

Client**Interpreter: Rufus Poswa****Grahamstown**

Int This is an interview with Mrs. Melitafa and Nombulelo (daughter of Mrs. Melitafa) and it's Tuesday, the 2nd of September (2008). Mrs. Melitafa and Nombulelo, on SALS Foundation in the United States, we really want to thank you for agreeing to come and do this interview with us for the Legal Resources Centre.

RP Xhosa translation

MM Xhosa translation

Int I wondered whether I could ask you to talk a little bit about yourself, your background, where you were born and what the circumstances and what were some of the problems that made you seek help?

RP Xhosa translation

MM Xhosa translation

RP My problem was Nombulelo.

Int Okay...

MM Xhosa translation

RP She gets fits, terrible epilepsy...

MM Xhosa translation

RP I went to all sorts of different places, to which I was told or advised that they could help or that I could be helped, but those places could not help.

MM Xhosa translation

RP Black Sash...

- MM Xhosa translation
- RP I approached the Black Sash and I was given a letter and I was informed to bring it here up to the Legal Resources Centre.
- Int Okay...
- MM Xhosa translation
- RP That's where I felt relieved...
- MM Xhosa translation
- RP Because I could not fight the battle myself, for my kid, whose pension was taken away from...
- MM Xhosa translation
- RP At times like these, she would be in hospital and she wouldn't even know who I am.
- MM Xhosa translation
- RP When I came into the Legal Resources Centre, my problem was attended in such a manner, I felt that they treated me, as their own mother.
- MM Xhosa translation
- RP This is where I was helped.
- MM Xhosa translation
- RP And I, I will always obey their rules, that is if an appointment is made with me, I have to pitch up and I do pitch up.
- MM Xhosa translation
- RP It was not easy...
- MM Xhosa translation

RP I had already given up...

MM Xhosa translation

RP They were very patient and they also thought me to be patient because they would call me and ask me whether I have received it yet, I would say no and they would say, ok, we will call you again.

MM Xhosa translation

RP I don't want to talk about the Black Sash and when I am here, I become really emotional, because I had already given up on my daughter...

MM Xhosa translation

RP They cancelled her grant and said that she was fit, able to work...and then she couldn't...

Int When was this, Rufus?

RP Xhosa translation

NM Xhosa translation

RP My grant was taken from me in 1998

NM March

RP In March

Int And before that she was getting a grant?

RP Xhosa translation

NM Ja, before that I used to receive pension.

Int From what age?

RP Xhosa translation

- NM Xhosa translation
- RP She was still young. She was still young then, she can't even remember...
- MM Xhosa translation
- RP I gave birth to her and after a year, she never healed from...
- Int Did she go to school?
- RP Xhosa translation
- NM Xhosa translation
- RP Yes, I did go to school.
- NM Xhosa translation
- RP I left school when I was in the middle of doing Standard Six (Grade Eight) because sometimes, while in class, I would get an attack and sometimes I would be on my way home and I would get it in the middle of the road, which caused me to be all over the road. It was, I mean, it was quite dangerous for me to get it on the road, because you don't have control of where you are going to.
- Int Okay. And since then has she stayed at home?
- RP Xhosa translation
- NM Xhosa translation
- RP Xhosa translation
- NM Xhosa translation
- RP Yes, she stayed at home.
- Int Right, okay. And there was a story that you told me, Rufus about how Mrs. Melitafa...
- RP Melitafa, ja

Int Melitafa received her cheque and she didn't cash it. Could you ask her to talk about what were the circumstances?

RP Xhosa translation

MM Okay, okay...

RP Xhosa translation

MM Xhosa translation

RP People from the Department of Welfare arrived at my home...

Int This was after she contacted the LRC?

RP Ja, this was after...

MM Xhosa translation

RP They had a cheque with them.

MM Xhosa translation

RP This is, this is the money we owe you for which you've taken legal...

Int Action?

RP Action, ja, for ja.

MM Xhosa translation

RP I was asked to sign and I said no, I cannot sign.

MM Xhosa translation

RP They gave it to me and I accepted it.

Int The cheque?

- RP I took the cheque...
- MM Xhosa translation
- RP I brought it straight here...
- MM Xhosa translation
- RP I could not take the cheque and go and cash it. Where was it all along? I had to bring it to people here to tell me what the cheque might be for...
- MM Xhosa translation
- RP I was advised here that if I wanted to change it, I could change it, you know but it could not, it could possibly not be in interest for myself. I said I will cash this cheque when you guys tell me to cash this cheque and that's how I cashed it.
- Int That was a very brave decision. They needed the money. What was behind her decision, in her heart, what was important for her?
- RP Xhosa translation
- MM Xhosa translation
- RP Although there was a desire because we didn't have food, a desire to cash the cheque, I felt that I should approach and talk to the people who helped me, before I cashed this cheque because I did not know, what was lying behind me being given the cheque.
- Int I am also wondering as well, she was very brave, as well because they made her want to sign something. Did she know what that document was and why did she refuse to sign it?
- RP Xhosa translation
- MM Xhosa translation
- RP I could not sign for something I did not know and I thought that the people who assisted me, you know they should know. I should consult them first. I should talk to them first before I cash the cheque.

Int So when she first came here with her daughter, who did she see and who helped her?
It might have been you, Rufus?

RP No, it was not, it was not... **Xhosa translation**

MM Xhosa translation

RP Xhosa translation

NM Xhosa translation

MM Xhosa translation

RP Tembeka (Ngcukaitobi)

Int I have interviewed him...

RP Ja, they first met with Thabita (Qangule), assisted by Thabita (Qangule) first and then Tembeka (Ngcukaitobi) took over from Thabita (Qangule).

Int Right, and did they feel, since he was quite young, he was a Candidate Attorney, did they feel confident that he would be able to assist them properly?

RP Xhosa translation

MM Xhosa translation

RP I put all my trust in all the people, you know, who were working in this office. Because even at the time, this case went to court, Nombulelo (Melitafa), was not herself, she was in...she was hospitalised, she was not aware what was going on, although, she was informed, she attended but she had no knowledge of what was going on. So the trust was there in everyone in the office.

Int And so when they came, they came in 199...

RP 1998

Int They came here in 1998?

MM Xhosa translation

- RP Yes, 1998
- Int Right and they saw Tabitha (Qangule) first and then they saw Tembeka (Ngukaitobi) and then how long...
- NM Xhosa translation
- RP Oh, they approached the LRC in 2000, because her grant was cancelled in 1998.
- Int In those two years, what did they do?
- RP Xhosa translation
- MM Xhosa translation
- RP She was knocking on different doors, you know and she was even advised that she should join the toyi-toyi. You know the toyi-toyi?
- Int Yes...
- RP Ja, the march, protest. But she does not have the legs to run around and that's when she was referred to the Black Sash and she was referred here.
- Int What does she, what do the two of you (refers to mother and daughter) think about why the grant was cancelled?
- RP Xhosa translation
- NM Xhosa translation
- RP I , I really cannot say why it was taken away because I don't understand why they would take a grant away from someone who, who is disabled, who cannot do anything for themselves.
- Int What does Mrs. Melitafa say?
- RP Xhosa translation
- MM Xhosa translation

- RP I really cannot say. For me, it is my belief that they were killing her because that led her to starve and to get these epilepsy attacks because there was no food. So, I even prayed to God to take her because her living under those conditions was not good.
- NM Xhosa translation
- RP And it was difficult because I had to take medication and you don't take medication without food.
- Int And so they went to Black Sash, Diakonia and then they came here?
- RP They went to Black Sash and Black Sash gave them a letter and told them to come here?
- Int Right, so in 2000, they came here, they saw Tabitha (Qangule) and Tembeka (Ngcukaitobi). How long did it take before they received any money?
- RP Xhosa translation
- NM Xhosa translation
- RP They came here in January and the first cheque they received was in August.
- Int So, the cheque from the government, from the Department, did that come before August?
- RP Xhosa translation
- NM Xhosa translation
- RP Ja, the first cheque was in August, but not the lump sum, not the back pay. The back pay we received in October, the 14 000...
- Int Oh, the 14 000 right. And the government cheque that they went to Mrs. Melitafa and said to her, that they want her to drop the case, how much was that for?
- RP Xhosa translation
- MM Xhosa translation

- RP That was the 14000 one because they did approach the LRC... **Xhosa translation**
- NM Xhosa translation
- RP They came in with the first cheques, which were given to them in August and they came, they brought those cheques here...
- Int That was the 1000...?
- RP Ja, and they were informed that they could go and cash those cheques...
- Int Right...
- NM Xhosa translation
- RP She had just finished washing because she was hungry at that time, and this 14 000 cheque came and people from the Department of Welfare arrived there and they said here, is your cheque because she was preparing to go to her uncle's house to get something to eat and now she was given those cheques. She took those cheques and she took it to her mother and her mother said you are taking it straight to the Legal Resources Centre.
- Int So, when you got to the Legal Resources Centre, they wanted to fight the case, for how long...?
- RP Xhosa translation
- NM Xhosa translation
- MM Xhosa translation
- RP Xhosa translation
- NM Xhosa translation
- RP Xhosa translation
- NM Xhosa translation
- RP Oh, I see

- NM Xhosa translation
- RP Oh, okay... Xhosa translation
- NM Xhosa translation
- RP I mean, the dates might not be clear, because she received the one thousand cheque and she went to change it and thereafter she received a letter informing her that her grant has been cancelled. And then she brought the letter to the LRC in September and she was given....
- RP Xhosa translation
- NM Xhosa translation
- RP And then again in September, but the cheque they brought in but the cheque they cashed in in October...
- MM Xhosa translation
- NM Xhosa translation
- RP It happened again in 2004, in September when she, she was paid, she was informed by letter that her grant would be cancelled. And she brought the letter in here. She did not get payment for November?
- NM Xhosa translation
- RP In November she did not get payment but she brought the letter in here and in December, she received payment for both November and December.
- NM Xhosa translation
- RP Ja
- Int And I was going to ask you...it seems to me that by delaying to cash the cheque, the LRC was able to take on the case for more people, am I right?
- RP Xhosa translation
- MM Xhosa translation

RP I cannot argue against what you are saying or what you believe, because I mean, these are the people, who are our voices when we were in trouble, you know, and if that is, what's being said?

Int What I am saying is that it is possible that she helped so many other people by not chasing the cheque because in that way, the LRC was able to take on the case for so many other people.

RP Oh, Xhosa translation

MM Xhosa translation

RP Xhosa translation

MM Xhosa translation

RP Me myself, I think that I am grateful to the Black Sash and the Legal Resources Centre, because they are the people who helped and even now today, if I walk into the offices into the Department, they will have comments that she is going to take legal action against us.

Int laughter

RP Ja

MM Xhosa translation

Nm Xhosa translation

RP Xhosa translation

MM Xhosa translation

RP Even though, I do to their offices and enquire about the municipality grant and when it has to be renewed, you know and should they cancel it, I don't have a problem, because I will approach the Legal Resources Centre.

Int (laughter) She's a force to be reckoned with...

RP Ja, definitely, ja, definitely.

- RP Xhosa translation
- MM Xhosa translation
- RP Ja, she's making an example, if as a kid, you getting hiding from someone and you run an elderly and then you should not forget that you were helped by that person. And even the Legal Resources Centre, they were not fighting against them, they were teaching them the law.
- Int It seems to me that she knows the law better even than the government...
- RP (laughter) Xhosa translation
- MM Xhosa translation
- RP And I did not attend school...
- Int But at least she understands the rule of law.
- RP Ja. Xhosa translation
- MM Xhosa translation
- RP Even at the High Court, when this case, when they were arguing, when they would break for tea, people from the Department would point at her and say, this is the woman who is taking legal action against us and I would just keep quiet and not answer them because, ja.
- Int Did she feel disappointed that it is actually an ANC government that actually, has had the grant cancelled so many times and what does she think is the reason for that?
- RP Xhosa translation
- MM Xhosa translation
- RP I was very disappointed because although it might be divided, some of them, might know how it feels like to be poor and some of them might not. So I was very, very much disappointed.
- Int Has she referred other people to the Legal Resources Centre?

- RP She still does that, she does that all the time.
- Int Okay, if you could ask her...
- RP Xhosa translation
- MM Xhosa translation
- RP I have sent a lot of people to the Legal Resources Centre and some of which I brought myself. This woman who also gets this epilepsy fits, she's got deformed hands because she burnt herself and she's burnt here (points to the body), iron burnt here as well. But people, some people must just be patient, people must learn to be patient.
- Int Yes, I am wondering whether either Mrs. Melitafa or Nombulelo would like to add anything before we end. Is there something we have neglected to ask them and they feel must be added to the interview?
- RP Xhosa translation
- MM Xhosa translation
- RP What I want to say, I don't know about Nombulelo...
- MM Xhosa translation
- RP I don't know about Nombubelo, but me myself, what I have to say is that, I am old, I am very old, I have got many years. I have lived for many years but, but I love this place...
- Int The Legal Resources...
- RP The Legal Resources Centre...
- MM Xhosa translation
- RP Even when I pray, I am always at a point that I include the Legal Resources Centre, I put them in my prayer, in my prayers when I pray..., ja...
- Int What about Nombulelo?
- RP Xhosa translation

- NM Xhosa translation
- RP There is no other place that I would be more grateful to than the Legal Resources Centre, because as in today, I can get up and have something to eat and walk freely without any doubts that I might get an attack. Go fetch my medication, you know, but before then, my mother would ask me if I wanted something more to eat. I would tell her no, save that little bit for tomorrow, in order to have something tomorrow. And because of this place, I am very grateful.
- Int You are pointing to the very nice picture of you and Sarah. You are also in a report, in a very famous report, I don't know if she knows that?
- RP Xhosa translation
- MM Xhosa translation
- RP Ja, she's she's got a copy.
- Int I want to actually thank them both very much for taking the time and coming in. They are both very remarkable people and they have made a difference in the lives of some many other people for their welfare grants.
- RP Xhosa translation
- MM Xhosa translation
- RP That comes for me. She is grateful for the Legal Resources Centre, even this, myself now, says I don't get tired of people, I am patient with people, ja.
- Int She's right. It is not an easy job.
- RP Not at all. Not at all.
- Int So thank you very, very much, I really appreciate it.
- RP Xhosa translation

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Melitafa, Nombulelo, 7, 14 (constant reference to this person, as client)

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