stand now today, I'm doing a lot of things at the Constitutional Court other than facilities but I think HR is the most passionate to me at this stage of my life.

Int I'm curious, I want to take you a bit back. You mentioned, as a white man, this was your opportunity, did you really feel...at what point did you start feeling that the opportunities in this country had changed and that you weren't going to get jobs easily?

EB1994, since obviously with the transformation. At that stage Correctional Services...remember t my background, they were only appointing this black guys and for good reasons. The Commissioner at that time was Khulekani Sithole, somebody should have have told him, I also know, through my studies one of the methods you can use, knowing that you've got a problematic department, take the union leaders out, make them your managers. Surely he took that advice. So people who were appointed, they didn't even have a matric. Some appointees were incompetent. At that stage I felt, but there's no future for me, so why should I further my studies? I made a big mistake. As soon I completed my qualifications, the opportunities came my way. I also realised that it's not about the colour of your skin; it's about your competence. And I try to give this over to my children as well. Although it's sometimes not easy. I mean, children, they've also got their influences. But my firstborn is a qualified electrician today. He's also studying to become an engineer...he actually phoned me today, he said, he'd enrolled for first two subjects for his engineering diploma. I was so happy to hear that. My second-born, he's a qualified mechanic or rather technician. He's just progressing in

his environment where he's working. Melissa, the younger one, maybe she will be going to university. I tried to give my children a balanced upbringing.

Int I'm also wondering, Eddie, before you started at the Court, had you known about the Court?

EB No, obviously not. Even today I'm not that interested in law. It's not for my...I have no urge for it. But obviously when I applied for this position, looking at the Court, and one of the issues interesting cases remember that it was the case of Mr Zuma the corruption case (may be referring here to the following case: *Glenister v President of the Republic of South Africa and Others*). It was a long process before I was eventually appointed. I knew I was to be appointed because I did my interview on the 30th of November and a competence test, the competence was hell for me I did this test on the 1st of December. I was only appointed on the 15th of March, because there was this battle, who they want to appoint, we were actually two white guys, I was told me, who came tops during in the interviews.. During the interview I did the best. But during the competence test result, I was not the best candidate. They management had a tough decision to make.. It was a really stressful period for me.

(Telephone interruption)

...so it was actually a very stressful period for me knowing that you're about to be appointed. I was commuting between Pretoria and Krugersdorp.. The promotion from an ASD (Assistant Director) to a Deputy Director meant a lot to me. At that stage not a lot of white guys had that opportunity to be promoted, fortunately I was one of them.

Int And then it sounds like from Facility Manager you're now the Deputy Director, so you were promoted along the way?

EB No, Facility Manager. I was appointed as Facility Manager, but with a rank as Deputy Director, yes.

Int So now you're Deputy Director of HR and Auxiliary Services?

EB Ja, it's actually Administration and Auxiliary Services. Actually the administration part covers your HR, Auxiliary services covers your facilities and your transport..

Int When you entered the Court, was that at the time when Justice (Pius) Langa was leaving?

EB No, just before...he was preparing, I think he left only in 2008. We were still with Justice (Kate) O'Regan, who was the Chairperson of the Building com (Committee), and Justice Sachs, Albie Sachs, who was in Chairperson of the Art Committee, I was fortunate and honoured to work with those judges also.

Int What was your experience of working with the judges from the first Bench: (Kate) O'Regan, (Albie) Sachs, (Yvonne) Mokgoro, Justice (Pius) Langa?

EB Very competent. They were very competent. Justice (Kate) O'Regan, I've got a lot of admiration for her. She's very firm and down to the man person, and I like that approach. Be straightforward and let us get the job done. I liked that. Albie Sachs, I never worked too much with him, but what a character, much into art. I think I joined him once in a meeting with the art committee, and what a friendly person. (Pius) Langa, you know what I liked about him and I still like about him, his humbleness. You will never realise that he was actually the second highest person in the country at that stage because of him being so humble. He will call you, "Eddie, please come here, and how are you Eddie, and how are you doing?" And I think that era of judges, they were so humble. Even Justice (Tholie) Madala, a very humble person. And ja, I used to like to work with them. With the new group, we also got good judges amongst them for instances Justice Froneman...what's really noticeable about the judges of this court, previous judges, they are very humble humane persons. They realise that we all are human beings, and they're not above anyone else. My opinion, is that most of the judges from other Courts, can learn from our judges. That's my opinion. We had situation at one stage at Johannesburg High Court where we were in a lift and we were told to get out because this lift is only for judges. So that's why I say, those judges can come and learn from our judges.

Int Given your position, your senior position in administration, you worked closely with the Chief Justices and I wondering what your experience has been with the different Chief Justices?

EB Again, if I can start with Justice (Pius) Langa, what a great man, intellectual, people's person, humble, and always grateful if you did something for him. Obviously he was replaced by Justice (Sandile) Ngcobo. Not that open person. I want actually to say, I don't think he's a people's person, I think he's very much into himself. Maybe it's because he's so intelligent, I don't know. But he had his good times, and he had his good points. Yet if I can prefer, obviously between them, I would prefer Justice (Pius) Langa, because of his openness. No mood swings, where Chief Justice (Sandile) Ngcobo had a lot of mood swings. Depends on what mood he is for the day. So one day he will greet you with a smile, the next day he will not even greet you, that's the kind of person he is. But that's only my opinion in any case. Justice (Mogoeng) Mogoeng, totally the opposite again. He's more a Langa. He got a lot on his plate, forming a new

department actually establishing a new department. Also a great people's person, although, I think, the stress is also getting to him because he's got a lot of responsibilities. Generally good choice according to me if I may say it.

Int I was wondering, in terms of some of the challenges of your job, what are some of the challenges of working at the Court and having the position you do?

EB I think our greatest task is to serve the judges, and it's not always easy. Especially if you look at their demands. Obviously you want to serve them because you respect the positions, but sometimes the demands are unrealistic, and you will go out of your way to see that those demands are met. It's not always easy to fulfil their needs. Because you can't just go to a shop and buy something, say, they want a news magazine. There are procedures to follow. So, ja, the demands sometimes get to me. They want it now. They don't that there's procedures we need to follow.. They only wants the best. I also agree with the best, but because of the challenges within our procurement system, it makes it difficult. I think that is one of the more difficult challenges I encounter at the court, to serve sometimes the needs and the judges don't always understand what administration is all about.. But ja, that is my personal opinion.

Int I'm also wondering, what have been some of the highlights? Is it meeting political figures, dignitaries, or is it particular people that you have to work with in this Court?

EB I think in the beginning it was nice to meet, even just to meet with judges. To in a meeting with Justice (Kate) O'Regan, and I used to go to my friends and told them , you know, I work closely with Justice (Kate) O'Regan or Justice (Pius) Langa. But it phased out. You get used to it. There was a stage where, then get to know, the Director-General is coming here to see the Chief Justice or the Minister, everyone will be on alert but its not anymore like that. Sometimes if there's a high profile case you will in the case of Glenister (*Glenister v President of the Republic of South Africa and Others*), you will get all excited even want to sit next to him. Yes, it was in the beginning it was rewarding, but now you are so used to it. I think that one of the greatest highlight for me was to come and work here, to serve the judges, to look after this building, to tell people about this building, and to tell them that the building is in a good shape, the maintenance is good, I feel proud on this. .

Int Earlier on you mentioned to me that HR is your passion, I wondered whether you could tell me what it is about HR, and particularly working at Court, what makes HR your passion?

EB Yes , I think we all have needs, and the judges have needs, as I've mentioned, and one of those needs is people who are actually here to see that their needs are met. And to me, it's so rewarding if you know a person like David (Modiba)

Int David Modiba?

EB Modiba. A person comes from nowhere, and you motivates him, say, continue with your studies, and it's so nice to see a person developing. It's also so nice to know that you've got these people here and to transfer your skills and to make them aware that Eddie won't be always here but at a time you need to fill my shoes. Also to see that people are developing themselves. I remember at Correctional Services we use to have this lady, Ma Monge. She was obese, very obese. And she was working in our hospital section at the administration block, but because she was so obese her legs couldn't take the steps. So they placed her in my office. I remember at that stage when she started there, she did not even know how to operate a computer, where to switch it on, how to work with a mouse. We took her, and we taught her all the skills she needs to know. When I left Krugersdorp, when I got promoted, she was fully functional, and she was one of the persons we really could depend on. That's why, to see people developing, to see to people's needs, to see people receiving something like performance merit awards and they deserves it. Playing a role in to ensure that that person gets that money. Or a person who apply like Mikateko Khangala , when she applied to be...she was a normal librarian when I started here, a position got vacant and she applied for a position and got appointed. The way we saw her developing, was great. There's another example, Dube, you identify people, and you can see developing, Dube started off as a casual worker with us, and a permanent position got vacant. When we interviewed him, I already knew but this is a person we need to appoint. There was not one day I was sorry about it because he's just going on, going on, , just absorbing new knowledge by learning, he's developing. HR is about seeing people getting their the benefits example home allowance. To ensure that a person's salary is sorted out, and getting the correct salary. Something simple as homeowner's allowance it's only eight hundred rand, but for people out there eight hundred rand is a lot of money, and it's nice to see that I played a role to ensure that that money is going to that person. And actually to help people, that's it. I remember being at Kroonstad Training Centre (Correctional Service) there was a statue of warder who was kneeling down to this inmate, he was lying down, and he gave his hand to help him up I think that is where HR is coming from.

Int In terms of senior management, it seems to me that you, Vick (Misser), Martie (Stander) all work very closely together; you have good relationships, I wondered whether you could talk about what makes the three of you work, as a team?

EB Yes , I think Martie (Stander) puts it in a nice way, it became like a marriage relationship. A love and hate relationship. Sometimes you will hate the person;

sometimes you will love the person. We why we are here to serve , the judges, we have a common purpose of we need to do and a common understanding of how to get to the point of serving these judges, not only the judges but also the employees, I think that makes us to be a team. Yes, we do have our differences. If you can ask Martie, she will tell you, I'm one of the hard heads. I just don't go give in. If I don't think something is not fair, I will not go with it. Of course for me, fairness, it's all about fairness. If something is fair, it's every is ok. So yes, I think because we have a common understanding of the role of the court that is the reason for us we working so nicely together. We are not colleagues actually any more, we're like family. When Vick (Misser) is feeling down, we will also feel down with him. I remember when his father passed away we all was sad.

Int Recently?

EB Recently. He (Vick Misser) phoned me, and he was crying, and I felt so sorry for him. It was almost like I lost my father. So yes , we are like family,, we do have our differences but we manage to solve it in time.

Int What struck me particularly about being in the Court and the building is the fact that people stay on for such a long period of time...How do you understand that?

EB Yes , you're right, let me tell you. I worked in a few departments, and in many.. let me tell you there's nothing like this court. Nothing. I'm talking about the environment, the furniture, the people, there's nothing like it. So for me personally, if it's not for promotion I'm going nowhere, I will also stay here. I will retire here. For a normal transfer, I'm going nowhere. I'll will stay here. It's because of the environment, the uniqueness of it, and the atmosphere. So, at least you can do something here. I think also at the back of your head you know you mean something for the country. Although we're not judges but we're serving the judges, we make a contribution to ensure to the best values of our Constitution, we are the guardians of it. We're part to uphold this Constitution, although we are just playing a supporting role to the judges. And it makes you feel special.

Int I also wondered, you mentioned the environment, that's the other thing I noticed, that there's a relative calm and peace in the Court, and things seem to function well, and I'm sure you have crises, but generally my sense is that everyone knows what they have to do and everyone gets on with it, and I wondered how you might have achieved that?

EB You know, I want to take you back to a conversation I myself had...I with Justice (Bess) Nkabinde. It was a difficult period also, and she mentioned...because there were a lot of difficulties, especially amongst the judges with the (John) Hlophe. " let us rather not go there" she said, you know, the court, because you take decisions, such important

decisions, the direction of this land is dependent on it, you need a calm environment. I think the judges start with, they're enforcing it, they enforce that this must be a calm environment where they can do their work, not under pressure. I think it starts with them, and we just need to adapt to that, we just fall that's important. The way the whole court is running. I think we can thank the judges for that.

Int I'm curious, you mentioned the stress around the Hlophe matter, I'm wondering more how that may have affected you and the administration of the staff?

EB I don't think it affect us a lot, but because we are family, we are also family to the judges, you felt for them. I remember at that stage when this (John) Hlophe matter was high profile in the court, Chief Justice (Pius) Langa was overseas. Vick (Misser) was lecturing somewhere, and I was the acting court manager. Justice (Kate) O'Regan who was the Acting DCJ (Deputy Chief Justice), called me, and she said, "I need your assistance in obtaining council representation". I was actually new here and I said, "come again, Judge, what do you want?" and I wrote it down. But I made it my business to ensure that what she wants, I'll will get whatever she needed her. Because we are family, you fell the stress, there was a lot of stress around this issue, it was a stressful period...even with the latest case with Ngcobo, we felt the pressure. It's a fact...it is inevitable you will feel it and because you felt with him, and you see the stress on their faces.. You just look up to the judges know that they will make the right decision, and therefor support them.

Int I wondered also, have you ever felt that the Constitution may be at risk from interference? Do you ever get a sense that you may have some fears and concerns about these things?

EB No, no, no. Because I know the judges. I know the independent minds of the judges. I, to be frank, I...whenever it's said in the media, I laugh it off, because I know how judge's heads work.is put together. I know especially the judges at this court, and especially with Mogoeng, I know he will do whatever is he knows best for the country, and not for any political party or whatever the case might be. No, I have no worries about that. I've got a lot of trust in our judges and in our system.

Int I wonder, Eddie, when you tell people, for example, friends, family, and also your colleagues from the previous Correctional Services, where you work, do they ever ask you...are they ever curious about what the Constitutional Court is all about, and how do you explain what it is that the Court does?

EB Well, obviously they do ask, and I try to explain to the best of my knowledge to them what the court is standing for, for independence, and this is the last place you really can

come to with your case, and here it's finito, it's klaar, finished, you can go nowhere else. For that reason I also tell them how proud I am of being part of the Constitution Court. I remember at one time there was a lady, and she asked me to take her on a tour, and I was in the court building the one side of the wall the building it the the remains of the old prison this was to a resemblance of the past. Then I was taking her, I was touching the brickwork. The next day she phoned me, she said, go on this blog, I wrote something about you on my blog...and please go and read it. I can't remember exactly what was, but ...it comes down to the following, she said, now you will find this Afrikaner man...she was English, he was touching the brickwork, and you could see the passion in his hands. And this is how I feel about the Court. It will be a sad day for me to leave this Court, if I should leave the Court. It will be a sad day. But life goes on.

Int Sure. One question I'm curious about, what have been some of the tensions around race, from an HR perspective? Race is always an issue, especially in South Africa, given its history...

EB Of the Court?

Int Yes.

EB None.

Int In terms of relationships between people?

EB None. You must remember one thing, that in administration...I'm not talking about the law clerks or the programme...I'm the only white male. So you will find there are situations between Africans, but that's a normal thing, but racial tensions, I never saw it.

Int And gender tensions?

EB No, not at all.

Int Disability tensions?

EB Nothing. Our Court is unique. Our environment is so nice that whenever you find that someone is not feeling right, because it's your family you will ask him, "hey, wena (you), what's going on?" Talk to me. So, ja...I cannot recall any tensions in that regard. We are very fortunate. I know, it sounds like I'm lying to you but this is the honest truth, and I should know because I'm in HR.

Int Eddie...you've had such interesting trajectory to where you are, I wondered whether I have neglected to ask you something, which you'd like to include in your oral history?

EB No. No, not really. One thing I need to add is that I'm a proud person. I love people, I like working with people. And it's just my prayer that I will continue doing that. It's not only because I'm working at the highest court. I am also used to work with the lowest of lowest people in my life, and the one thing I learned, out of my experience the first day when I started working in Zonderwater prison working with white male prisoners, is to treat everyone with respect. It doesn't matter where he's coming from, whether he's a criminal or not, whether he's a high-ranking officer or he's a judge. Treat everyone with respect and that respect will come back to you. I experienced it in my life. Maybe I'm not the most likeable person around here, but I don't have any enemies, not what I know of anyway. I think it's because of my attitude if I can help you; I'll be the first person to help you. Whatever the conditions is, I will help you. Yes, sometimes it will not be nice to help someone I will still do it, because it's my human nature to do it.

Int Eddie, thank you so much, I really appreciate you having such a candid interview.

EB Okay, right, hundred percent.

Collection Number: AG3368

CONSTITUTIONAL COURT TRUST ORAL HISTORY PROJECT

PUBLISHER:

Publisher:- **Historical Papers Research Archive**

Location:- **Johannesburg**

©2014

LEGAL NOTICES:

Copyright Notice: All materials on the Historical Papers website are protected by South African copyright law and may not be reproduced, distributed, transmitted, displayed, or otherwise published in any format, without the prior written permission of the copyright owner.

Disclaimer and Terms of Use: Provided that you maintain all copyright and other notices contained therein, you may download material (one machine readable copy and one print copy per page) for your personal and/or educational non-commercial use only.

People using these records relating to the archives of Historical Papers, The Library, University of the Witwatersrand, Johannesburg, are reminded that such records sometimes contain material which is uncorroborated, inaccurate, distorted or untrue. While these digital records are true facsimiles of paper documents and the information contained herein is obtained from sources believed to be accurate and reliable, Historical Papers, University of the Witwatersrand has not independently verified their content. Consequently, the University is not responsible for any errors or omissions and excludes any and all liability for any errors in or omissions from the information on the website or any related information on third party websites accessible from this website.

This document is part of the Constitutional Court Trust Oral History Project collection held at the Historical Papers at The University of the Witwatersrand, Johannesburg, South Africa.