

Sushila Dhever

LRC Oral History Project

11th August 2008

Note: Partial Embargo until death

This interview transcript is substantially edited by the interviewee and pp 9-12 are placed under embargo.

The audio version of this interview will not be made available under the embargo.

Int This is an interview with Sushila Dhever and its Monday the 11th of August (2008). On behalf of SALS Foundation, Sushila, we want to thank you for agreeing to participate in the LRC Oral History Project.

SD Thank you.

Int I wondered whether we could start the interview, if you could talk about your early childhood memories growing up in South Africa and apartheid, and where you think your sense of social justice and injustice developed.

SD Growing up in South Africa, my father was very much a part of the Liberation Movement. He belonged to the ANC as well as the Union for the South African Postal Telecommunications. What I remember is that he was often asked to attend meetings out of the country, and he had to rush off., A very clear memory of mine was a picture frame of Nelson Mandela which was kept at our house, and we were told to hide the frame when some people came over to our house one day and they rummaged through our belongings. That frame was put away by mother immediately on my father's instruction. It had to be hidden away when they came into our house but I did not know why. That was my first experience about apartheid. At the time I was still young, so I didn't understand the relevance of the frame and what it symbolised, and why it had to be hidden away. Later on as I grew older, I found out that the meetings my father used to attend were ANC meetings and that the ANC was banned in South Africa. I recall that my dad used to often go for meetings, and everything was done very undercover, and I always asked but I was never told, what the meetings were for and I never understood why my mother looked so worried when he would leave.. I later learned that. my late grandfather was also a part of the Liberation Movement as well,. Also because of Apartheid my father's brother's surname is Pillay and my dad's is Dhever. The reason for this was, because my grandfather was part of the struggle, and he was residing in Natal, when my uncle was born and he needed, I think, a pass to come to Johannesburg after he was arrested for being involved in political activity he was not able to come to Johannesburg often, so my granny registered my uncle's surname under her surname, so his surname differed from my dad's. Growing up I always asked why they had different surnames and only knew why that was,, when I was much older. Besides that, my other exposure to Apartheid was that my dad was never able to secure a managerial position, even though he worked for over twenty years with the post office, and then I realised that was because he was part of the trade union, and he was always fighting for the rights of the workers and the indigent. My father was never able to, attend university, and I always wondered why, because I thought he was quite smart, but then I found out that due to his political involvement he had difficulty getting into a University. My most direct exposure to Apartheid was was when I was

in standard one, and it was in 1991, and I went to the Drakensberg. The school was a predominantly white school at that time it was just before the elections, and Mandela was just released. It was a private school, English-Afrikaans medium, and I remember not being able to attend the school because of my race. My dad was the first Indian post master, in a predominantly white area. And we were the first Indians to live in a white area in Winterton.

Int And you went to this public...private school?

SD When my dad tried to enrol us, my brother and I were denied access because of our race so we went to ML Sultan School in Escourt for a few months, and then it was becoming dangerous for us to travel that distance. As the transport we used was a bus, and it was quite far and my brother and I were quite young, to travel alone so, my parents applied again to this school, and they were told that my brother and I had to write these selection tests if we wanted to be enrolled as the level of education in our Indian schools may have been inferior.. I had to be taught in Afrikaans for a year, which, , was not easy, and our experiences there were very frustrating. Children would always stare at us and look at my hair and skin and always asked questions and in a way my brother and I were outsiders we had no friends and spent our lunch times together. The word "Coolie" was used by other children and they did not realise that their words hurt us. In order for my family to belong to the country club, the community had to take a vote and we had to always go through some form of formality or everything had to go through a vote if we wanted to be a part of it. We couldn't join the country club; we couldn't go into the swimming pool; our house had things painted on our walls, you know, derogatory statements on our walls, our neighbours refused to, talk to us or let their children visit us, it was very difficult. I would play with my neighbour's daughter across our fence when her mum was at work so that she would not get into trouble. And then after about 1994, things started settling down, it became a bit easier, but then we didn't stay there very much longer after that. But that was my experience of apartheid, and so I've experienced it firsthand basically, from schooling.

Int And so what made you decide to do law?

SD My dad actually wanted to be a lawyer, and he wasn't able to, like I said, due to apartheid and financial reasons. When I looked at the injustice that he went through, and we went through, and I thought, being a lawyer was the thing for me, I thought I could do it. And also my sense of what is right and wrong, I don't know, I am not a person who would just sit back. If something didn't sit well with me then I'd want to challenge it, and always find another way round, and so I thought law would be the best thing for me to do. Also, I did not know offhand that I wanted to do law,. I am not one of those people who grew up knowing that I wanted to be a lawyer I actually did an Undergrad Arts degree, and when I did my Arts degree, I majored in law because I thought: Ok maybe I could do this. But I did Political Science, and I did International Relations, and then from doing these social courses, with the basis in law, I thought: Ok, now maybe, law is the thing for me. And that's when I decided to do law.

- Int That's wonderful. So in terms of law, where did you study ...?
- SD I studied at Wits. I did both my Undergraduate and Post-grad degrees at Wits University.
- Int And when you started at Wits, had...did you have a sense of the Legal Resources Centre? Had you known about it?
- SD My first exposure to the Legal Resources Centre was actually a programme I saw on television. I wasn't at university at the time, I was in high school.
- Int Oh really, ok.
- SD I saw Vincent Saldanha, giving a talk on the work of the LRC, and I thought: Hmm, very interesting organization, it sounds very idealistic...probably doesn't exist (laughter), and then...then I forgot about it. I thought, you know, it was just one of those things, but it did grab my attention, the fact that I, stopped by to actually listen to what the man was saying. And then I got to university, and everybody was applying for Articles, and they all said: No, I'm going to these big commercial firms. We had a presentation at University from someone by the LRC, and it was Mahomed Navsa who came to the university, and he came to speak about the LRC, so I attended. Everybody still said: Agh, its lunchtime, why do you want to go? . I said: This is the second time the LRC has caught my attention, I really need to go and see what is this LRC about? It seems very interesting. So he gave his talk, and he spoke about the work of the LRC, how it was founded, the history behind it, the kind of work that he did, and that appealed to me, because after attending interviews for vacation work at various commercial firms, I always, was demotivated by the lack of interest in doing social justice, and finally I found out, this organization, actually does work that I could be proud to be associated with, so I said: Ok. Let me send my CV to the LRC and see what happens. And that's what I did. (laughs)
- Int Good for you. So, you got to the LRC in 2000 and...?
- ,
- SD and '6.
- Int Right, ok, and you started as a candidate attorney?
- SD Yes.
- Int Ok. Could you talk about your experiences, who was your principal, and the types of kind of Public Interest law that you engaged in?

SD Ok, when I joined the LRC, I worked first for Durkje Gilfillan. My principal was actually Achmed Mayet, but at the time he had already had a clerk under his supervision, so I wasn't able to work with him in my first year. When I worked with Durkje I worked mostly on land matters, there was an important housing case being litigated when I started working with Durkje, I remember going to the High Court in Pretoria, it had to do with the Alexandra Renewal Project and the eviction of indigent people from the property by the developer. The LRC was defending the people that were being unlawfully evicted. I remember sitting (laughs) in court for 9 days, and that was an extraordinary application, because then they called in various members of government to come and give in oral evidence, like Paul Mashatile, the MEC for Housing, and I thought: Wow, (laughs) The LRC is quite powerful, and the work it does is very interesting, and I got to meet with the clients, and it was the first time I actually went to Alexandra, and saw the conditions that people were living in, and I thought: I can't believe after so many years, this is still happening. And I was able to form a good relationship with the clients, and I assisted in getting the court papers ready for the trial, and consulting with counsel and clients. I worked for Durkje (Gilfillan) for 6 months, and there were various other eviction matters that were brought urgently and land matters. Thereafter I worked with Fatima, Fatima Sheikh, who was an attorney then. I did housing, and it was the first time I actually worked with the PIE Act. I mean I've read about PIE and we'd learned about the Act, but it was the first time I was able to actually use the Act and learn, what it meant, and the Grootboom Case, which I remember when I attended the interview at the LRC, the first question I got asked was: What do you know about Socio-Economic Rights? And I was able to see Grootboom actually work. So, that was my first year. In my second year, that was when I was able to work with Achmed (Mayet), but throughout the time in my first year, I was attending seminars with George Bizos, and lectures at Webber Wentzel and Bowen

Int Oh really, tell me about those?

SD Those were very interesting (laughs), because George (Bizos) would pick a case, a recent case, and we would have to read it, and then all the other CAs, and together with George, we would discuss the case. The legal principles, what the outcome of the case was, what it meant for the LRC, as an organisation, how we could learn from that case and, what else we could do to get other cases that would develop the law and then take the law one step further. Those were very interesting, because the way George approached it, and you had to be very prepared (laughs), but also, he was very open to listening to what you had to say about that particular case, and I found him very informative, and besides the case seminars he did with us, he did procedural seminars on the law, and gave us the opportunity to come to him if we were seeing clients, to settle a letter for us, and so he guided us a lot, and he was always very open about sharing his legal experiences with us. Once when we were going to lunch with him, he was telling us (laughs) about his childhood and the law, and He asked me: Why am I here at the LRC? And I said: I went to a commercial law firm and I told them I wanted to do law because I want to make a difference, and they thought I was (laughs) very naive, and they said: Law is a business, and if you come with that kind of attitude, you know, you're not going to make it there. I remember George, he looked at me and he smiled, he said: Yes, that was kind of, you know, idealistic, but I mean, it comes from the right place, but, (laughs), law is after all a business as

well, but you've got to make a living as well. Besides attending seminars with George, there was Arthur Chaskalson, but I only really worked with Arthur once I became admitted as an Attorney, not so much while I was serving my Articles, because at that point he hadn't retired as yet. And then in my second year, I worked in the Constitutional Litigation Unit..

Int ...With Achmed Mayet?

SD Yes, with Achmed (Mayet), and that's when I did the CLRA, which is the Communal Land Rights Act case which is still actually going on (laughs).

Int Could you talk a bit about that...what the case is about?

SD It's basically challenging the communal land rights. The constitutionality of the Act, which gives certain powers to traditional authorities, and has the effect of indirectly discriminating against women, by, vesting powers in the hands of chiefs regarding land allocation, and as, chiefs were predominantly male many women would have difficulty accessing land. But now women can be chiefs due to the case of Shilubana case. We took on the Shilubana case, on the basis, the Act was unconstitutional.. So I worked on that case at that stage when I came on board, we were busy with the amicus intervention founding affidavit now it's set to go to court in October this year, for hearing.

Int Right. I'm also wondering, in terms of working with land issues, I understand that Durkje Gilfillan has a very specific way of working, which is very effective, in the way she works with communities, and I wondered whether...what you might have learnt from that experience working with her, about land issues?

SD Durkje (Gilfillan) was a Commissioner in the Land Claims Court, so she has an insight into what the courts expect. I think from her I learnt how ESTA, and various Acts dealing with land operate. .

Int So what's made you stay on? You finished your Articles by 2007?

SD In 2006/7 (laughs), seems so long...

Int So you...after this one year, you've just started as an attorney here?

SD Yes, this would be my first year as an attorney.

Int What made you want to stay on?

SD I thought there was still so much more I could do. As a candidate attorney, you're limited to your principal's practice, because you don't really choose the work you do. You cannot motivate to do x, y and z work, but as an attorney, you can motivate for work that you are interested in doing. I decided to stay because I thought, there's so much more I could do and the satisfaction I got from being an Article Clerk, made me choose to stay. The satisfaction stemmed from a job well done and SMSs and notes from clients, expressing their gratitude.. It's not just a thank you that leaves a warm feeling within you but it is the fact that you make a difference in people's lives. Whether it's one person or two, that is irrelevant because to that person, the effort you put in makes the world of difference.. Clients always say: God bless you, for some reason, and, I find that so touching .I don't think all the money, or all the pay cheques, can bring you that feeling., I believe in God, and so when they say God Bless you it feels...I cannot find the words.

Int Sure. It's rewarding...

SD It feels very rewarding but I wanted to say that it feels like the work we do has a greater purpose and by doing it there is a higher acknowledgement... I've had many rape cases and to see people being sent from here to there, not knowing where they're going to get help from is very heartbreaking and concerning...I feel that, you can't take away what has been done to the person, but at least you know that the work that you're doing is assisting this person, and that when they leave your office, they leave with the feeling that someone is assisting them and they know what to do from there. People come to the LRC sometimes with no idea what is going on or where to go, they just have this problem, and this is all they can think of. I've had people come in that because of being in debt, wanted to kill themselves, not realising that there are services like debt counselling, and so the LRC is actually their very first point of help. The LRC also provides a social service, not just legal advice.

Int Right. I'm also wondering...there's always a tension in Public Interest law organisations, and particularly at the LRC, between the person who comes in through the door with their concern, which is important to them, and the need to have focus areas, and have high impact litigation. How do you as a lawyer find that approach...where ... are you positioned within that?

SD I think that it all well and good to do impact litigation, and it makes sense because our work is based on funding and we're accountable to our funders, and .if you do these class actions, you're reaching out to obviously more people, but I don't really agree with the utilitarian approach where, though, maximum benefit equals the right and moral thing to do, I think that, even .if you help one individual, the ripple effect of that may be huge. Also sometimes you could spend your resources trying to do this class action for ten people, and that case could just be ended up in a settlement, and then there's no real impact in that. Or you may help one rape victim get her docket compiled and the case proceed to court, which sends out a message to the perpetrators of such crimes that crimes like this will not go unpunished, because .there is a system of support, which could have even a greater impact than a potential case. So I do find it quite difficult, I'm very reluctant to turn people away., if they don't fall specifically within our area of work, but , sometimes the difference you make is not one that will

be published in the law reports but it is a difference, and I think it is hard to measure that kind of difference, that's where we fall short, you can't really measure, the service you provide.

Int Sure. I'm also wondering...your peers must have gone onto commercial law firms etc, and how does your experience of being a candidate attorney at the LRC compare to other places, and...?

SD Many of them still call me up, (laughs) and ask me, funnily enough, for precedents of eviction applications, basically how to draft eviction papers and bring eviction proceedings (laughs) evictions, and I told them: We don't evict people but, this is how you shouldn't do it, (laughs) or else it will be an unlawful eviction.. I find that our article experiences differed, in that working for the LRC we were thrown in the deep end and given much more responsibilities.. We were given more leverage we weren't just messengers and photocopiers my training in that sense has left me more independent and confident. Obviously I don't have all the answers, but I've developed tools to find the answers, whereas my peers, I think they've learnt to practice law in a parrot fashion. If they weren't given a precedent they struggle. Because we are busy creating precedent the answers are not always there, and we've got to go out and look for it.. They're very mechanical in their thinking; they've got a very rigid approach to things. I think our approach is more creative, we're always looking for new ways to deal with legal problems, so I think that's where our training differs. Also, the human element, I find that working in an organisation like the LRC, not only helps you grow as a lawyer, but as a person. You at look at things differently, when I came here I was very naive, I was like, yes, I want to make a difference in the world, I want to paint it,, in different colours, and now I realise that there's only so much I can do, but being a good lawyer, also means distancing yourself from, the emotion and being able to look at what the law says and then apply it to the situation before you. Whereas I think they've got a very robust approach. The law is this, and this is how we do it.. It's like they go to work and, are very mechanistic it is all about how many billable hours they have worked.. Whereas with us, the LRC is sometimes really busy and other times not that busy. I once I sat at work until one o'clock in the morning, trying to get people into their home because they were unlawfully dispossessed, my peers in the commercial field would be like: Agh, I'm working overtime and I don't see the point. To them it's all about money, and making the hours, and whether this is a big client or not, whereas for me it was like: Tomorrow, these people are going to be in their home! So, (laughs) it was time worth spending.

Int I'm wondering...every organisation has certain dynamics, what are the particular challenges of working at the LRC for you, as a young lawyer?

SD There are challenges working at the LRC. I experience financial challenges as I do not earn a great salary, because the LRC is an NGO so I am unable to do my Masters and support my family on the salary I earn. . There's also the fact that I am notable to obtain corporate experience,- so my experience is limited to human rights litigation.. The work can be quite stressful at times and demands long hours. It is difficult to monitor your growth in the organisation, unlike in the corporate world where you are made director or associate.. I haven't seen any Indian female as such,

as a director of the LRC that concerns me and I, find that very disempowering. Funding is not always guaranteed, so there is no sense of job stability.

Int But within the organisation itself...what are some of the difficulties... in terms of having National Office, with the Regional Office...the fact that there aren't as many senior lawyers?

SD Yes, that is quite difficult, because, with a huge case load you're not always able to take on some of the administrative work that the National office places on you, because you are under-staffed and do not always have the support you need due to a lack of senior attorneys.. Some of the decisions on cases are taken by the National Office and budget plays a role in it, and so you may have a very good case, but financially the LRC may not be able to afford it and so you have to motivate for the case and always jump through administrative hurdles. It is hard to explain to non lawyers what impact litigation entails and that sometimes you have to build a case and that a test case doesn't always come with a readymade sign, it means banging down endless doors and avenues, carrying out research etc and this uses resources. Also the urgency of acting is hard to explain and in certain instances decisions need to be made immediately., I also find it difficult because, people drafting funding proposals are not legally trained and their understanding of the work we do is not always correct, so we constantly have to submit reports and also explain the reports and then even work on the proposal.. Sharing an office with National office places more strain on the Johannesburg office, we are not as autonomous as the other regions and our work undergoes greater scrutiny than the other regions and also we have to share resources with the National Office and this also hinders our ability to work independently.

Int The other thing...speaking of funding...post '94, the LRC has definitely had funding issues, like other NGOs and...

SD Yes, still.

Int ...and so they say that the LRC's...previously it was able to attract really high quality young lawyers, and now that it's not really able to attract that because they are, , especially young, black lawyers, because they're snapped up by corporate law firms.

SD By other law firms...

Int Yes, would you say that's fair?

SD I think that's fair. I think people must understand that when people invest money into studying, they would like to see returns on their investment. Not everybody is born in families where university fees are fully paid up. People take out loans from financial institutions in order to study and when they are done studying they have to pay it back.. I'm a person that has taken out a loan, to pay for my studies. Also we live in a culture of entitlement; when people graduate they immediately expect to earn these

high salaries though I find that, the experience gained at the LRC is invaluable and you can't put a monetary value on it. Other people are not like that, they are going to go where they are offered better salaries, so I agree, yes, many people don't apply here because they'll still tell you today: It's an NGO. I'm not going to work here, what is wrong with you? So, sometimes I think that there is obviously something wrong with me. (laughs)

(The following pages 9-12 have been removed and are placed under embargo at the Interviewee's request.)

Int ...And was this employee quite young?

SD Very young; and there were no mechanisms in place at her place of employment to prevent sexual harassment and to deal with sexual harassment, and when she laid complaints her complaints were not taken seriously.. I don't think anybody should be subjected to that kind of treatment, especially when the person is assaulted or raped by a person in a position of authority, that's strictly an abuse of power.

Int I'm curious, you said that LRC doesn't take criminal cases, but, rape cases; would that not fall then under woman gender rights?

SD It falls under woman gender rights we intervene in rape matters as amicus and we keep watching briefs in rape matters. But we do not defend murderers or rapist etc those are the kinds of criminal matters that we do not take.. We do provide support; like in assisting people in getting a docket compiled. One of the biggest problems in the criminal justice system is when a person is raped, the police don't know how to deal with it sensitively, and the statements they take from witnesses are not taken accurately. You find that there's a whole range of problems because of the way the statement was taken.

Int I'm curious though, when the person comes through the door...the LRC's had a reputation of having loads of people queuing up, it no longer has that, and I'm wondering whether it's because, it in fact refers away ninety-five percent of cases? So the people come through the door, they're met by paralegals, who may not always be extremely well equipped to identify what a...a case that, may well need to be seen by you; how do you as someone who's an attorney, actually deal with the kind of difficulties of that, particularly cases which you feel ought to be looked at?

SD You see, what happens with our cases, besides coming in through the front door, we get referrals from other places, and they also phone in, and we've got a system where it's recorded: Who the client is, when they came in. So the paralegals, see clients in consultation with attorneys. They're not allowed just to see a client, and then send the client off, we work in teams of three. You've got a paralegal, your candidate attorney, and you've got your attorney. We do have workshops to train the paralegals, but yes it is concerning sometimes that you think maybe a client might slip through. I mean it's not a hundred percent error free system but no system is a hundred percent error free.

Int I'm also wondering, there are other organisations that are doing Public Interest law work, like *ProBono*,...there's the Child and Family Law centre; what do you think is the role for the LRC in that context?

SD What...sorry, you mean?

- Int There are other organisations...
- SD That refer?
- Int Well they're doing similar work, like the LRC, that have cropped up in, in recent times...what would you think is the LRC's special role in all of this?
- SD I think there is enough work to share and the LRC can work in partnership with those organisations.. Where our role differs, is that we have a specialist focus on Constitutional Law. When it comes to land and housing we have people who have expertise in these areas,, because we've basically developed the law in that regard. Other organisations or attorneys often ask for assistance from us (laughs) they even cite our cases as authority, when they're arguing new points. . The fact that some of the people employed at at the LRC contributed to the Constitution, the certification judgment. So we've got a wealth of experience here, that those other places don't have, that we can draw from. I mean, I recently worked on a case, and I was able to ask George (Bizos), and he was able to point me (laughs) to a case he did in '19 something, and tell me: This was argued there, but you could refine it like this (laughs). So I mean, that's where we differ.
- Int That's a good example. I'm also wondering, you mentioned funding and lawyers' salaries and stuff, do you foresee yourself doing Public Interest law, or is there going to be a point in time where you might move on to other things?
- SD I think...I wouldn't want to put myself in a box. I'm one who loves experiences, and I think I would never get away from the public interest bit of it, even if I don't continue to work at the LRC, my services will always be available for free to the LRC, even if I begin doing commercial work . But I always have that sense of duty, so I can't say I'll stay here indefinitely, because, I think growth means moving and changing as well but as a person contributing towards the LRC, I always will see myself as a part of the LRC, always willing to assist and fight for social justice.
- Int Sushila, I've asked you a range of questions, I'm wondering whether there's something I've neglected to ask you, which you think ought to be included as part of your LRC Oral History Interview?
- SD No, I just...all my off the record stuff, should be off (laughs).
- Int Of course, absolutely; and, I suppose the last part of it, in terms of rule of law issues, what are some of your concerns about the current debates, attacks on the judiciary, etc?
- SD I am concerned, because I identify myself as a South African and I am proud of our democracy...I'm very proud of that, and I think we fought a long way to get here. And the very democracy we're fighting for, or we fought for, that we now seem to

have , is, being abused. I mean if the highest court in the land can be accused of foul play. It makes one wonder, and that for me is scary. I think,, democracy is a thing that we struggled a long time to get, and the rule of law, should be taken seriously. But I never want to lose faith in the judiciary.

Int Do you think that an organisation like the LRC can effectively challenge government in that context then?

SD I think that we should, we should play a very active role in that. You know, the difficulty is with the whole separation powers doctrine.

Int ...But are you...are you doing that?

SD Yes, with some difficulty (laughs); I mean we do take on cases. We've taken on a case now, where we're challenging the constitutionality of the amendments to the National Prosecuting Authority policy, so we do, do our bit to challenge, but when it comes to your judiciary, it's a very fine line, and it's hard. I mean, we do get involved in cases where we ask magistrates, or judges, to recuse themselves, or we ask for a review of decisions if we feel they was bias or an irregularity we make submissions to Parliament regarding various issues, so we do play a role. Whether we can play a more active role, I don't know, because there's only so much that .I think the LRC can do in that regard.

Int I'm wondering, in terms of, sharing a memory of a particular person that you might have worked with as a candidate attorney, or even now, or a client that you found...a case that you found very rewarding, is there anything that you really treasure as part of your experiences with the LRC?

SD There's so many (laughs).

Int I'm sure...I'm sure.

SD You know, there's this case...I still get SMSs from this client is in Botswana, well, she's the person that came to us, but it's actually her sister's daughter(her niece) that we helped. Her niece was raped, and the matter was not moving forward the docket was lost and we assisted ensuring that the matter went to trial.

Int How old was she?

SD The niece was nine years old when she was raped they were sent to various people and have been for three years trying to have the matter get to trial. The perpetrator, was the child's stepfather, and the docket went astray, and the mother was a very abused, troubled woman, because her child and her were in this situation...she had no means of financially supporting herself. So her sister would call me from Botswana,

trying to get me to help this client who's in Witbank, here in South Africa, as she would seldom have money on her phone to phone, or get any help, it was really a case of a woman that was disempowered, and when the docket got compiled, and when they arrested the accused for the first time, this woman phoned me, and she was in tears, and she was hysterical, and she said: Thank you so much. You know, to this child, you've made a world of a difference. I think that memory, up until today, it's still very prominent. The other was recently (laughs), I went to court...if you've ever seen me cry (laughs)...it was just so embarrassing also, because we had an eviction matter...this little baby, an elderly lady, and her daughter in the midst of winter. They were allocated RDP housing but the RDP house was not built as yet so they erected a shack on the stand where the RDP house was supposed to be built. They phoned the Department of Housing, and informed them of this. The woman went to the police station, she made an affidavit and she said: I have nowhere to go; I'm going to build my shelter on the stand, because it was allocated to me. She did all of that! They were accused of being land invaders and they were evicted. After being evicted they went to stay at a neighbour's place. They got thrown out of the neighbour's place. , However, when she went to work, and came back the next morning, the shelter was demolished. Why? Because the official ward councillor decides: You are unlawful invaders, and you just put up the shelter there on the weekend. But this person had been staying there for five years, on that shelter. We worked on a spoliation application urgently we worked till 12 in the evening with Richard Moultrie, we drafted all the papers, and everything. We went to court, and the judge just dismissed our application because he said he would be creating a terrible precedent where people will just go and grab land if he ruled in our favour.. I remember thinking where will these people go when I go off to my warm bed and also thinking the poor little baby.. When I saw that client leave the court I teared and I remember my advocate...he (laughs), telling me some we win and some we lose and that I worked very hard., I was embarrassed for crying but I'm very human still, so I teared. I felt that this is somebody's home, this is their belongings, their life, and...and I'm going to go into my warm bed now, but, I don't know where these people are going to...and then I tried providing them with alternative shelter, and I was able to arrange something for them., But the lesson I learnt from this experience was invaluable and that is that for every ten people that you are able to help, there's more, and that you're not going to be able to help, and if you carry that burden with you...it's a big burden to carry. The reward is great, but the burdens of the LRC (laughs), is just as bad. I think these experiences have also made me tough and cold in a way..

Int Really, in what way?

SD In a good way I am able to deal with what the universe throws at me when I came here I was very naive and soft and could not deal with stressful situations easily...I actually lost my dad a year ago but being at the LRC pulled me through..

Int Gosh, I'm sorry.

SD No it's fine, I was busy studying for my board exam when he died I was still a candidate attorney earning R3000-00 a month. He died a week prior to my exam. I was stressed because he was the sole breadwinner in my house I thought: I need to

write this board exam so that I can take care of my family by earning a better salary.. My work at the LRC taught me how to deal with stressful situations and in a sense my grief and put it aside so that I could write that exam., I was a very soft person when I got to the LRC, the smallest sad story, would make me tear, and I would say: Oh Mr Mayet., this poor person, she's getting thrown out of her house. Not busy looking at the law or anything, I just wanted to get the client back in, and he would tell me: Sushila, did you look at the papers; what does the papers say (laughs), what does the law say? And then eventually you learn that you can't go crying every time a client comes in. Although you empathise with the client there are parameters and the law can only do so much and one has to be level headed a prudent when assisting clients., I think back to when I started working here, for two weeks, I was unable to sleep or eat (laughs), I thought (laughs): Oh my God, the world is such a cruel place. I would be shocked. I felt that I could not bear to see so much human pain and suffering. And then as time went on, I learned to deal with clients better. I'd say: Are you ok, do you need a glass of water, can I give you a moment? And then I would take a step out and come back so I could be in a better space to help them, but as a person, I think, it really is a big burden to carry, because there were times when I would come home, and my mother would see the expression on my face she could tell that I had worked on a matter that affected me . I did a rape client's statement the other week. I sat the entire day, and I was asking questions like: Where did he touch you? How? And she described in detail, everything, so I could put it on a statement so she wouldn't leave anything out. Did he touch your clothing? And after I took the statement I was numb. It is a heavy burden to hear people's problems and to leave them at work thereafter is not always possible. My friends joke about it, they send these emails around, saying: What's your name? Do you have any children? So my one friend wrote on mine: That the homeless children of the world belong to Sushila (laughs) because she's a Public Interest Lawyer (laughs).For them it's a joke, but for it is my everyday reality. So, I don't know, maybe it's just me, but if you're a person that's very compassionate, then yes...it's a big burden to carry..

Int Sushila, thank you very much for a very thoughtful interview, and I'm very grateful to you for taking the time to share those thoughts with us.

SD Thanks.

Int Thank you.

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