

Ashraf Mohammed

LRC Oral History Project

26th August 2008

**Note: Partial Embargo until death or 2035**

**This interview transcript is substantially edited by the interviewee and the first 8.5 pages of the interview are placed under embargo.**

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

Int This is an interview with Ashraf Mohammed and it's the 26th of August (2008). Ashraf, on behalf of SALS Foundation we really want to thank you for agreeing to participate in the LRC Oral History Project. I wondered whether we could start the interview, if you could talk about your early childhood memories growing up in South Africa under apartheid and where you think your sense of social justice and injustice developed? I warned you...

Pages 1- 8.5 are under embargo until death

















Int So you did that for a year?

AM I did that for a year. And then I moved on and I basically...I stayed at UCT where I did a BA LLB. That was incredibly hard, those first formative years. Took me longer than I should have. But I eventually did my LLB over two years instead of three. So, because I had financial problems, you know, problems with accommodation, it was just incredibly difficult. But eventually I ended up with a BA LLB, I then did my Articles in a private law firm here, called C&A Friedlander, a commercial law firm, for two years. And it was a steep learning curve. But it exposed me to other areas of law which I hadn't become accustomed to. When I finished my Articles I then on a whim really, just picked up the phone to Steve Kahanovitz at the Legal Resources Centre, and I said to Steve: listen, are you looking for PAs? Because I...I'm done with Articles, I'm going to be admitted. My Articles had ended, I think, in '98 in December. I was going to be admitted in January, on the 13th of January '99. I said to Steve (Kahanovitz): are you guys taking on anybody? And I think at that point they hadn't advertised a vacancy, I'm not sure if they did, I can't remember if they did, but I didn't see the, you know...the advert, if there was an advert. And it was merely on a whim that I picked up the phone and spoke to him. He said: send your CV. And I'd just gotten married as well. I decided I was going to get married that year. So there were all these changes in my life and I thought, shoo, what/which way? And...but I thought this is a wonderful opportunity to get where I could merge my activism, my political activism, with my professional kind of responsibilities. And...before you knew it, I started at the LRC. I remember doing a walk, walking around Rondebosch Common and getting back home and getting this phone call from Steve (Kahanovitz), that I needed to phone him back immediately after he'd seen my CV. And then I was invited to an interview, sitting in this boardroom with Steve (Kahanovitz) there, and a whole bunch of people, and I'm thinking to myself: God, this awesome! But I think, you know, I was a bit cocky, very confident, and there was almost like a gung ho kind of attitude, look, I'm going to express my opinions on whatever issue it is. And immediately I think they say that I had an interest in land reform. And I developed a rapport, I think, with people like Kobus Pienaar and Henk Smith and so forth. And I

think they then offered me a job. And for the most part, for that four a half, almost five years, I spent a lot of my time, you know, in the Land, Housing and Development Unit of the LRC.

Int So you worked closely with Henk Smith and Kobus Pienaar...?

AM Ya, ya.

Int I'm going to take you a bit back, slightly. Given your activism and particularly during the 1980s and then having entered university, why law? ...did you think that the law could be used as an instrument of social change? Even heading towards a transitional society?

AM I've always wanted to be a lawyer because I felt that it was a very empowering profession. It was a profession that, where you could be an agent of social transformation. It allowed you that kind of insight. Law making process, going to court, fighting it, you know, in court, litigation...just fighting for people's rights. For me it was about rights...it was about protecting people's rights, it was about opposing injustices of apartheid and law was one vehicle or one tool that one could use in a whole range of...in an arsenal against this, you know, this injustice...unjust system. I've always wanted to be a lawyer, ever since I...I think I...I remember in standard Three or standard Two we did a moot court scenario thing and I argued, I was a prosecutor and I argued. I can't remember what the issue was for the life of me but nevertheless I think I made an impression on the class and the teacher, and I think from that moment it just boosted my confidence and my ability to...to articulate this desire to be a lawyer.

Int When you were at UCT did you work at the Legal Aid Clinic?

AM I worked in Street Law. I went out to schools. I was very passionate about teaching street law and about, you know, bringing this...this social transformative message to young students. At some point I was the head of the Mannenberg Legal Aid Clinic, which was run by SHAWCO, remember at the time? I started off as a legal adviser, as a student adviser, and then became a centre head of that clinic, and...that was another eye-opener for me because it brought me in direct contact with the community in Manenberg, you know, people who had been deprived, socio-economically deprived, high rates of unemployment, lots of teenage pregnancies, a lot of gangsterism, socio-economic rights issues in a real way. I don't think I'd ever conceptualised the gravity of the socio-economic deprivation that people were going through at the time, until I began doing these law clinics. But from a legal perspective you'd appreciate it. I mean, I'd been in the townships, I mean, I'd stayed in the townships, man, I'd stayed in shacks as an activist, but this was different, this was...you know, here I was as a law student reading David McQuoid-Mason's booklets on Street Law and the different aspects of the law, and suddenly using that as the frame of reference for looking at these issues. And it was profound in many ways. I also woke up to the realisation that it can be very dangerous. I remember one night, and this is another story: we went out of the clinic, we had a good consultation between 7-9:30. As we

were coming out, we suddenly saw that we were surrounded by about 40 men who were armed with pangas and knives and stuff. And we were in...here I was with a bunch of white boys and girls, university students, and this is the scary stuff here, I promise you. We had done our consultations, all white boys and girls, I was the only darkie there, and we were on our way to the car, we were leaving the building, getting into the car, and here everybody was surrounding us, we couldn't actually physically open the door in the car because these guys were blocking us. I don't know whether it's naiveté, or what it was that got us out of that situation, but I can remember there was this deathly silence in the car as we were driving back to UCT about what had actually happened, and how close we had come to actually losing our lives. Because all it needed was for someone to shout inaudible and we would have been wiped out. It wasn't...it kind of like dawned on us that we were actually busy with risky business here. Because as much as we were trying to make a difference in that community, empower people, assist them in drafting wills, with consumer advice and legal advice generally, it was actually risky actually going into certain areas at the time. Because you didn't just have to worry about the police, but there was gangsters, there was the criminal element also that was influencing the whole situation. That opened our eyes up. And of course we didn't go back there for a while. Because we sat down afterwards and had a debriefing session, and we realised that this is too risky, because there was a lot of gang activity and I think the SHAWCO clinic where we used to run the advice office had become the site of a lot of gang battle. And that night apparently, we had...we were caught up in the middle of all of this. And for some reason, both sides, as I understood it, realised that there are these whiteys and this darkie in there, that needed to be taken out of the equation before they could continue their gang fight. So that's an interesting story, that actually also was a turning point in many ways, on many levels. But I think I realised through that experience with SHAWCO, at the Legal Aid Clinic and so forth, how one could use law as a tool for social transformation and empower people really to claim their rights. Because it's one thing being aware of your rights but it's another thing being able to claim your rights. And of course, for us it was also a very steep learning experience because we were...we could then apply the theory that we were learning at the university in practice, in the context of that particular community. So I continued doing that for a while, I even taught at Bishops, man, goodness! Imagine teaching these...these snotty-nosed bloody rich people's kids, you know, about social transformation, and about justice and about those kinds of things. I did that for one or two sessions, then I lost interest because I just felt that these...and then the other priorities took over, you know. I found that I was being drawn in all sorts of other directions. It wasn't long afterwards that, I think, the Street Law program also collapsed at UCT. It was being...oh, ya, then we started the Black Law Students Association. And that operated alongside of the Law Students' Council. So there was this politicisation of even the student environment at UCT at the time because we felt that...and this was another turning point in my career at UCT. We could never understand as black people, as black students, why our marks were always so bloody low. And you put bloody hours in your work. I mean, literally hours and hours and see no fruits. And we lobbied extensively for anonymous marking and we got it. We succeeded in convincing the faculty to introduce anonymous marking so that the lecturers who didn't have our names when they marked the scripts, that they would just simply have a number. And I can tell you, one of the most profound, you know, realisations was when we got our marks back and we saw, hey, man, look at this, before and after. And our marks were looking really, really good. So I think that was another milestone for

us and we lobbied actively as students to change mindsets at UCT where you could see that there was an element of prejudice amongst lecturers towards black students. And I think because of that, by and large, many of us succeeded and passed. I don't think I would have succeeded, I'll be honest with you, if they hadn't introduced that system. Because a lot of my friends had actually had...were forced to leave UCT, to finish their law degrees at UWC. Because remember you had to finish a three year BA, before you could be admitted into the LLB stream. And that they would screen people at that level, because you do one or two law courses, like Private Law and so on. No matter how well you did in those courses in your undergrad degree, invariably they'll find some excuse to exclude you from the LLB stream. And to get into the LLB was even a mission. And we felt it as black students, I can tell you. You felt that you were in the minority here, on this campus, and that there were people with attitudes towards black people.

Int Was your experience influenced by the fact that you had a very strong BC kind of exposure early on at school? and I'm wondering how that...whether you took that kind of understanding into student politics at UCT in terms of NUSAS, for example?

AM Look, I mean, NUSAS...were perceived as white liberals. We felt that they had a role to play politically but as a member of the Black Consciousness Movement at the time, the overwhelming feeling was that they had to organise amongst their own communities. That we had to stand in solidarity and work in solidarity in achieving a common goal, but...but they couldn't tell us about oppression. We were the victims of oppression and exploitation.

Int So you were part of SASCO? That would have been SASCO by then?

AM No, SASCO would have been your Congress aligned organisation, anything that ended with Congress would have been Congress aligned. BC would have been AZASM Movement, AZAPO...

Int But at UCT?

AM At UCT it would have been...I wasn't involved at UCT, I was never...

Int You weren't?

AM I tried to remain...

Int Out of...?

AM Apolitical at UCT, I must tell you that. Although I was involved with in the Black Law Students Association when we lobbied for anonymous marking. At UCT I wasn't very active. I wasn't at all. I tried to focus my energies on other things and...it

was a time for me to grow and consolidate and, you know, find who I was, in a particular context, because I think I'd been deprived of that before. And it was an eye-opener on many levels at a personal level. And I also wanted to realise with a chip on my shoulder what my own academic worth was. It was very, very difficult not having money, not having the kind of support system in place and so forth. So there were other priorities that took over and didn't allow me to be politically active. But it didn't mean I wasn't in contact with organisations.

Int Of course. In terms of...how did you come across the LRC? Because you mention picking up the phone and speaking to Steve Kahanovitz. There must have been at some point whether it was a law report or knowing it through the Law Clinics...?

AM That's a good question. Um...that's a very good question. I can't recall outright but somebody had actually suggested to me that I make enquiries and I know it was by a word of mouth thing.

Int Ok. And was that while you were at UCT or while you were doing Articles?

AM Uh...while I was at UCT.

Int Ok. So you'd gone on to do Articles at a commercial law firm...

AM Ya.

Int And then contacted LRC.

AM Ya, ya. For me there were bread and butter issues as well, and that's why, afterwards I went to the...this private law firm.

Int So you have had...an interesting trajectory because you did the commercial law experience, a much broader range of lawyering, but then you chose to go into public interest law, and I wondered if you could talk about those five years at the Legal Resources Centre in the Cape Town office, the kind...the different areas of law that you were exposed to, but I know your work was predominantly in land, and the kinds of cases that you took on with Kobus Pienaar and Henk Smith, etc.

AM They were wonderful years. And actually really got under my skin in those years, and I grew very close to Kobus (Pienaar) and Henk (Smith). Of course I have to credit Steve Kahanovitz for recruiting me to the LRC. Because he was Director at the time and he was in many ways a mentor. Steve (Kahanovitz) played a profound influence in making me feel comfortable there. William Kerfoot also. And maybe to a lesser extent Vincent Saldanha because he was a bit more aloof and more circumspect. But I eventually warmed up to Vincent. I think in that way Chantel (Fortuin) has also been there. Most of my interactions were around land issues. Remember physically also the

Land Unit was on the sixth floor and we were on the fifth floor (laughs), so almost like a physical divide between land and everything else in the LRC. But it was a wonderful time, it was a time when, you know, the...tenure security legislation had just been adopted, was being implemented, I'm talking about the extension of Security of Tenure Act and the Labour Tenants Act. obviously Labour Tenants Act didn't apply in the Western Cape. But, you know, the Land Unit was taking on quite a few eviction matters in the rural community and we were expected to go and defend these farm workers against evictions to make sure that that legislation actually worked. And I remember taking up quite a few of those cases right at the outset, when I walked into the LRC I was given a whole bunch of files by Kobus (Pienaar) and told: go and defend those evictions. And then he gave me one file. But the one file turned out to be ten files of the Franschoek land restitution claim. Because there'd been about three or four lawyers who'd actually worked on it beforehand, he was one of the...Henk (Smith) was the first lawyer who started working on it over the years, and Soraya Bosch, Kobus (Pienaar), myself, we worked on it, and eventually I took this file, this land res...this is my main restitution matter, the others were all tenure security issues and...to a lesser extent they intersected with redistribution of land rights and so on. But these were...this was my practice at the LRC. Somewhere along the line my practice also developed a focus on urban evictions, and there were big communities that were coming to consult with us who were facing eviction by the City of Cape Town because they had occupied a road reserve. There's the Sheffield Road Case that went to the Supreme Court of Appeal...to the High Court, and eventually further than that. I argued that matter myself against senior counsel. We were on our feet for eight days and I can remember running around frantic because they'd briefed a big law firm in Cape Town called Fairbridges as their instructing attorneys, and then briefed this advocate at the Bar, and there I was, puny little me, arguing this massive case where there were almost 3000 families involved. Because they'd occupied a road reserve in Sheffield Road in...and basically the argument was that, you know, these people didn't belong there, they had to be moved somewhere else and so on. Because they were...you know, the water reticulation system ran underneath, the electricity, and all these sorts of things. It was a wonderful eye-opener and I can remember a seminal point in the case was when we compelled the court to allow all the respondents into the court.

Int Gosh!

AM All the respondents had been bussed to the court, at Wynberg Magistrate Court and they were protesting outside...

Int So that must have been in excess of what? A hundred, two hundred?

AM Of course. Like 300, 4/500 people. Most of them were outside, but a lot of them had been allowed into court and were sitting at our feet, and I remember it was like an epiphany for me because there was this woman sitting with her disabled child, gurgling, while I was on my feet, arguing this matter, there was a moment when I suddenly realised the gravity of what was happening. And looked at this child and I thought to myself: my god, am I arguing this case, you know, on behalf of this community! Of course the victory was sweet, because I'd not only beaten this big

white law firm, who'd instructed this senior counsel to argue the case, but the victory was very, very sweet. They weren't happy with the fact that we'd beaten them, so they took it on appeal to the High Court and Geoff Budlender argued the appeal matter. And he won there as well. And I think they eventually realised this is going nowhere. But those were kind of cases, I mean, Sheffield Road was an important one, where a clear victory for poor people. It was a high impact case in the public interest involving issues of access to justice, you know, social transformation, and access to housing, which was very, very important at the time. You know, in the Western Cape we have a particular scenario where we have a backlog of about four hundred thousand housing units, and an influx of people coming in from the Eastern Cape and other parts, searching for a better life. There's the issue of labour mobility. And so this was a very, very important case in terms of boosting the morale of some people. In the other case that I was involved in at the LRC, which also, I think, was a victory, a profound victory, was the Valhalla Park matter. Again Geoff (Budlender) was involved in that matter. I was the instructing attorney. He had just come back to the Constitutional Litigation Unit and I worked very closely with him. Here was a community who had identified a vacant piece of land in an established community in Valhalla Park. It was a piece of land that people were using as a thoroughfare. And quite a few people, girls, had been raped on this land. It was just vacant, people used to dump dirt and things on there, so this community was pro-active. Most of the people who were there were backyard shack dwellers. They decided they'd been on a housing waiting list for seven/eight years, nothing's happening, they're going to take charge of the situation, and there was an orchestrated land grab, but in such a co-ordinated and planned way that you had...you know, roads for emergency vehicles. You had people being able to access electricity from the cables underneath the ground. They even erected a toilet for that community. And if you looked at the houses, the way they cut up the plots, it was something I don't even think the City of Cape Town...

Int Could manage?

AM Could manage. I mean, something to be proud of actually. Because I remember we did this inspection in loco with Judge Selikowitz, who was the judge at the time, and I explained to him...I mean, obviously he did...he led the whole thing...but our perspective, but one point the judge asked: is there anything else? And I explained to him: but there's a school, there's a clinic, you know, this is where people are getting water from. The entire community around there was supporting this particular community. It wasn't a land grab in the classical sense where people just come and just occupy people's back yards. This was something where people felt frustrated by the City of Cape Town's and Province's inability to deliver on the housing rights obligations. And had basically planned in a co-ordinated manner, something to uplift themselves. And, of course Judge Selikowitz was very sympathetic and he actually awarded a...you know, the case in our favour. That was a major, major victory. And of course, having Geoff (Budlender) there, having worked with Geoff (Budlender), made a profound difference in the way we expressed our case on many levels, socially, and so forth. We tried to, whenever I worked on urban eviction matters, we tried to generate a social movement around it as well. And you'd often...you'd see some of the footage, if you ever have access to the media clips and the newspaper reports, you'll see always protest action at the court, in the court, or outside the court.

You know, there was a social movement that was generated around it. And by and large that social movement was informal. It wasn't as organised as you now have with the Anti-Eviction Campaign or with the Landless People's Movement at the time, or whatever. This was something informal, it was done by the community themselves, it was controlled by the community themselves and there were those dynamics that influenced the way the case was unfolding. Those are two similar cases I could mention where the LRC really, really achieved impact on behalf of the communities that they represented. And I can tell you that to this day those communities have a lot of gratitude to show for it. Of course the Grootboom case, we were also all involved in some way or the other. It was around that time that we were quite involved, and we all did our little bit whether it was through research or whether...you know, whatever it was.

Int The TAC matter, or did that happen...?

AM The TAC was done mainly through the Jo'burg office, through the Constitutional Litigation Unit. And that was mainly a health rights issue. It wasn't really land reform. But I wasn't directly involved in there, but I think I followed it very, very closely. But the Grootboom one was obviously something that: ya, you know, socio-economic rights! And it shaped the way we...you know, it shaped our thinking on what we could achieve with the...in developing jurisprudence around socio-economic rights, and really inspired us. It boosted our idealism about this discourse around socio-economic rights. TAC took it to another level, you know. And that's how we've been able to build on that jurisprudence. Of course we realised the limitations, that there was a...you know, there was a double-edged sword effect to it because of the separation of powers between the judiciary, executive and legislature and the extent to which pursuing these socio-economic rights cases could possibly also have the danger of creating distrust between the three branches of government. Because if you had the judiciary pronouncing on these issues and saying your policies are defective, they don't meet constitutional standards, etc, that would send a message out to the executive that there was a distrust that the judiciary had towards the executive. And I think that you also got a sense that there was a reluctance by the judiciary to pronounce in very clear terms, and to even issue structural interdicts, structural orders, because they didn't want to perpetuate this mistrust. They wanted government to be a government of unity and to basically move forward as one. Many years later when I sat down with Richard Goldstone in Salzburg, I spoke to him about this, and I said to him: Judge, why were you guys not pro-active? You could have really gone out on the limb here and really advanced the socio-economic rights discourse and jurisprudence that much more. And funnily enough that's exactly the reason that he threw back at me. He said to me: look, we had to be very careful, we needed to send a message but we had to be very careful. And that was the nub of it on many levels. Of course there were other considerations as well. And...if you go through...if you go to the Salzburg seminar session on socio-economic rights, I think it was in...2003, I think, or 2004, Richard Goldstone was one of the co-chairs of that session, and we drew a lot on the South African experience. And...at the time, it was just before he retired, he tried to share a lot of his thinking around this issue and what was going on in the minds of the judges on the Constitutional Court, around this particular area. It was quite insightful in many ways because we obviously were trying to advocate and trying to inspire people from other countries to follow the same kind of constitutionalism that we were



busy with, and this reformist kind of thinking that we were busy with. And it was a good time to reflect. There were other cases. The small eviction matters that one would fight in the rural areas, on many levels that were also very, very, very profound. And...it also left a lasting impression on me about what the plight was of people living in rural areas. Here you had people predominantly illiterate. People who were very much...enslaved, I mean, literally enslaved. In those social relations in farming communities. And if you think about it, it was a form of enslavement. It is a form of enslavement that a lot of people experience in these farming communities. Because if you look at the history of some of these farms, invariably a typical example that you would come across is the farm had been owned by the same family for five or six generations. Some even dating back to the 1700s. And then the farm obviously had passed down through the generations. And you'd follow that with the ownership, that was the pattern. You look at the title deeds. But then you find that with regard to the families that were living there...you know, the coloured families that were living on the farms, there were those same patterns. Four or five generations that had passed down. Suddenly post-1994 with the progressive legislation being enacted, and with social relations being changed, on the farms, you found that the younger owners of the farm, who may have wanted to change the farm, farming operations, through whatever reasons, decided to evict the families and without having a regard to that generational continuity, you know, those relationships that had been built. Because invariably it was like a master-servant relationship. There was a relationship of dependency. It was a profound, insightful moment for me when I went into one of the farming communities and saw this trajectory, hey? This master-servant relationship being...being terminated through an eviction process. Because now what was going to happen is that these people who had been living on this farm for these five generations, were now expected to rely on the local municipality to provide them with low cost housing in an established township, or they would have to go and live in an informal township, in a shack. And so that relationship between the owner, the white owner invariably, and the black worker, or the occupier, the coloured occupier, would terminate. And the trauma that would go with that, it wasn't just about a legal issue, it wasn't just about fighting their eviction on one level, in court and dealing with it on a technical level, but it was about those social relations that went with it. That left a very profound impression with me as well. And I think that when one reflects on the unintended consequences of these evictions in the years to come, I think that we will realise how profound these experiences really were for many, many people on many levels. I think at some point, and I suggested this at conferences where I delivered papers, that we should have a mini-TRC on the land reform project, because I think that issue wasn't properly ventilated at the TRC. We dealt with many issues at the TRC. But we need a TRC of land reform. Because the dispossession that people suffered not only broke up social relations and social networks, it destroyed people's lives in a very profound way. We've touched on the psychological aspects, on the surface. We've never really gone into the detail on it. It's come up in the past and I've mooted this thing repeatedly. And you can ask Cheryl Walker at the last conference that I attended when I was with the Commission, when I was asked to deliver a paper, I raised this issue. And I got this, you know, wow, you know, it's like a moment. I think that we need to chase it. Cheryl Walker is one of those people who also believes we should be chasing it and I think there will come a moment in our South African history where we will need to look at that. So that also left a very profound impression on me. There was this whole plethora...there were a whole bunch of cases like that, individual cases, individual evictions, where we defended the

rights of individuals or families who were facing eviction. Of course the urban evictions were mass based. There you had anything from 300 families to a 1500 families, like the Sheffield Road, on that scale, and I mean, the legal strategies that we adopted there was, one: to ensure that there was access to justice, that they were legally represented. And secondly, to put forward a progressive, transformative, legal argument that would draw on the Constitution and the transformative vision in the Constitution. It was very much a socio-democratic interpretation of the Constitution, because that's the underlying philosophical underpinnings of it. But progressive nevertheless at the time for where we were. Because you must remember, land reform is driven by market principles, you know, win and buy, win and sell, and all of that stuff, so here we were trying to not only deal with a negative rights, you know, but trying to also put an obligation on the state to pursue positive obligations. So that was the progressive, I think, in my view, revolutionary approach that the LRC was taking, and I think we drew a lot from that and were inspired a lot by the victories that we achieved. However small. I don't think the LRC would have achieved those victories if there weren't social movements that went along with it. And the level of organisation of those communities were also very, very important, because...that simply allowed us to speak with one voice on behalf of poor people. It allows us to take instructions in a coherent fashion. It generated the kind of respect that the community had towards the LRC, and the confidence in the kind of lawyering, strategic lawyering, that we were engaging with. So I think that was a very important thing. It wasn't just about access to justice, it wasn't about social transformation, it was about allowing people to claim their rights. And those are the three pillars that I always...I was always guided by those three pillars when I was engaged in litigation at the LRC. The strategies that we employed? Very interesting strategies that were varied at time depending on the kinds of clients we represented. In the Sheffield Road Case, for example, we bombarded the court with individual affidavits, setting out relevant circumstances of each family. And the strategy was very, very simply to put a face to the faceless and to name the nameless, and to put their relevant circumstances in front of the court and say, this family consists of so many people, there's a disabled child there, there's an old person in that family, if the court orders an eviction without the provision of suitable alternative accommodation, this is going to be the impact on that family. The court has to take that as a relevant circumstance into account. And so, there was the blanket carpet bombing approach, just went in there in numbers. There was the high impact, you know, approach, where we take one respondent who represents everybody in the public interest in terms of Section 38 of the Constitution, and we would try and argue the legal points from every conceivable progressive constitutional angle, and I tried to give content to this negative obligation, and also the positive obligation, but also have a...very much a progressive view on the positive obligation. I think by and large people like Geoff (Budlender) and others were very instrumental in giving ideological direction to the LRC in terms of how we could take this negative argument, this negative rights argument, and the positive rights argument forward. People like Sandy Liebenberg from the Community Law Centre at the time, also...

Int Who was amicus wasn't she?

AM She was, she was, in those cases. And I think she had been doing this...a post-doc research in that area. It helped shape the kind of thinking. It was revolutionary on

many levels but it was also very scary on other levels, because you suddenly realise that there was some resistance from the state to being put under pressure to give effect to the content of the rights. To give meaning to the content of the rights. And you suddenly realised, we're pushing forward here trying to create this progressive, egalitarian society with a strong constitutional rights base, but that there was also pressure from the state. And profound pressure, I must tell you. And the pressure, I think, was felt by the judiciary. The pressure was felt by the legislature. Because you'd always come up against the argument that socio-economic rights was subject to available resources and progressive realisation, and we shouldn't, you know, put too much pressure on the state. I think by and large also the convention on economic and socio rights wasn't...it was signed but it wasn't ratified because of that reason. Because I don't think the state fully understood how it could actually engage constructively with the discourse, you know. And I think the state's still grappling with that quite frankly. And so I think the struggle, on that level, continues. And the LRC continues to remain relevant and important in today's context in terms of pursuing the socio-economic rights agenda. Because for as long as you have poverty and inequality you will find the need for this kind of engagement. LRC has remarkably, over the years, managed to reinvent itself on many levels. I think pre-'94 it had a particular role to play. Post '94 it has played a particular role. For some reason or the other, through genius, or through the kind of leadership that it's had, it's been able to reinvent itself and remain relevant. I can remember when I was at LRC it had embarked on this projectisation process. That was very useful for us in terms of the kind of structure, organisational structure we had at the time, because it made sense for us to have that structure in order to pursue the objectives of this progressive constitutionalism that were busy with. Of course now you may need to restructure and adopt a different approach because there are funding constraints and there are all sorts of other things. So it did...I mean, all of those internal structure issues also impacted on the way we conducted our cases. And you will see this streams of outputs of cases that we were busy with at the time. You can actually physically see where the funding came from, and the case strategies involved, and you actually see...you follow that trajectory quite clearly. Steve and them will tell you that in the Eighties when they were fighting the case of the Witdoeke, the strategies were very different then. In my time it was this projectisation that I think that created a particular approach to the way we dealt with cases and the outcomes that we eventually succeeded in achieving. And that was very, very useful as well to learn how that projectisation of...of human rights issues could result in impact. You know, it was very profound in many ways. But you also understood the limitations of that kind of approach because you suddenly realised that these rights are often overlapping. You can't just have land reform as a project running, you know, parallel with refugee rights or socio-economic rights or equality, because very often they would overlap. And I think...I think it became...the penny must have dropped at some point as I was leaving the LRC, that you couldn't adopt a silo approach and a very rigid approach to projectisation when it comes to pursuing a human rights agenda, in terms of protecting human rights and promoting human rights. You had to look at it holistically. And I know the Constitutional Court has pronounced quite clearly on the matter and said that these rights are inter-related and inter-dependent. So, you know, there were lessons to be learned from the way the LRC was run when I was there. I learnt a lot from it and I've also taken that experience with me when I went into the Human Rights Commission. Human Rights Commission, structurally, was very different from the LRC. The organisational

culture was very, very different. In many ways, a wonderful place to be, but the bureaucracy was incredibly, incredibly stifling.

Int You were based in Cape Town?

AM I was the head of the Human Rights Commission in the Western Cape. I found it incredibly stifling. I found that having come from the LRC, it was very difficult to take forward the progressive constitutional agenda that I had learnt at the LRC. Because suddenly I found myself in this Chapter Nine institution that had the constraints of...imposed by state bureaucracy in terms of the administrative systems and in terms of...even the ideological, philosophical kind of direction of the organisation. And yet there was a little bit of a space where one could explore and be innovative. But that space was like this, man. You know, Ronald Dworkin always uses the analogy of a donut, the ring in the donut...you know that? I felt that the hole in the centre, the discussion we had, the innovation, the inability to innovate, very, very small in the Commission. There was just more regulation and more control and more demands made on us by the bureaucracy and so forth. And I think that the Commission, partly, is limping, or its kind of timidity is partly the result of its managerial systems, of its limited strategic plan, of its poor output, quite frankly, because if it had a more programmatic and planned kind of interventions in certain areas, I think it would have been very different. There were also capacity constraints that went with the management issues. So from a strategic point of view and operational point of view I think there were a combination of those issues that impacted on outputs of the Commission, and I found for the four and a half years that I was there, there were moments of levity, there were moments of immense frustration...immense frustration. And as a manager it was more even more difficult because you were just roiled with bureaucratic, you know, stuff. So it was...the writing was on the wall after a while, you know, that this was not going to be a place where one could, you know, really pursue this progressive agenda, but, you know, obviously within the constraints...the Commission itself had undergone a number of changes internally and it was time to leave, and...how did I end up here? I befriended Paul, and I understood that this office was contemplating closing down because there were all sorts of other issues, and I said to Paul: but, you know, I've got this potential project that I can bring into the firm. It was a massive project involving land reform, involving setting up of a panel of lawyers, a national panel of lawyers, who'll provide legal services to farm workers and labour tenants who were facing eviction. I'd negotiated this...started negotiating this project about two months...a month or two before I left the Commission, engaging with the Department of Land Affairs and it was a massive ambitious project. Possibly running over three years at that point. And now it obviously is a three year project. And a multi-million rand project. And I initiated the discussions...I mean, I didn't initiate it, they came to me with it and said to me: would you do this? And then we talked about how we would do it and eventually it took on a particular shape, by and large, because I wanted to be in a private law firm and this project would obviously follow me into this law firm. Because, I mean, they wanted me initially to sit in a little office somewhere, either in the department or outside of the department, nevertheless not in line with my own future ambitions and my own trajectory. So I brought this project into the firm and for the last eight months I've been busy working very closely with the Department of Land Affairs in the area of land reform and land tenure reform, basically in managing

and co-ordinating this panel of lawyers who are providing legal services. It's an Access to Justice program on many levels, it's a social justice project in this area, but they asked me to continue that trajectory even though I'm located in private practice, and you see, in this environment at CTH, one can do that. There's a space here. I don't think that I would necessarily have been able to do this if I was in private practice in of the big corporate law firms.

Int But you would have been able to do that at the LRC?

AM I think so. If I'd stayed on.

Int Right. What was the impetus for you to leave? Was it an offer through the Human Rights Commission or was it time to leave the LRC?

AM Ya...I think I'd also reached a point where I felt I needed a change. I'd given LRC almost five years. I think I...I saw the limitations of this projectisation and how that was...how that was impacting on my ability to be an effective lawyer. I wanted to learn more. I had a growing family, small kids, there were financial considerations notwithstanding with the outset. I mean, I looked at my kids and I was wondering how, if I want to give them more in life, LRC doesn't pay me enough, you know. And then I got a phone call from someone at the HRC saying, listen man, there's this vacancy, this position has been vacant for nine months, would you be interested? We had a long conversation about it and I wasn't quite sure whether that would have been the right place for me to go. I kind of like went into it very naïvely. It presented me...there was more of a pull than a push. I could have stayed at the LRC and reinvented my practice in some ways to try to give me some purpose, but I think that at that stage of my life I felt that it was time to move on. And they were pull factors more than they were push factors.

Int You had a very curious experience at the LRC in that the people that you really felt who had mentored you and somehow supported you were the white lawyers. And I'm wondering, there's always been this discourse that the LRC is a predominantly white liberal organisation. Clearly that didn't seem to have been an issue for you, it wasn't a factor, but I'm sure there were racial tensions and dynamics within the Cape Town office and in the broader LRC, because it itself was undergoing a transformation just as the country was, if you consider it as a microcosm of the wider society. I'm wondering what your experiences were?

AM A bit of a loaded question.

Int Yes. (laughs) Indeed.

AM No doubt being a microcosm of a racist society there are these racial tensions, and the Cape Town office is no different from any other organisation context. But I must tell

you the collegiality that one experienced in the Cape Town office was more unitary than it was divisive.

Int Ok, fair enough.

AM And...my own personal experience, to be quite honest, I didn't see race as the redeeming factor. I think it was a factor that influenced some of the decisions that we made and the way we made the decisions, but it wasn't the determining factor. Because I can tell you on many...on a personal level, my colleagues became like my family, my brothers. I mean, Henk (Smith) and Kobus (Pienaar), and Kobus' (Pienaar) own background for example, very conservative Afrikaans background, even Henk (Smith) himself, and here I was with these two guys, white guys, I grew immensely fond of these guys, I'll be honest with you. For the first time in my life, to be quite honest with you, I don't think I experienced in any other working environment, here I was where I had to confront this racial sensitivity of my own. Because remember apartheid was damaging not only to black people but to white people as well. But it also made us racist in the way we perceived them, interacted with white people...

Int Sure. So you had to confront your own sense of race...?

AM Ya, my own racism. And I can tell you that I was deeply racist. I had an attitude towards white people, and that was turned on its head when I joined the LRC because of my interactions with people like Kobus (Pienaar) and Henk (Smith) and Steve (Kahanovitz) and William (Kerfoot) and Angela (Andrews). No doubt our interactions are nuanced. No doubt our...our ideological position, our make-up, is nuanced. But at a personal level, I can tell you honestly that I didn't feel...I didn't feel at the LRC that I was prejudiced because of my race. It just wasn't a factor as far as I was concerned.

Int Organisationally Bongani Majola was at the time as National Director and I'm wondering what the problems were in terms of leadership, because it had had this very strong leadership through Arthur Chaskalson and then Geoff Budlender, and then Bongani Majola took over, and what were some of the dynamics of that?

AM Bongani (Majola) was a poor leader but he was a good person on other levels. I think it did impact on the direction of the organisation and possibly also partly influence my decision to move because I didn't feel that I was getting enough out of the LRC, in terms of this leadership but in terms of this management vac...I wouldn't say a vacuum but a deficiency. Ya, it was definitely a factor for me. I think Bongani (Majola), on a personal level, I connected with him, he was a nice, good guy...and I don't mean to sound overly critical in saying that he may not have been entirely good for the LRC at the time. Because I think we could have done so much more during that period in shaping the culture of the organisation, transforming the organisation, than we succeeded in doing under his leadership. I think Bongani (Majola) stunted the LRC a little bit. For all his best intentions, I think he was caught up in this projectisation and caught up in the bureaucracy more than he was able to provide

strategic direction to the organisation. And I think that...that...and even as an administrator he wasn't as strong. He needed a whole bunch of systems around himself. I think that lack of strategic direction essentially what made me disillusioned at some point within the LRC. And I think to a large extent also accentuated the...the schisms, or the tensions between different groupings. I have no doubt it did. Rather than unify the organisation. I think the organisation found it very, very difficult to reinvent itself under Bongani (Majola). And it grappled with its place, its location within the democratic landscape as a public interest law firm. So without sounding overly critical or, you know...I think Bongani (Majola) did the LRC a bit of harm. Because I felt it, you know, as a lawyer. I felt it and I...you know, I mean, I've heard stories about Vincent's (Saldanha) leadership as well because I left before Vincent (Saldanha) became National Director. But I think if the LRC is going to appoint a black director at that level, there has to be some consideration about the kind of strategic leadership that that person will be offering. And the LRC's own ability to deal with transformation issues. And because you can have a very progressive leader, like Vincent (Saldanha) for example, who's a very strong NADEL and in SADC, the SADC Lawyer's Association, and...amongst the organised legal profession. But in an environment like the LRC, which doesn't allow for that transformative vision to come through in strong terms, or in clear terms, it's difficult for a person like that to then lead the organisation into a particular direction. So I'm not sure...what I'm trying to say is: I'm not sure to what extent the environment of the LRC lends itself to transformation issues in today's context. I'm not sure about that. I'm not sure...I wouldn't say it's hostile to it, but I'm not sure how open and receptive it is to transformation issues, to the extent that we need to transform the organisation. I'm very disappointed that the LRC has come full circle in the Cape Town office, and it's lost most of its black lawyers. That it's now consisting only of a bunch of white lawyers. It's not just about race, it's about transformation. It's about the ability to transfer skills, create opportunities for black lawyers, put systems in place that generate strategic impact for the organisation, and give direction around public interest lawyering. I don't feel as if the organisation is able to grapple with those issues and create...and come up with a balanced strategy for moving forward. I think that all organisations grapple with the issues of experience and expertise when it tries to balance affirmative action requirements with skills and the skills deficit. And maybe the way to go is to find that balance in terms of experience and expertise. But I don't think that the LRC is able to come up with a model within the public interest sector to be able to work...to work on a strategy for taking it forward. I don't think that Janet Love is going to achieve that. I don't think that...the present leadership is...I don't know these people, and I'm hoping that they will, but I think the LRC needs to grapple with those kinds of issues if it wants to redefine itself in today's context. Because the thing is...and the situation has changed. LRC today is not what it was when I was there. It's not what it was in 1994. But from my involvement in the Law Society where I serve as a counsellor, and my involvement here at the firm, from involvement with the project, from my involvement with NADEL, from my involvement as an ordinary community person, I think that that is where the tensions really are. How do we create this balance in ensuring viability in the programs and systems that we put in place for purposes of pursuing a transformative agenda? And I think that's something that we haven't really answered from a strategic point of view. So I'm...you know, it's almost as if people are almost sitting back waiting for the Zuma...Zumafication thing to take over and see where this thing plays out before

they'll decide what the hell is going to happen. I'm not sure whether that's the right way of dealing with it. But I'm talking general now...

Int No, of course.

AM ...I'm just talking about the LRC. But there is almost a paralysis. There isn't a concerted effort to think strategically about where we locate ourselves and how we move forward from here on in terms of this transformative vision of the Constitution.

Int One of the things that the LRC often...people within the LRC often say is that they're unable to attract good young lawyers, particularly black lawyers, because they're snapped up by the corporate law firms...

AM That's crap! I'm sorry, I've heard of that but I think it's crap, sorry.

Int No, fair enough, fair enough. And I'm wondering what you think because clearly at Cheadles you've achieved a 60% black sort of lawyer equation here, and you've been able to not only attract but you've been able to sustain black lawyers within the law firm. I'm wondering why you think that the LRC's unable to do the same thing? I understand it's a private law firm, not public interest, but at the same time what's your perspective of this, in addition to what you've just said.

AM In the LRC?

Int Yes.

AM Uh...it's the balance, man, it's the balance between skills and experience. It's not just about paying people decent salaries, because I think you can attract good lawyers. It's a question of where you go and fish for those lawyers. When I...I had an experience the other day where I took my son fishing with some colleagues, Halton (Cheadle) and Paul (Benjamin). Paul's (Benjamin) got a son and Halton's (Cheadle) got a daughter, very much into fishing. Halton (Cheadle) insisted we go and fish off the pier at a particular point, and I said to Halton (Cheadle): you're going to catch bottom feeders there, man. Go and fish on the other end where you can catch those little shiny sardines...and my point is simply, where we're looking to recruit people from, I'm not sure whether we're looking in the right places, and whether we are able to attract good people because of the culture of the organisation, and allow them to stay on and flourish. Invariably they'll stay for a while until, you know, the light bulb goes off and they realise, you know, what they're actually all about, and then they'll move on to greener pastures. Nobody can stop the exodus to greener pastures, but the concern is, where do we attract people from and the environment we're creating for those people to be able to flourish and grow. I think that those are the two main concerns for me and I think maybe we're not focusing enough attention on those issues. And maybe the LRC needs to look at that more closely.



Int Ashraf, I'm also wondering, we're doing the interview in a context where the Constitution has come under attack, the Constitutional Court judges are described as counter-revolutionaries, the Human Rights Commission does not seem to really take to task what Arthur Chaskalson and George Bizos have called intemperate language, such as, to "kill for Zuma", by Julius Malema, and then there's Vavi (Zwelinzima) who says certain things, and I'm wondering how does public interest law function in a society like this, and particularly the LRC, which is really mandated to take on government where required? How does one then do that when there are these huge crises in this judiciary, and almost a fear of taking on government?

AM I've always understood public interest law as not necessary to exist in opposition to government, but to operate in a context where we support where necessary, and we are critical in other instances. But the main objective, as far as I'm concerned, for public interest law, is to support democracy and democratic institutions. So where government is progressive in its interpretation of its policies and programs we support that wholeheartedly. I've always felt that public interest law firms should always at all times pursue an access to justice agenda, and importantly a social transformation agenda. So, I think that...that the latter two objectives I think remains very fundamental problematic issues for the public interest organisations. But I think where it's grappling with its own political identity informed by that, informed by these kinds of issues you're raising now, it's grappling how it engages with government. And I don't think this space that we're operating within at the moment allows us to be anything other than supportive of the kinds of programs. Because if you're critical you're seen as counter revolutionary. If you're seen as presenting an alternative voice, or trying to be innovative, you're seen as counter revolutionary. The environment doesn't lend itself. And I think the main issue for me with public interest lawyers, they must continue the access to justice programs, they must continue with the social transformation agenda, in terms of the...but I think this one area...you know, the boundary's always shifting, the political influences and variables, the organisation itself is a...it's like you say, it's a microcosm, because within the organisation you've got people adopting different views. And so you won't get a coherent organisational position on how it should engage with government. I was very inspired the other day when I saw Kobus being quoted in the papers. I don't know what it was, was it the Expropriation Bill or...one of the other pieces, the Judicial Courts Bill? I think it was that legislation. But he was very critical in saying the government needs to withdraw this piece of legislation because of its impact, potential impact on particular communities and so on, and the rolling back on the constitutional advances that we've made. Very profound. And I think there was a direct response, a very courageous response, a very direct response and I think in a sense the LRC is now beginning to understand that in its relationship with government it needs to be more robust. Maybe they're finding their feet now. Other than that I haven't seen the LRC in recent times, in this context that you're explaining now, adopting...any other role.

Int Do you think...do you have concerns about rule of law in a future South Africa, respect for the rule of law?

AM Um...

- Int From government, from people in the ANC Youth League, etc?
- AM (sighs) Um...it's a tough question. I think I am concerned. I'm cautiously concerned. I think with the wave of populism that's playing out and the tension between Party and state, that that tension in...no-one knows how it's going to resolve itself. I think, you know, there's an expectation that it will run its natural course and that we'll find ourselves in that...you know, that journey somewhere along the line in this...in this democracy. But I think that there are concerns. I think there are concerns when people like Blade Nzimande makes the kinds of utterances about a conspiracy the way he does, and in the context of this populist wave that currently is occupying this democratic space. I think there's some real concerns when people like that operate. I'm not surprised that Kader Asmal has responded, or if he has, because I think that if we have Blade Nzimande, you know, making those pronouncements the way he has, in the context of this populous is kind of...I think that you could potentially undermine whatever gains we've made, with this project, and roll back on those advances. And secondly I think you could very much undermine the rule of law in a far more profound way than we will realise. Because we'll only see the unintended consequences later.
- Int And in terms...the legal profession is always concerned about the kind of roll back in terms of civil society engagement, and I'm wondering why the legal profession more generally, not just the Legal Resources Centre, hasn't really come out in full force against the kind of statements that have been made recently?
- AM ...I thought we have...I thought we have been responding. I think the Law Society in South Africa has issued statements, I think the Chief Justice has. I think...
- Int But is that adequate do you think? And has the media reported on it adequately, let's put it that way. I'm aware of the Law Society through certain people and their statements, I'm aware of George's (Bizos) and Arthur's (Chaskalson) statements, but I'm just wondering whether...there's that role for public interest law organisations to take a firm stand in terms of rule of law.
- AM And that's just one in some, because I wonder if Janet Love, who's the Head of the LRC, because of the fact that she serves with the NEC...whether that may be a reason why the LRC as a public interest organisation isn't taking a more robust position. I mean, that you had two individuals in the form of Arthur (Chaskalson) and George (Bizos) making these pronouncements and responding to this kind of problem; it should have been the LRC, you know? It should have been the LRC and the leadership of Janet (Love). But I'm not sure whether she's actually taking the LRC in the right direction. I'm concerned, because I think I would have liked to have heard her statement issued from the LRC saying: listen, man, there are profound implications for the rule of law for social justice and for other things, and the continued utt...you know, these continued utterances and pronouncements are potentially undermining of these foundational pillars of our democracy. But the LRC didn't say that. the Law Society as an organised profession is not homogenous. You've got three components in the Law Society: you've got the statutory

component, you've got the Black Lawyers Association, and you've got NADEL. For the Law Society to be issuing statements in the context of those three interest groups is profound, because all three interest groups are saying, hey...you know...I'm trying to say that in as much as you have the Law Society with these diverse interest groups also being able to come up with a position, why can't the LRC come up with a position? Because I know the LRC is not homogenous. Why? We were able to do that in the Law Society, we're able to issue statements, we're able to respond to the Hlophe issue, but for some reason the LRC wasn't. And the LRC needs to play a leadership role in this area.

Int Some would say that for the LRC to take a very strong position it must then face consequences, what's your perspective on that?

AM Let the consequences flow, man. Let's...the LRC took a bold position under apartheid and it represented people who were facing detention without trial, people were being killed; it took a very bold position, why can't we be that bold now? What are we afraid of now? It's almost as if the principles for which the LRC stood for then, that those principles are not as important in this particular context even though the issues are by and large very similar, where the challenges are similar. I think that the LRC somehow has sacrificed principle for expediency in today's context, and maybe that explains why they're so silent when there are all these things happening. But nevertheless having said that, you know, maybe the strategy that they've adopted, if it is a deliberate strategy, and I doubt that it is, maybe that strategy allows them to focus on those other two areas, that I've outlined, far more, and be able to achieve impact far more, than if they were caught up in this political quagmire. Because invariably if you get caught up in this thing you're going to get klapped. And I'm not sure that the LRC wants politically to position itself in any way on a public level. Maybe it's a strategic thing to just hang back and see where all of this unfolds before it commits itself, but my concern is that by not, at least at the very least, issuing a statement when the Law Society has done that, when Arthur Chaskalson has done that...you know, that we're not playing the leadership role that we should be doing.

Int I've asked you a range of questions, I'm wondering whether there's something I've neglected to ask you which you feel ought to be included as part of your LRC Oral History interview?

AM No, I think you've been quite exhaustive.

Int (laughs) Yes, indeed.

AM I think you've covered it all

Int I'm wondering whether we could end the interview if you could share a memory, whether it's of a particular case or client, working with...with William (Kerfoot) or Steve (Kahanovitz)...you mentioned Steve Kahanovitz as a mentor...or Henk Smith

and Kobus Pienaar, that you feel embodies what it means to work for the LRC and what it means to engage in public interest law in South Africa?

AM You want me to...?

Int Any of...

AM ...a memory of whatever...of those guys?

Int Yes, your memories of your experiences...even of a client as well?

AM Agh, there was one moment when, as I said to you, I was sitting in the Sheffield Road Case and I had this epiphany when I realised the gravity of...or I mean the weight of this case. And I remember coming back to the office...I mean, I think I told you about this mother with the disabled child, sitting at my feet as I was arguing the case, and gurgling next to me. And I remember coming out of the court that day feeling quite despondent, profoundly despondent, and I bumped into Vincent (Saldanha), and I think he could see on my face that this case was taking its toll emotionally, because here we were arguing this big case. And he said to me: "Ashraf, go and take a walk in the park."

Int Classic Vincent response (laughs).

AM Well, ya...he said to me: go take a walk in the gardens, have a cup of coffee, smell the roses and appreciate the space that you have despite all of this other stuff that's going on...you know, just reflect on what we have, the positives that we have in this democracy despite all the poverty, inequality, and all these other challenges. It was the way he said it, this gentle brotherly...big brotherly kind of way. I can mention an example like that, I can mention an interaction with William (Kerfoot) equally. With Steve (Kahanovitz). You know, driving to Worcester to De Doorns. I can mention the conversation Steve (Kahanovitz) and I would have. Steve (Kahanovitz) would say to me for example: Oh, Ashraf, you're fighting this eviction matter, these people are going to name this township after you. like they did with Wallace (Mgoqi)...

Int ...Like Wallacedene (laughs).

AM Wallacedene. And I said to Steve (Kahanovitz) at that moment: Steve (Kahanovitz), thank you very much for complimenting me in the way that you do, but I don't want a township named after me! (laughter) How on earth would I be able to go into that township and say: this is the township named after me but people are living in shacks. Another moment. Um...agh, there were little moments, you know, it was just...there were lots of those. And that's the LRC, that's the LRC, it's like...it's a journey with our interactions, it's a wonderful brotherhood and collegial environment. I think by and large that's what seems to be the glue that keeps everybody so loyal to the LRC. Is that we're able to share these experiences and moments of humanity and, you

know, brilliance and innovation. And yet emerge out of there feeling that we still need to continue making this contribution to improving the lives of people. Because that's what the LRC is really there for, to make a difference in people's lives. And the point simply is that wherever we find ourselves, that that remains the over-riding kind of ethos and the approach that we should take. The LRC got under my skin when I was there. It took me a while to actually get it out from underneath my skin. I must tell you, I was very emotional when I left the LRC. And I remain fondly in contact with a lot of my comrades. You should have been at Vincent's (Saldanha)...

Int On Friday?

AM Were you there?

Int No, I just heard about it through Kobus Pienaar...

AM I had to give a vote of thanks and I said to the guys, when I gave the vote of thanks, in many ways Vincent (Saldanha) has actually rubbed off on a lot of us. A humble guy and I think a good example, a role model.

Int Also he didn't want to be a judge.

AM Didn't want to be a judge. And I think William (Kerfoot), Steve (Kahanovitz), Vincent (Saldanha), Henk (Smith), Kobus (Pienaar), have all rubbed off on me in positive ways. And there were negative ways as well. (laughter). But I think overwhelmingly positive, and I think that's...and even Geoff (Budlender). I mean, Geoff (Budlender) is just an amazing person. Ya, that's the LRC, it's...

Int Ashraf, thank you for a most interesting and very reflective interview, I really appreciate it.

AM You're welcome.

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