Sibongile Mkhabela **LRC Oral History Project**

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Int This is an interview with Sibongile Mkhabela who is a Trustee of the Legal Resources Trust. On behalf of SALS Foundation in Washington DC we really appreciate you taking the time from your schedule to meet with us and giving us the opportunity to include you as part of the LRC Oral History Project. I wondered whether we could start the interview by…talking about your early childhood memories. What was it like growing up in South Africa under…in terms of apartheid what… did you develop… and where did your sense of social justice and injustice develop?

SM I suppose you grow up in South Africa, you grow up in very isolated spaces, you grow up as a young black girl therefore in particular spaces that were determined by the State. With very little exposure to anything else happening elsewhere. You know, so in a sense you would grow up with very limited experiences, and needless of course to say you don't grow up…grow up in families where there were opportunities of holidays and stuff like that that would expose you to a wider world. So one grows with a sense of limitation, but I think the luck I had was my exposure to books and reading at a very early age. So that gave one a very strong sense of the wider world, of other possibilities. I always say by the time I was 10 years old, I was already in the Young Women's Christian Council, YWCA. And it's thanks to the women within the YWCA who took the trouble to take 10 year olds like ourselves and expose them to reading. My home is in Zola. Zola is where I grew up. It's one of the poorest areas in Soweto in South Africa. And was also seen as one of the most violent. They used to call it Wild West. Thanks to my school principal at high school who changed that, to say the Jewel of the Worst. So I grew up not feeling that I'm coming out of a violent, poor community but that I'm worth it…worth something. So where does the consciousness come from? You know, I hold a view and I sometimes have to answer this question, and over time I've reflected on it, and I hold a view that says, one is a product of ones circumstances and the things that are happening around me form me, and then therefore when I go back to the church, to the women in YWCA, to all my own family, that's really where my political consciousness' and my sense of social justice comes from. That is then enhanced by more reading, more exposure to what's going on out there, and that's who I am. So I'm a person who believes very much in institutions and belonging to institutions, and somehow got caught in the debating culture, in talking about things and in exploring other possibilities. Of course growing up also in South Africa, in the townships, also meant you're face to face exposure with what would be white people. And a first exposure with white people is never a healthy experience. It's an experience of, a white person is either a doctor in a clinic and will give you an injection, so that's your first experience. Or it will be a policeman kicking down your door because your father hasn't got a particular document or the other. So those are the experiences, and those experiences begin to form in your mind that there must be something fundamentally wrong with this. And as I grow up I get associated again with youth clubs, particularly Christian youth clubs. And it's for me I find always interesting that is within these that I began to say not only is it wrong, it is fixable, and I'm not going to tolerate it and by the age of 14/15 was.

Int What's fixable?

SM …I will not tolerate being treated in any way other than the person I believe I am. And it's interesting for me because it comes out of my Christian faith, that as a Christian I strongly believe in I'm created in the image of God. For me it's that no-one has a right and I would give people the right to treat me in any other way. So when then one looked at the political system and the kind of education that one had to go through and so on, there's a rebel that gets born. It's a little rebel who's rebelling around small things but that rebel is born and is nurtured by your continued engagements with people who are older than you, you know. I remember the influence of black theology in my growing up, in my high school years, as people are beginning to talk about these things, of black theology, of the fact that Jesus cannot be white, it's not possible. For crying out loud, he's in Egypt, how does he become blond, it's not possible. And so you begin to fight these images, these images that are intended to make you think of yourself as less all the time. You fight small things, you fight the fact that all your dolls are white, and I don't want a white doll, I want a black doll. I do not want to have this kind of relationship with white people. Either they're inflicting pain on me or I'm adoring them, and I don't want that relationship. And as I grow up I was also exposed to Black Consciousness at an early age, and of course Black Consciousness it's me this is who I am. I can identify with Black Consciousness as it describes who I am and what I should be, and in that way feel I can take my rightful space as a human being, as a black person in this country, and having all the rights that would ordinarily been…or not ordinarily, by law you'd be excluded from. So you'd begin to fight for that which you belong, your belief you're entitled to. And this is all part of being 10 in the YWCA, being a teenage in the youth clubs and in the youth clubs you get to understand and embrace certain philosophies, Black Consciousness, Black Power, I'm Black and I'm proud, all these things you begin to embrace by the time you turn 15/16 you have kind of figured out who you are. And that I've carried I think throughout my life.

Int Sibongile, thank you for that wonderful account. I'm going to take you right back. I'm wondering growing up in Zola which you mentioned was part of the Wild West as such, in terms of your parents and family background you seem to have this very strong Christian background, did it come from your family or was your family in some ways also teaching you the same kind of conscientisation but differently?

SM Well, I suppose its teaching. My father came out of Mozambique and gotten himself to be a South African. But he's a border jumper I suppose (laughter). But he made a decision that he's going to be a South African, he's going to bring up his children as South Africans. So politically he really did not want to play in that space. You know, he had enough to deal with. He was struggling to rebuild his identity as a South African. My mother also came out of Mozambique. So in a sense my siblings were the first generation of South Africans strictly speaking, though both my parents then took up South African citizenship. They had to change their names, they had to change all sorts of things, they had to reconstruct themselves.

Int When did they come to South Africa?

SM Well…I'm not even sure because my father had refused to talk about this. My father passed on when he was 84 and I remember in his last few days I was still saying to him, you truly are not going to tell us everything that happened in Mozambique. And he refused, he refused to tell, but I suppose they must have come around the forties. They were very young at the time.

Int So this was pre-apartheid, 1948?

SM Well, I never understand pre-apartheid, because there is no pre-apartheid, there isn't. pre-Nationalist Party government true. But South Africa for black people under white rule? No. So in essence, they themselves came or carried a particular baggage. And I think in their own minds if there's one thing they would have steered us away from is political activism because that just exposed them unnecessarily and least someone goes and digs out their files, and I understand why my father really thought I was intent on giving him a heart attack (laughs), because I was intent on getting so involved and at the forefront of the struggle. What was your question?

Int I was asking about your family background, you've given me some…

SM Yes, and my mom. My mom came from Mozambique, very…a strong believer in traditional family values, both of them. Strong believer, both of them very religious. We go to church every Sunday, there's no question about it. And of course you've got to tell the entire story what happened in church and all of that. You resent it as a child and that's one of the first things I remember about religion is how long my mother's prayers used to be. Goodness me! I used to feel traumatised (laughs). And for me as a child, how inappropriate they would be! I mean, this is New Year's Eve, 12 midnight, just before the first of January. Every child wants to be in the street blowing whatever they're blowing and the crackers and everything else, that's the moment my mother says let's go down in prayer. I would have killed her, promise you. But hey, that's just being a child. But I grew up with this very prayerful family. But even within that you begin to kind of struggle against their own sense of their Christianity, so in a sense as a younger generation, you say, precisely because I'm…your parents would be saying, because you're a Christian you've got to be more accommodating, to be more giving and forgiving and so on. And you say, it's precisely for that reason that I'm a Christian. Because I will not allow anyone to dominate me. I will not allow it because I'm a Christian, because I'm in the image of God because I like who I am, and I cannot accept other images of what I should be. Whether it's in the manner in which I'm educated or where I live or what I see as being wrong and unjust, I will speak out. And it's very interesting because you come from the same platform but you come with very different attitudes to how you respond to your environment. And I understand that my parents' response might have been more informed by where they were coming from and what they needed to get away from. And mine was more about where I was going and what I wanted to create going forward. So yes, there's influence there but there's also just the childhood teenage rebellion which we were rebels of a different kind. You know, kids today their rebellion is expressed in taking

drugs and so on, we just were not in that historical space. Our rebellion was going to be expressed in how we see politics and political spaces and interpret political spaces. In terms of my attitude towards gender and women and so on, I think my mother has a lot to do with that. My mother died though when I was 14, she died, and my younger sister was 11. So then you kind of have to help the old man bring all of you up.

Int And were you the eldest?

SM No, I was the fifth. Nevertheless by the time she died, I think she had drilled certain things in my mind and my heart and my soul, because no matter how hard I tried to disperse myself from them, they are just part of who I am, and one of them is gender equality. And I think it's because it just comes from…before you read it in huge sociological books so that you can pass your sociology assignment, you live it. You live with a mother who says, there are no girls or boys in my house, I have children. And I will determine who does what as I see fit.

Int That is so progressive. Where do you think that came from?

SM Yes, she's always been like that. I don't know. I just know that I used to cook with my brother and sometimes we'd all be out in the garden with…my father loved flowers, so we'd all be out in the garden doing gardening. So I had…at no point in my life did I have a gender role ascribed to me because I'm a girl. In fact it was the exact opposite, I guess my brothers were beginning to say, no, but how do we wash dishes, we are boys. It was: I have no boys in my house. The day you become a boy you walk out of my house. I have children and I will decide what they do, when they do it and how they do it. So in a sense when you grow up in that it's not even something you think about. It's just how you are. And when you begin to see how the rest of people live, then you begin to understand, you know, gender and gender 'roleing' and all these things but it's hard for you to internalise them because somehow you've been trained differently even as a child. So yes, I get involved in politics and I got into a trial where I was the only woman with 10 men, and many people are: what did it feel like to be a woman amongst men? Actually I didn't think about it, I was just with guys and I did what we needed to do and whatever needed to be done needed to be done. The gender issue might have been a coincidence but it wasn't something that determined how I responded to situations.

Int You also mentioned early on tha…you had this love for books and you had access to them. I wonder whether you could talk a bit about that.

SM Yes. I still love to read and I still believe it's important to allow young people to begin to read, because I mean, growing up in the kind of environment I'm describing and yet having people who had the foresight, people like Mrs Kuzwayo who had the foresight to arrange for transportation for us to move from where we were to Dube. Which is where you had the omni library. At least that was accessible to us. It is about 3/4/5 townships away from where we are. So you had to put some effort into moving from home to the library, but one would do that almost religiously every Saturday. Because I found that meaningful not only that we were exposed to all sorts of books,

there must have been books about anything: children's' stories, whatever there were, it just helped us expand our minds. But importantly during those Saturday sessions, there would also be older people, younger people who would come and talk to us about a particular book, a particular issue that was going on, in a way that helped you engage your mind and open your mind to a number of possibilities out there.

Int I'm also wondering in terms of…this incredible loss that you experienced quite early on at the age of 14, did that in some ways shape you in terms of…you mentioned the words rebellious and being a rebel quite a bit, and I'm wondering whether you found a political home, perhaps?

SM My mother died when I was 14 but we're a very, very strong knit family, so I can't say I was looking for something. I was just redefining myself and that's how I defined myself. I think my father given the times, he did an excellent job being a single parent of all six of us. And providing us a space where we felt safe enough to try the world and be able to come home and be safe. We brought this insecurity into the family, but…I don't know whether there's necessarily a link of the loss and being politically active. I don't know. Maybe there is but I've never explored it.

Int In terms of turning points and critical moments, I'm wondering at what point did you think that your conscientisation really developed, because early on, you told me about how you had this sense that you didn't want to be dominated and that your experience of white people initially was not positive.

SM Well, I suppose it develops when one is in high school, when you are beginning now to…you know, in preparation for your debating sessions, you're reading about the OAU at the time, Organisation of African Unity. Yes, you know, you get crazy about those kinds of things and the leadership, exposed to African leaders, Jomo Kenyatta, you get exposed to what was happening in Mozambique and now you begin to take this country where your family or parents came from and get into the politics of that country and understand where they came from, the oppression by the Portuguese which is something you've had all your life as a child. So as a child part of your stories is the stories of the Portuguese and how they had treated my parents and why my parents had finally crossed over to South Africa. It's little bits of stories. It's stories that you get…my father wasn't a very…he was a very soft spoken person who hardly really ever spoke. So you had little bits of stories he tells now and then that are somewhere in your subconscious, but now as you begin to read all these things now begin to come back as some of the things that might have informed, influenced your own life, by influencing your parents' life. So one would probably say at high school I joined the South Africa Student Movement…

Int What period was this?

SM I went to…it must have been around '73 and then I had to leave school for about two years and work, in my young mind, to help my dad. He really thought it was stupid, and I think he was right (laughs). There was no way I could have helped him. The

only way I could help was for him to send me back to school, so two years later, he said, go back to school.

Int So this period when you left, what period was that?

SM Oh, it must have been around '74. I left…I lost out '75 and went back to school in '76…no, '75. I lost out '74.

Int You also then were in school when the '76 Soweto Riots occurred. I wonder whether you could talk a bit about that.

SM Well, yes I did, I went to school at that time and of course before I lost a year the issue of Afrikaans being introduced, which of course in my mind and I guess in the minds of other young people was seen as just another way of domination. Another way of forcing us to succumb (inaudible?) and pick up other culture and other languages and so on. And more importantly it was another way of depriving us of education. Because as I say, with my father struggling, he was earning R20 a week, I remember, and he was bringing all of us up. But when I thought I would go and work, he thought that was the most dumbest thing to do. But he allowed me for a year.

Int So he was keen on educating.

SM Oh, that was a non-negotiable. But he allowed me that year. And when I said, I want to go back to school, he says, about time, I was going to push you back there anyway.

Int What did you do in that year?

SM I did all sorts of things. I remember walking away from one job that I did, because some white person said you must pull up your socks. And I thought: My bleeding God, what you…What right? I was so angry. It was raining, a soft drizzle, but that kind of soft drizzle that can get you wet. I remember that I walked for about 30 minutes in the drizzle without feeling I was wet. I didn't know I was wet until I got…I got into a train back home, it was still raining in Soweto, and I walked through that rain until I got home. But I was so angry. When I would say when was the angriest moment in my life that was the angriest moment in my life…

Int What was the context of that? You obviously were working…

SM Yes, I was working…what was it, it was an architect place and copying architects' drawings…whatever it was, I don't even really remember the context. I think more it was the feelings that were brought, the feeling of, how dare you? Who do you think you are? And probably that was the moment when I went back home and said to my dad, I'm going back to school. He said: I told you. I told you the world is harder than

you think and harsher than you think. But somehow in my mind it…I suppose when you're young and thinking you're helping when you're not helping anything. So yes, I don't have a straight line about my life, it goes that way.

Int Of course, absolutely. So you got to school, 1976 happened, where were you in relation to the…

SM Well, I was, in '75 I was back in school, so before that, '73 already, I think that's when they introduced Afrikaans. And I went through it and it was not fun. I hated it, I hated the language, the teachers didn't know how to teach it, no-one understood what they were doing and I was subjected to it because my principal at the time, one the schools, had agreed to be part of the guinea pig schools that would test Afrikaans. And it was disastrous.

Int And this wasn't the principal who said, Zola was the jewel…?

SM No. That was a moron out there in one of the townships. I mean, when I went back to school first I had to cut my links from that disastrous situation there and join the school which I felt…in this school I felt embraced. You know, I felt I could be nurtured and this is the principal who would really motivate us in ways that we have never been motivated before. And his emphasis, like my dad, was on education. And I remember that whilst corporal punishment was the in thing at the time, he never picked up a cane ever. And yet he had the biggest influence on us…

Int What was the name of the school?

SM Naledi High School, and that was Mr Mtimkulu who unfortunately passed on. Mtimkulu, I think it was '75 when there was a horrible accident and his pupils died on their way to Maputo and he just never recovered from that. And that is one man who loved us unconditionally. He was not just a professional but he had a very clear vision for us as African children.

Int It's refreshing to hear about a schooling experience that's positive, especially in an apartheid system.

SM Yes. I think that for us was good, was positive, was taking us…but then the schools in the time…I mean, when we got involved as we were getting involved in 1976, the teachers were very instrumental in helping us contextualise our activism. And in helping us…you know, drawing the line from being rebels without a cause to being determined about what we wanted to change, but also being committed to education and educational values. So I had a very positive experience, especially of my latter high school. Of course the first one that I went to was completely disastrous, not because the school system was bad but because we just had a moron of a principal. So yes, and it's just one of those and I can't even say shaped my life in any way except to say, oh yes that was bad, and moving on, you know, and doing other stuff. But here

one was right there, I was one of the student leaders at the time, and was quite instrumental in putting together June 16th and being on the start of the student movement and being the young general secretary, it was (inaudible) as it is today and it was just part of student activities. But yes, from that platform then we organised and implemented June 1976, and it became what it became.

Int In terms of what it became, I think despite a lot of focus there doesn't seem to be understanding of the amount of loss, because as a young person in that time you obviously had friends, even if it's in the neighbouring township, suburb, even just the fact that you lost people, and I'm wondering if you could talk a bit about that because it seems to me there's a sense of horror as well, because police were shooting randomly at young people.

SM Oh, I have a very strong sense of course about that time. For me I remember when we were marching, we were coming from Naledi, that was my high school, and it's further down in the west, and Hector (Pieterson) died, I think, more to the south. So as we were marching, we're the furthest group that would join the rest of the march and we were coming from different…and the way it was planned is that we would come from 3 different areas and we'd all join at a particular point and march together. And as we were marching we got the message that the group that was coming to join us, it's in that group that Hector (Pieterson) had died. For me that was a defining moment, if there were defining moments, and that sense of loss where a little boy, Hector (Pieterson), just never left me…has never left me to this date. I'm aware of it, it's still kind of…there's still a sense of mmm…and more than upset, and enraged by that killing. And of course there's a sense of horror, but more the sense of loss…and having been instrumental, having been a student leader, having organised the young people to march, having taken them out of the classroom, there's a sense of responsibility that you can't separate yourself from. You can rationalise it, you can understand how it happened and the fact that you would have done the same even if you had known that that was going to be the final consequence…you would have done the same. You would have organised the march. You would have taken to the streets, whatever it would have (inaudible). So for me that moment that I remember walking with my friends and hearing this message, that at that point there is no turning point, we've paid the highest price. Going back would be to be unfaithful to the boy who had died. And by the end of that day we didn't have as many deaths as we had the next day, June 17th. June 17th was a horrible day. But I think from that moment onwards I was almost carried by something else, you know. Within me there was born something…I can't describe it quite, but it's a sense of: we are going to be in this for a long time. And up until we changed the status quo there was no way that I could see myself outside of this huge struggle and movement that we'd been part of that we'd started, where people have paid the highest price…I mean, there are also slogans that keep you going, you know, the blood of the martyrs and so on and so on. But I think because I also tend to be very personal about things I get involved in. As much as it was a young boy to struggle, and I suppose, intellectually I could grasp how it would have happened, emotionally, spiritually, I still felt that those of us who've been in there that far there was no way we would come back without finishing that journey that we started. Absolutely no way. So I continued to be very involved, '76, got arrested, got into detention, came out of detention, got back to where the struggle was (laughs).

Int How long were you detained in '76?

SM '76 I was detained from August…June 16th…I was detained in August 24th…just on the day that we had organised the stay away. It was after that we felt well, let's change strategy, let's have a stay away. On the day of the stay away I was detained that morning for 3 months. So this was the Section 6 of the Terrorism Act, Jo'burg Central…what was that? John Vorster Square.

Int So were you targeted specifically by the Security Police?

SM Oh, yes. That was specific targeting that morning. You know who else was detained that morning, and was found…I mean, by then we're all on the run. We're all not staying at our homes, and that's why I said, my father thought I was determined in giving him a heart attack. But I was just too young to understand things from where he was standing. Now, I'm much older and I can say, oh my God, I almost gave that old man a heart attack indeed. Because imagining where he came from and what this would have meant for him personally, and the fact that he had brought us up to that point on his own and probably where he was sitting he could just see us throwing it all to nothing, it was all for nothing because all he could see, you know, she's going to end up in prison, she'll probably end up dead. And each time he spoke about those things as I say, (inaudible) somebody, he's going to die. It's going to be somebody else's child. You don't want it to be your child, whose child is it going to be? The kinds of things that young people say without much thought.

Int What about inter-generational conflict, because obviously your father really wanted you to get an education?

SM Of course.

Int So I'm just wondering…how do you reconcile…you say, you nearly gave him a heart attack, but what is the kind of conflict that you now reflect on in terms of your activism and the family?

SM Well, I struggle with that, as you can hear, that I struggle with…but you don't struggle at the time. You're too young and obsessed with your view and your world, and your perception of the world is your reality. Ok. You remember that you fight first the religion, that your religion is not radical enough, you know, you are both Christians but your God seems to be white, mine is black. You see. Yours might even be a man, mine is a woman (laughs), you know. So it's issues that you pick and you see how right you are. And then comes this issue where politically you feel, for you, for me, that moment when Hector (Pieterson) died, I got myself in there for the whole haul. There's no way he could understand that because I was his daughter and therefore for him it must have been a huge pain. And as it happens in getting politically active, there's self-centredness and being self-absorbed. I think that…I can't describe it in another way. In some way there's a selfishness in most politicians.

We're so busy trying to look at the world out there that often we're not looking at the people around us. My younger sister, just before I was detained in '76, she was…yes, my sister was pregnant at that time…and when the police came and didn't find me, they took her. And they took her inside a…you know these Hippo vehicles, these huge military vehicles, you're scared of them just looking at it, it looks like a huge animal. And they took a young pregnant girl and put her inside that thing. And drive with her around the township threatening her with death all the time. And for me that story does not hit home, until it hits home now. And I'm thinking, oh my God, did I put you through that! You see, so there's sense of guilt in some places, of some things you could have done better. But at the same time understanding that that's who I am. Whatever thing I drive, I will drive it with the same kind of passion and vision. And the same way I drive the Children's Fund today, with the same kind of single-mindedness, and absolute passion – if I'm not passionate about it it's not meaningful enough to me. So that's who I am. I'm just old enough now to negotiate the space a little bit more carefully. To bring people around me a little bit more on the same wavelength that I would be on, as opposed when you're younger, your reality is what you see, is what you want to get. How someone else sees it is…I remember having such a big fight with this very close friend of mine, Enos (Ngutshane)– was also very involved. Enos Ngutshane. June the 8th, before June the 16th, we were in the same classroom, and we were all in the same student movement. And I mean, by then, I suppose a Special Branch had already gotten some wind of the young people behind all of these things. So they came to our school and they wanted to arrest Enos (Ngutshane). Needless to say there was such a huge protest there and we made sure that Enos (Ngutshane) disappears. And the police car burnt and my aunt who had to taken over bringing us, helping my dad bring us up, asking me: how did that car burn? I said: it was a very hot day and it burnt. So Enos (Ngutshane) is very involved. So comes 1977 and the government says, go back to school and write your exams in March.

Int And you'd been detained…?

SM I'd been detained between August and December. Now we're back in the classroom '77, and the issue is write your exams, and some of us say, not before you release the rest of the detainees. So we had a big fight with Enos (Ngutshane) on that day. He's saying, we should write the exams because it's time for us to move on. And I said, but we can't do that, we still have kids in there who don't deserve to be there. Let them also get a chance to write the exams. It's a sense of right and justice and fairness that sometimes is completely unreasonable.

Int It's also a sense of solidarity, isn't it?

SM Yes! But sometimes it's unreasonable, and I know that about myself that I can get so caught up in it that I can be completely unreasonable about it. So we have this huge fight. I mean, we had never, ever had a fight before. We were such good friends. That that day I said, I'm never going to be talking to you again. He left, he didn't talk to me, or I didn't talk to him. We didn't talk for months. He made a decision he will write the exams. I made the decision I will not write the exams.

Int And education was so important to your identity.

SM Yes! So when he wrote the exams, I felt betrayed by him as well. How could you write the exams? When so and so, and so and so, and so and so, are still in those prisons! We've buried so and so, buried so and so, buried so and so, they didn't deserve to die. But look, he probably had a good point. Subsequently he went into exile. And again, many people would say, well, why don't you go into exile? I had a very strong sense of family. And it's my family that kept me here. In all this activism I couldn't see myself away from my family. I just couldn't – my brothers, my sisters, my dad, oh! I just couldn't. I could be in a prison, that's ok, we're still in the same country, but the idea of being out there with no prospects of coming home was just too terrifying. Nevertheless Enos (Ngutshane) wanted. But if this comes off what I think is right and what I think is wrong.

Int Where do you think that comes from? Does it come from family? Does it come from religion? Does it come from both?

SM That's me. That's just who I am. I just have that…I suppose being just strong-willed and I suppose it could be a product of a number of things that happened in your life, but at the end of the day it just becomes who you are. I'm the fifth at home, but when my mom died I stepped into her shoes and I ran the family with my dad. And I tell my older sisters what to do, when to do it and how to do it. They still think I'm older than them. But I suppose it's just in you, that's who you are and …probably because you're uncomfortable with situations that are uncertain, you want to bring certainty, and as such you get in the driver seat and say, ok, let's get it, let's just get it and get it done. It's better than…it's just too iffy for me. It's so iffy…I don't know, I've never been to a psychologist, I've no patience with psychologists. I don't think they'll be able to unpack all of these things. There's just too much, isn't there? (laughter)

Int That's life I think, people's lives.

SM That's people's lives you know. They walk in, they look at a psychologist and they…no, you won't even get it. It's not even fair to ask you to get it, because finally that's what makes us such different human beings. It's all our experiences and how we experience things differently. Protective to my youngest sister, because she's only 11 and naturally I had to protect her. So having seen her in a police van…not in a police van, an army vehicle…and all because they were trying to find me, just makes me feel terrible.

Int It's interesting because you used the word responsibility early on, I'm wondering what about guilt? Because we've been talking about guilt but we haven't used the word.

SM It's a sense of guilt. I think that I used it when Hector (Pieterson) died, there's a sense of…

Int As a student leader.

SM Yes, we organised that meeting. We organised the meeting of June the 13th. We took that resolution. When I was a student leader I took resolution that we'll go to the streets and we will protest. Of course we were young! So what do you know about mass movement and mass protest except what we read from the Civil Rights Movement? So we really thought they're going to hose us down because we have seen that's what happened with the Civil Rights Movement, you know. None of us said, they will use live ammunition and they will kill you and there will be masses of boys, bloodied grey pants, that's what you're going to see. By the end of the next day all what you're going to see is a young boy, you can almost see the legs drawn up there, and you know he's dead. And there's a policeman who's gone completely out of his mind **inaudible** and he was shooting at anything that moved and was wearing grey pants. So that's what you see, as figures in your mind. Which I suppose when we were to write the exam in March the following year, it was still these images that said, but how do we do this? how do we just walk away and continue with our lives as if nothing has happened? Something major had happened.

Int Something major also happened to you, because as a woman you got detained under Section 6, was it solitary?

SM Of course. Of course it was solitary for that three months. And I think that is the most punishing…

Int You must have been about 17, 18?

SM Yes, I was 18. That's the most punishing thing that would ever happen to anybody. It's very brutal. You are…like I say, I can't deal with uncertainty. You're completely uncertain. You don't know what's going to happen. But my daughter wrote a play, and it was very interesting for me to…because she does dramatic arts…and she wrote a play which she calls Apricots. And in her way she was trying to understand what I went through. And it was beautiful to see it from her eyes, because now and then I'd say to her, I've got such bad recollection and such bad memory I forget people's faces and sometimes people even think it's arrogance. And It's not arrogance. And what she interpreted, and I think she was correct, it's a consciousness, it's consciously wanting to forget. Because when you get into that you've got to find a way of surviving. How do you survive? You have to forget. So she does this play, which I find very fascinating, of playing with memory, how you play with memory.

Int Gosh. How old is she?

SM She's 24 now.

Int And she did that when she was?

SM She did it 2 years ago. When she was 22, she was just doing her degree in dramatic arts.

Int And it's called Apricots.

SM It's called Apricots, because in that she just writes about…and in my yard at home there were always fruit trees. There's the apricot tree, so we talked to them about the apricot trees and the grape tree and the peach tree that my father loved…my father loved his trees. So somehow she…it was very interesting because I watched it and it was like, yeah, I think you're right, it's the issue of how you fight to forget and that she's saying it's important never to forget. But in that play forgetfulness wins the game because to survive you've got to forget. You've got to forget what…and she talks about simple things, what the apricot smells like, what it felt like to climb up the tree and get the apricots. You had to forget those things because it was too painful to remember. You're not (inaudible) in therapy and we're not (laughs).

Int But actually it's very important your recollections. You know, you say that…I mean you're in solitary, you're a young person, young woman, and there's uncertainty, in terms of…often when people tell me they're detained they find ways in which to cope. What was your way?

SM I think it's that thing of forgetting. Of trying to forget. Of writing, writing on anything, there was nothing to write on except pieces of toilet paper as part of my…it's very interesting actually because it wasn't the first time, I think it was the second time in prison, and I had learned the first time that if you wrote on a toilet paper, and I have absolute respect for toilet paper, and somehow you found a needle, and you stuck it in the hem, you sew it in, it can get home. So that's how I got my messages home. But then that also became part of my indictment (laughs). That led to my conviction. Because eventually, apparently, some Security cop found finally started searching the hems of the skirts and found 2 or 3 of those toilet papers that became evidence.

Int So were you indicted and convicted after those three months, because you'd gone…

SM Oh, that was the first 3 months and then we were released and then we didn't write exams, and of course as we're not writing the exams we continued to organise protests and what have you not and what have you not, so then I was detained again August '77 and that detention went on for 11 months. Then I was tried…that's when I was tried with the 10 boys. So it was 11 of us tried together. And we were convicted and the trial took about what…what did that trial take? The trial took about another 11, 10 months. And of course you become isolated…that's when you felt being a woman, because once you're with the guys you have your first solitary confinement because you're in Section 6. Once you are tried, you're supposed to be going on trial with the on-trial prisoners, political prisoners, but on-trial prisoners. Now for the guys they could all be together, there were 10 of them. But I couldn't be with anyone, so it meant another 11, 12 months of solitary confinement…again now I was at the Johannesburg Women's Prison.

Int And your family was aware of where you were?

SM Sometimes they were, sometimes they weren't. because I moved a lot. I moved through most of the prisons. I moved a lot. So when it suited the cops, of course, they told them. When it didn't suit them, they didn't. But that's part of it.

Int So after you were convicted…and did you have a lawyer represent you?

SM Yes, we were represented first by **inaudible** before he left the country unceremoniously, and then Wennie Wentzel, who has since passed away, he was the senior counsel in that case.

Int Was that part of Webber…no, it wasn't Webber Wentzel.

SM No, it was someone else. I'm not sure if (inaudible). He's died of cancer. It was 11 of us, five of us were convicted…no, all of us were convicted, five of us were sent to prison and the six were given suspended sentences.

Int What was the basis of that? The fact that only you were sent…?

SM Well for me in particular he just hated the fact that as a woman I think…

Int The judge?

SM The prosecutor. My goodness me, this man could not cope with the fact that I was a woman. Whatever he said he came back to accused number six, and accused number six, then accused number six. But I mean, the whole trial, the entire…the indictment was everything that had happened prior to June 16th. So the June 8 incident of Enos Ngutshane, was there. The burning of the car, everything was in the indictment. Everyone who had died…so they called it sedition, which really means, you know, they're not directly responsible but they're the people responsible for the entire organisation of this whole thing of June 16th. So yeah, why we went into prison, I don't know.

Int And then you were moved around a lot. How many years did you spend in prison?

SM Two years and I was four years suspended sentence. And then I served three years in…the banning order three years of house arrest. And in those 3 years, where was I…Johannesburg Prison, Kroonstad, where most of the women were, and there were Dorothy Nyembe and Joyce Mashamba and many others. But I also felt…you know there were older women and there were us, younger women, ready to saying where is the next battle? I mean, the first battle for me was I'm not putting on prison uniform. I

will put on your overall because I've got nothing else to wear but I'm not wearing anybody's doek and I'm not wearing anybody's pinafore. I'm not going to be making anybody tea, thank you. Now that was part of this prison uniform for black women. And for me it was, no, I'm not doing it, thank you. And I remember when the judge did his judgement, read out his judgement, in my head I made a decision, it will break you **inaudible**. And I said, ok, they will not break me, period. And that means 'Aluta Continua'. Whatever struggles are there, they're not going to get me ?

Int ….Some people tell me about how when you're in prison there's conscientisation that happens, and you were in Kroonstad and of course there were older…did you have women activists, did you have access?

SM Well there were older women there, Dorothy (Nyembe) and then others. I mean…some of them they are…I think they felt the younger generation were simply going to make things more difficult. I think they had found a way of surviving prison. We were not a generation of the sixties, we were a new generation. And ours was, everything or nothing. So we're not compromising on things that they would have found ways of compromising. And so I suppose, if there's conscientisation that happens, for me it was the strengthening of my own convictions and probably be more inward looking, because once you're convicted I didn't believe that my strength would lie in the external ability to rely on my internal…and that's where your faith comes into it as well. And I still do that, when I face any crisis, I tend to withdraw into myself. And in some ways it's not always very helpful, you know, but there's those of us…there are those people when they are in crisis, they want to talk about it. And in crisis I shut down. And I still do it today, I did it then, I shut down and I rely on my own internal strength to pull me through. I'm learning to do it better, but it's very hard to unlearn things you learn at a very young age. They become part of you. With women, I suppose, it was more difficult because as much as we had access, we were really coming from different spaces. Those of us who still had the fight in them, and you were meeting with people who say, well, you know, we are here now, there's little we can do, and as far as the prison itself was concerned…and those of us who felt, what the hell, what the hell! And I suppose for that, we also didn't get a chance to build bonds because of the movement. And I moved from…and in the 24 months between Johannesburg Prison - Kroonstad, and from Kroonstad to Klerksdorp and Klerksdorp we don't think we can manage her, she's completely unmanageable. Finally to Pretoria maximum prison where you are now back into isolation for the last five or six months of the prison sentence. So I spent most of the time, I think, on my own.

Int I'm also wondering…so you get out in 1980 and is the banning order slapped on you immediately or is it…?

SM It was a few days later. That was 1981, (inaudible) and must have been two, three days later that I got a banning order.

Int So that really restricted your movement because then you were in Zola…

SM Completely. Because you are restricted to your birth area, Zola. You're restricted from entering any education centre. You are restricted from…so you had to the magisterial area of Johannesburg. So it could be between Zola and Johannesburg. I don't know how you would do that. I just never figured out…these guys are completely crazy. How do I move from Zola to Johannesburg without going through the entire Soweto? But then that is what introduced me to the work of the Black Sash and the Legal Resources Centre subsequently.

Int I wonder whether you could start by telling me about how you came across Black Sash and how you then got into the Advice Centre?

SM Well, at that time…how did I get to the Witwatersrand Council of Churches…I think I was introduced by a friend to the Witwatersrand Council of Churches. And I kind of liked the work that they were doing. In a way she was beginning the advice movement and for me it was part of mobilisation and mobilising people. So I went to train at…their training was at Black Sash, so that's how I got into Black Sash as a trainee. Then had…instead of going to Orlando where I was supposed to be, because of the banning order then they…we then had to establish an office in Zola. Which I still think is one of the best thing I've ever done in my career is to work in that advice office because nothing brings you closer to the issues, and nothing keeps you politically sharp and motivated, as when working with real issues on the ground and hearing where…I always say, advice office helps you to keep your finger on the pulse of any community. I suppose that's the sadness of the absence of advice centres now and that's why Alexander and the other xenophobic incidents' would happen without the leadership being aware. Because if you're in an advice office you have so many people coming…number one you build relationships with people in that community, ordinary people, not the…everybody in that community. You just get to know the community because you walk it, and it's a good thing I suppose that at that time I didn't drive because it meant you walk the streets, you greet people, you get to know them, but they also come to your office with their…I mean, the problems mainly would be around…having been trained…and this is how it brings the link with the Legal Resources Centre…having been trained with Black Sash, the training was primarily around influx control. Going to the township and working the issue wasn't influx control. The issues were different, it was around issues of pensions, issues of labour disputes, which we had to deal with. It was issues of housing and people's rights to their houses, issues of insurance. I discovered when I worked there that all…every house in Soweto was insured. And we learned to get insurance to pay when something happened to those homes. Now most of them didn't even know that those homes were insured. So you had to deal with these issues, and I remember establishing the link with Legal Resources Centre to assist with these issues. Because now for whatever you've been trained to do that was not the problem presenting on the ground. The problem presented on the ground was very different. Oh, but I was also completing my matric because I hadn't finished writing my matric, remember? So I finished writing my matric through SACHED College. Oh, the banning order interfered with that as well so I couldn't finish writing with SACHED College because I could not be found in any educational institution. So I had to find a way of finishing my education up in the air. How did I finish my matric that way? I need to think about that, I can't remember how I did it finally. I know I did finally…

Int You were still living at home at this stage?

SM Yes, I was still living at home. I got married in '82. My husband was serving a banning order as well. So we had our own drama around those sets of things. I was then moved to Moletsani but had to ask for special permission – of course it was not granted. So we lived illegally for the first few years of our lives…you just live your life. Now coming to Zola and working with this particular advice office, we had to link with the Legal Resources Centre at that time. It was Mahomed Navsa and Thandi (Orleyn). Thandi (Orleyn) joined later. I think it was someone else.

Int Morris Zimmerman?

SM Yes, but he was more senior. I mean, Mahomed (Navsa) drove to Zola every week, if not twice a week, to look at the legal issues which we were picking on the ground, and he would take them forward and would advise us. But he really became the hand holder. And then organised training, which we did with Arthur (Chaskalson) and then they helped us with the training at that time. But he continued to service the advice centre on the ground and that's where we established good bonds and relationships and I was talking to the Legal Resources Centre, I was talking to Pinky (Madlala) almost every day. You know, Pinky (Madlala) this is going on, what do you think I should be doing? Should we put it aside for Mahomed (Navsa) or do you think we can handle it? We handled a number of the issues, and one, you get to know the township, you get to know the lawmakers, you get to know the administrators, you also get to know the people who are working at National…because you did know the issues on day to day basis. So I got very active with the Legal Resources Centre at that point and did training with the Legal Resources Centre, paralegal training, with the Legal Resources Centre. Which really, really, really assisted. Because between the training that I'd done at Black Sash, which had been more influx control related and probably a little bit on land issues…but I was working in a township with very different sets of problems…that training enabled me to work in this township and fortunately got two…three volunteers, just young people in the township who got very interested in this kind of work, and they wanted to know more and so we all got into training. They got trained as well. Must have produced not less than 10 paralegals within that little centre. Because of people who would come to the office, get very interested, and I'd say, why don't you get trained? And people would get trained, but I think for me what was the best out of the advice office time that I spent there, was when someone would come and say, look, I have my mother, this is how far I have gone. I have taken them through the process that you took me through, so we've…so when you start with your first person, you start from step one to ten. The next time the person comes, they've been able to assist their neighbour up to step four. So there is education going on there. Then you've got to start on step five where they got stuck and understand how they got stuck and you take them through. But you are creating educators as you move…educators in the community, people are aware about their rights and responsibilities and so on and so on. You know, so…and then you begin to organise little groups of people around specific issues that they were struggling with. It could be…I remember there was one of the areas that we decided at some point to focus on and these were men who couldn't find employment who were between the ages of 55-65 before the pension came and how you deal with those ten year gaps in their lives

where they didn't have pension. They seem to be too old for employment and too young for pension. And these kinds of issues that kept one connected with the issues and with the people experiencing the issues on the ground. But it enabled people to access their rights, no matter how limited their rights were, but enabled them to access some of their rights.

Int You know, you also got involved in the Zola Advice Office at a crucial time because the LRC had just started and then there was the Rikhoto case, and Komani case, and that changed influx control legislation, pass laws, etc.

SM It did.

Int I wonder if you could tell me how that impacted on your work.

SM Well, you see the thing is that when those came in, when those changes in policy came in, I was still…I think when the Rikhoto came in, I was still at the Black Sash office in training. So being at Black Sash you then started to help people access their rights, I think for Section 10 1b. They moved from Section 10 1c to Section 10 1b. For anybody else it is all this crazy talk (laughs). So from Black Sash it was…I think that was exciting. But that excitement dried up when we went to Zola. Zola is an established township. Ninety nine percent of the people have what they called Section 10 1b. So the issue of influx control was hardly a problem for you. Your problems were different as I said. Your problems…that's why the LRC coming in was the most crucial thing for us. And I remember having this conversation with some of our colleagues that, you guys don't get it. In the towns that's why people who go for those problems. Here I'm dealing with different people been here, have learned how to deal with influx control but most of them are not home owners; they're renting their homes. So I need these kinds of skills and the paralegals became more important for us out there.

Int So you got your paralegal training from the Legal Resources Centre. And I was wondering, because it seems to me that the Hoek Street Clinic did incredible work and I wondered whether you could talk about that.

SM Who was at Hoek Street?

Int Morris Zimmerman and Mahomed Navsa and Pinky (Madlala).

SM Oh that's the LRC office. Was it Hoek Street? It was Hoek Street. It's Hoek and Pritchard. They didn't want to do work there. They came out into the places where we were and most of the work, they did the actual work in Zola, took some of the cases to Hoek Street, but they did most of the cases right there. And when I say they came to Zola, they came and they sat down and they worked there. It was a fantastic team. So those were our experiences with the office there. Then the training, because what became apparent to all of them is that we needed training, we're the people on the

ground, we needed to be trained. And at that time I think I had just managed to get my matric or something, and here my trying to get into the legal field…but yeah…

Int When you liaised with the LRC you were really liaising with Pinky (Madlala) and Mahomed (Navsa), it seems to me.

SM Those were the key people. The key people on the ground; we experienced the other guys…

(*Interruption …interview resumes)*

It's truly your finger on the pulse of that community. I would tell you when I worked in Zola, I would tell you whether there was going to be a protest march. I would tell you who the leaders are going to be. So you have your own intelligence on the ground and you could anticipate and provide leadership. Or sometimes the leaders would come to you to understand what the issue was, what they were trying to do. So you became an advisor to community struggles and movements and you were able to drive issues from that point of view. Now if you don't have, you don't only have people knowing what their rights are, that's one role, you can replace it in one way or the other, but the absence of leaders and points of contact at community level is disastrous.

Int I'd like to actually pick up this further because I realise that you have another meeting, and perhaps we could focus more on the in-depth issues of the advice centre and then move on from there subsequently. Thank you so much for your time.

Interview 2: 5th August 2008

Int This is the second interview with Sibongile and it's Tuesday the 5th of August (2008). Thank you so much again for taking the time for this interview. I wondered whether we could really start at the point about the Zola Advice Centre. I hear from other people in the LRC how important it was and how much life you gave to it, and I wondered whether you could really talk a bit about that, also how… the genesis of it, also the types of cases that came in.

SM I think in the last interview we spoke a bit about that, about how it came about, and it came about, as I said, as an accident of my banning order. I was restricted to Zola, and therefore, Black Sash which were my trainers, agreed to move their plans from Orlando to Zola, which, you know, I think was probably the best thing to happen for the office and the community of Zola, but also for ourselves as people who are on the human rights place and trying to deal with people's rights. Because Zola is, as I indicated in the last interview, is a very depressed area. Economically and in any other way, it's the furthest from town, so in terms of moving from Zola to Johannesburg city it's quite an expensive exercise, and therefore having an entity that would service communities right there at their doorstep, was also unusual because most service providers would probably stop at Orlando, Dube, the more affluent townships who also had more vocal leaders. These are the places where people like (Nelson) Mandela would have come out of, people like (Desmond Mpilo)Tutu would have come out of, but then the further on, like the kinds of townships that came about as a result of activists like Xuma, I think, Dr Moroka, I can't remember quite well, who were removed to the shelters and the people of that area then were built homes in Zola. Zola comes into being in 1959…and it's an area that's literally for people to go and sleep. Few schools, couple of basic clinics, but no other services. It survived because of the creativity of the people themselves, creating community youth clubs, as I said, I've been in youth clubs all my life, and those were created by the communities themselves. So you really are looking at an extremely deprived area, crime very high, without it being managed or anyone caring. I mean, jumping over or looking or seeing someone killed was something I experienced as a child growing up. And watching gangs chase each other with long knives. So for me I think it was a privilege to find myself within Zola and working from the perspective of rights within that population. Now structurally the Zola Advice Office was accountable to the Witwatersrand Council of Churches and the training partner was the Black Sash. As I said, however, once I was on the ground, and listening to people and their real problems they brought, I realised the limitedness of my training. Thus my links, and I think that starts mainly from Pinky (Madlala) and Ma Vesta (Smith), to a point where it was structured…of course I can't remember how it came about…that we finally ended up with an institution and relationship that allowed Thandi (Orleyn) and Mahomed (Navsa) to come through to Zola every week. How often did they say they came?

Int I think it was every week actually.

SM It was every week, yes. To come every week and take the cases that we couldn't handle, which would primarily mean areas that needed litigation. We would otherwise handle most of the issues that would arise. And what were the issues that would arise in Zola? Housing was big. Ownership of…you know, people who were in rented properties. However there was a…in terms of legislation at the time, women would not be…not the property holder because they didn't own the properties, but the permit holder. There were permits, people had permits. So women wouldn't be permit holders. So in instances those also are very strange, there's also very funny things in Zola because that's where you get…I mean, it's life as it's lived, so you expect anything and you get practically anything thrown at you. And this old woman walks in one time and she just sits at my desk, and she says: you know, my child, this municipality that I have to live with. And I'm thinking, why are you living with the municipality in your house? She says: no man, my husband died, and because I couldn't be the permit holder, I had to marry this bloody man, and I can't just think of him as anything else but government in my house and my bed, I don't know what he's doing there! (laughter) That was typically Zola. Stories were told in a peculiar way, and in talking you found your way around what the issues were. And that was common for women to find themselves in relationships that they didn't want to be part of in order to hold on to the properties. And she wanted basically to know when can I…if I do, because she says, you know, my daughter was 13 asked me a strange question which is why I'm seated here today, she said: mum, how much does it cost to divorce? And I said: I don't know, why? She says: well, I thought it's maybe money that's making you sit with this man. You see, that level of relationships or disintegration at (inaudible) but those are kinds of problems we had. So you had housing problems, we had people who wanted to know their status with regards to their marriages, and especially women, what their situations, how their situations would change, their material situations would change if they divorced or they needed to stay married. Half the time you ended up being the counsellor because you didn't know is it the divorce or the marriage is in trouble? So we were in close touch with all sorts of people, including marriage counsellors. So you knew the local marriage counsellor, to say, madam before we deal with this legal problem, why don't you go and talk to these guys first, let's just find out whether you're comfortable that you're doing the right thing. So you would have those. You would have a number of cases of people who've been dismissed from their employment. A great number of them were people dismissed from employment unfairly. So you would then have to look at labour law and deal with the employer from that perspective as well as sometimes members of unions who were themselves culprit for not defending, especially individuals who were paying membership fees but not getting the services that they needed to get from the union, from shop stewards and so on. So as an advice office person you had to pick battles with all sorts of people; could be with the employer, it could be with the trade union, it could be with the shop steward, but whatever it was, it was in defence of the individual rights of a person. So you'd have labour issues, you'd have a great deal of domestic employers' situations as well. Many of the women in the area worked in domestic set ups and at that time, legislation didn't cover domestic workers so one had to appeal to common law. If it came to…and we resolved the majority of them without need for litigation. A few of them went for litigation but many of them were resolved at the advice office level. Because you simply learn the tricks of the games. And then you had a bit of influx control, but not that much, because as I said, Zola and its surrounds are very established townships and therefore…and we didn't have that many migrant labourers. And when we did, it

was already after Section 10 1c. So it was much easier to go to Section 10 1 c which would be the wives of people who qualified as Section 10 1b.

Int So this was after the Komani & Rikhoto…?

SM Yes, but that was post that ruling and therefore at least we had a ruling so it wasn't a big problem around that. Then family disputes, which often were around property. Who owns which property? Then you had a little bit on…did we have much on education? Not that much, not anything I would recall on education. And then you would have just social problems, people who are unemployed, who needed to be enabled to find something they could do, and of course that got you in touch with small business development people and so on. Yes, I think just recollecting without going back to the books, those were the kinds of problems we encountered. Then we attracted…because I was working alone when I started…but the Bridgeman Memorial Centre also housed the local library and which was funded I think by the British government…(inaudible) was funded by the British. And there was a local crèche. And therefore it was in itself kind of a community and a youth centre. So there's a lot of movement by young people. And we had two young people in particular, Dumisane and Amos who took a particular interest…in fact they started working and they started helping, you know, sitting in and understanding and learning, and I think at some point they finally had to go for some training, but they volunteered for a long, long, long time, to a point that, I think when I left…yes, in fact when I left, the two of them were left with the office, and they continued work in the office at the time. And what was the best thing and I think I say it at the centre here as well, is the best thing for me was when people came back having assisted their neighbour, two, three steps in resolving the problem, because it really said we're achieving what we wanted to achieve. Because yes, we wanted to achieve resolution on an individual basis, but primarily we wanted to do public education. And there was no better way of assessing public education than someone saying, you know I took this person through the paces that you took me through, we went up to this point, at this point I got a bit stuck, and this is where we need intervention and I'm going to hand this person over to you. But that was the most helpful thing is that people felt, in the manner in which we worked with them, they felt sufficiently empowered to listen to the neighbour and to say to the neighbour, well, if it's with regards to your house, this is the office you go to, these are the kinds of people you must talk to, these are the things you say to them, and if all of these things fail, then we'll go to the advice office and they will help us.

Int So there was an education component.

SM Oh yes! If you talk about the one on one education, that was one on one education, it was not in any other way. And the office itself, it kind of became a…(laughs) I can just see myself walking into that office. Every morning it's full of people, but they're not sitting waiting for a clerk to service them. If you walked in the office as we were working you would have thought you walked into a meeting. Because people were talking, and they're discussing their cases, and they were helping each other, and they were interrupting you as you were dealing with somebody else. You say, no, no, hold on a second, tell me about this one. So there is that…I can't say it's educational because it wasn't per design, but it was determined by the situation and the fact that

you were dealing primarily with people who are neighbours to each other. And therefore are to an extent comfortable to talk about some of these issues that they encountered. I mean, we also had some strange cases. I think one of them…I had many strange ones. I'll tell you the strangest two. The strangest two was an old lady who wanted us to help her with her problem or her funeral. She isn't dead. And then she would say there's a family dispute. You know, my children say I'm rich. Because I bought my own coffin, it's in my bedroom and I love to get inside it and just feel what it feels like to be seated inside the coffin (laughs). So my neighbour's children, when they threaten other young boys and I hear them threatening…my grand-children were threatening my neighbour's children and they're saying: you dare touch me, my granny's a witch. So the mother from next door came to apologise and say please granny don't do anything to… (laughs). I mean that is just part of being in Zola.

Int It's interesting.

SM It was fascinating. You listen to these stories. And funnily we had to do the program. In fact we attended the unveiling of her tombstone before she died. Yes, because she wanted to us to unveil, so the older lady who was working at the crèche…and everybody went into everybody's space. This was just communal, you think about communal…you can't think about Zola Advice Office and think this kind of environment, because this is stiff corporate. This was just communal. And the one old lady hated it because I was pregnant with my daughter. She shouldn't be coming and talking to you about death and dying when you're so highly pregnant. And that was not all. She came on time to show me her shroud that she had sewn herself and how she was going to lie in her coffin. So those…I mean, Zola it's very strange. Maintenance, we had many maintenance…Child maintenance issues and of course men were running away from maintaining their children. And one was used to dealing with maintenance courts…and of course there never is, but you find a way around them, you get to know the officials who are processing, you get to know the social workers, you get to be able to help them compile their cases the best way. You even become…I mean, to this date I think I'm very attuned to tracing things and kind of detective work. Because we've got to find this man somehow. And we found a great deal of men. But the most interesting of the men was, the woman who came and she was schizophrenic and she said I've got three children with a Catholic priest. And I said, ok, now that's schizophrenia right there. She says, no, no, no, she named the priest. He's the father of my children. Catholic priest and father of your children? Ok, this is strange. And indeed the next time she came with her mother, and she said, mother said look, let's keep this quiet and as private as it is, yes he's the father. He maintains his children, he says that my daughter, as you can see, her mental state is not good. But we are happy, the children are maintained. That's how strange it got.

Int I'm also wondering you mentioned how Mahomed (Navsa) would come there and so would Thandi (Orleyn). Did you find that you worked well in terms of you identified a case but legally they couldn't always take it on and then the expectations of people, I wondered what your sense was of that?

SM Well, I think sometimes that happened. But we were very careful never to raise expectations. Also because the legal environment was something else, it wasn't a

system that was pro black or pro poor or anything like that. So whenever you were relying on that system you had a healthy scepticism and you didn't know whether it would succeed or not. Even if they did take it. Even if the case was good and sounded good, from the common sense point of view. You didn't know. And I think the manner in which we worked and the relationships we had created with people as I say, this is just so communal, that the links and the relationships, people didn't feel you were there to solve their problems. They felt you walked with them and therefore whatever outcomes negative or positive, they affected you as much as affected them. And I think in that way, I don't know, I've never really reflected on that, but I do believe that it's in the relatedness of people, which would be different from someone walking off the street to go say to some lawyer or even paralegal to get a resolution on X and B. you know, those people are not related except for the resolution of this issue. But if we are all sitting in a relatedness in a communal setting and we talk about all the aspects of your problem, it could be for example, trying to find out areas, for example people with unfair dismissals were our bread and butter, that's what we did most of the time, unfair dismissals. And indeed they were unfair but as you say, a lawyer and attorney would come and look at the case. From my point of view it's unfair. From their point of view they would look at it and say, but…and the manner in which they also came in, you know, they didn't come in from the top down, explain to you lower people how the world works. But they came in and entered into the safe space of a relationship. And they didn't deal with cases on paper, they dealt with people. So they would sit with the people and explain precisely what the complexities would be, what the difficulties would be, and why it would not make sense to take the case up legally. And I think it is in that careful management of people that we probably won the respect of people…with Mahomed (Navsa) didn't feel like a stranger, Thandi didn't feel like a stranger. And I think it's the level of empathy, it's people who walk in and you can't…you know, like we said earlier about education, you can't teach empathy. You have it or you don't have it. And it shows. Because it's just the way in which you react to your space. And people watch you and even if people have no education…in fact the more they don't have education, I always get a feeling that the higher their senses of…the only way they have of understanding you is very basic. So it's the energy, it's the you that walks into that room, it's your eyes, it's your smile it's just you that walks into that room that they have to deal with. So I think in that way there's…I mean, yes, there's the people who wanted us to go to their unveiling of tombstones for death that has not occurred (laughs). So this was strange and you got all sorts of invitations to all sorts of things that you half the time sat there and wondered, what in heaven's name am I doing here? But it's that approach and I think it's steeped in activism because if one takes the context and that's what made it difficult for today. The context of all of you being…changed people, driving change in society, wanting to change the material realities of all the people around you. So you have an interest that's beyond the public interest law interests in their lives. You want to change and see a different reality for all of them and for yourself.

Int I may have asked you this before, I'm also wondering at that point, the LRC also had the Hoek Street Clinic, with Pinky (Madlala) and Mr. Zim (Morris Zimmerman), and what was your relationship with the Hoek Street Clinic?

SM Not much except for consulting. You know, it was…no, no, it's not true saying not much. We had the Hoek Street Clinic which is right there next to Sage Bank. It was

the Sage building, that music centre next to it. So you had to consult as well as training. And these consultations were daily. You know, you walked into an office, you heard a case, and because of…like I say, everything is relational, Pinky (Madlala) being the kind of person she was, very open, very understanding, the first thing you did, you hear, and you didn't quite get it and there are things you're not sure about, you check with Pinky (Madlala): do you think we should do that, do you think we should do that, do you think it makes sense, what do you think I'm not asking? And she would drag out what she thinks you're not exploring sufficiently with the person. So it was that kind of a relationship as well as a training component of it. None of our training was accredited at that time, so none of us hold certificates in paralegal (laughs).

Int And how did that evolve, that Zola Centre, what happened to it?

SM It worked under the Witwatersrand Council of Churches, and I must say I am not certain what happened at the end.

Int Because you left at some point.

SM I left after my second baby…was born in 1986, so I left at the end of '86 to work at the Advice Centres Association, it was by then the Advice Centre Movement. I mean, it has stopped being a sporadic advice centres. There's a mushroom of advice centres. There's a huge mushrooming in the Cape, in the Vaal area, Pretoria, Eastern Cape, a mushrooming of advice centres and we needed to pull them together. And to pull our training together and so on. But there were also a number of issues we needed to continue to explore, which we did that on the platform of the Advice Centres Association. And Amos, at that time Amos was the young man we had trained, was heading the Zola office. I think it also had probably to do with…ok, and he was with the Witwatersrand Council of Churches. At some point the Witwatersrand Council of Churches decided to close their operations and advice offices, and I think that's when the advice office closed. That was the one office and you need to talk to…you probably do need to talk to Ish (Mkhabela), my husband. He was running the Becker Street office under the Witwatersrand Council of Churches. I cannot recall it right now how those were closed, and I want to believe it must have been Reverend Oosten Murphy at that time with the Witwatersrand Council of Churches and the restructuring within the Council of Churches. I think those advice offices were probably a…they probably suffered from that restructuring…I'm not sure.

Int I'm curious, was the Advice Centre Association, was that a UDF affiliate?

SM No, it wasn't. If anything it probably felt as threatening to the UDF grouping. Because of our Black Consciousness orientation. And at that time there was the forum…the Black…what was it…that preceded the UDF. That was more Black Consciousness orientated and the Advice Centres Association was seen as a bit of a threat because at that time the UDF had decided to use the platform of advice offices for political membership drive. Remember though we're also talking the 1980s, the environment is pretty challenging politically. And I remember going to Kagiso Trust, applying for

a grant for Advice Centres Association and the response was, this is not revolutionary enough. So our first funding came from the Ford Foundation. And interesting the woman who gave us was the project officer for Ford, is the president Ford head, Alice Brown. Under her boss at that time, David Bonbright. David Bonbright subsequently became my boss at the Development Resources Centre (laughs). So our funding came from Ford and from Rockefeller Brothers as well as USAID in fact. We were one of the first USAID recipients and USAID picked the component that we had brought into advice centres, which was the women's desk. And at that time was to look at a number of issues pertaining to…sometimes I look at the issues that we're handling today, I suppose they are issues we identified those many, many years ago. Women's health, economic empowerment of women and…but those are the issues we are also…because most of us, if not all of us, we're coming from there…in fact all of us, we're coming from the advice office movement and we grew to establish this movement. And we're bringing the issues that we had identified. The issues of economic empowerment of women, because at the end of the day in all the things that we were dealing with day to day, there were certain common threads, and that was women's empowerlessness…where issues of women's health…and within the Advice Centres Association we tried to continue the relationship with LRC. But I must say it wasn't as strong as it had been. And that has to do with institutional relationships as well.

Int Do you think also it might have been a function of the time, because from what you've said it seems to have been towards the latter part of the 1980s?

SM Yes. It was a function of the time. It was. It was indeed.

Int I'm also wondering…to get money especially from… USAID during the 1980s must have been quite a feat.

SM It was. And we were the first people to go in there and we were the first people to deal with the debate of clean money and dirty money…I mean, we were not people were just going in there from public interest purely. We were coming from activism, so the issues were critical for us, but we also after long debates, we felt we could manage what we wanted to do and you know what was a good thing that USAID did at the time, is when they…and I suppose it's a function of intelligence…when they sent their first group, they didn't send your regular bureaucrats. They sent very politically astute group of individuals who were…after the first years and South Africa had taken, they withdrew that whole group. So you don't see any of those people who started with the South Africa mission at that time subsequently. I've actually retained those relationships to date. Eileen Marshall who's with World Bank now. But we've retained a personal relationship since then because I found a deep interest in issues of women and we shared that interest, and as an individual she enabled us to do what we needed to do, you know, and it wasn't an easy thing to do. We made the decision to take it but it wasn't an easy thing to do.

Int I'm also wondering, Sibongile, in terms of the 1990 and transition, how did then that affect advice offices and public interest law because my sense is that funding dried up and civil society seemed to have become inactive, would you say that's fair?

SM That's very fair. That's an unfortunate situation but that's fair and it's accurate. And it's got to do with…I mean, even just to explain this…in the early 1990s, and the late 1980s, the winds of change were blowing. Those of us in civil society were saying…and we couldn't because just the space become so difficult, but those of us who wanted to really define what the role of civil society was going to be in a new democracy, in a new dispensation…the new dispensation was almost apparent at that time…but there was also…you know, I remember the conflicts just within civil society. There were those within civil society who felt we were doing all of this for us to run a government that we wanted. And there were those of us who said, actually any government of the world will need civil society that's strong, that will keep, because if we all move into government we move into a set of pressures that we cannot control. It's got nothing to do with where our hearts are. It's got to do with the reality of the external world and other pressures that you will have to deal with as government. And the counterforce is your civil society force. The people who could sound unreasonable, who can no longer sound unreasonable as government, but as a civil society person they can always sound unreasonable and probably get half of what they want, which is probably exactly where I wanted to be at the beginning any case. So there was that huge debate, and as we were debating, at the same time there was the sense that all monies that are coming into the country must now have to go through a government now.

Int So bilateral funding.?

SM Not only was that internal from the politicians internally, it was also external. The donors themselves wanted to be seen to be supporting a new government. And I think that in so doing they themselves did not appreciate the values of democracy and the fact that for any democracy to work you must keep the civil society. A kind of a watchdog role must always be played. Especially in the manner in which…it doesn't matter actually in whatever way, you would always need a vibrant civil society. Which with the drain of funding, with funders themselves saying where do you fit in the new thing, and then you first had to fit with doing voter education. So many NGOs left their core business to do voter education, suddenly it became the most important thing. If you sent in a proposal without saying voter education you didn't get funding. So you wasted a lot of time doing voter education which was not your core business and you neglected your core business. So money's moving and money is now determining where civil society is going. And it got actually quite worse, and I'm not cynical when I say it got so bad that civil society became a little more than an extension of civil service as they began to say how do we assist government. But it was also about: how do we assist government for our own survival? And my view was, you apply for a government job, if that's what you want to do. You know, if you want to continue in civil society then you must guard jealously your own space to engage with government on your own terms. Even your own government on your terms. So, I think a number of factors have contributed to the demise of civil society, which I feel very strongly that it's something that's unfortunate that as we got into

democracy we demobilised, and we demobilised. I mean, advice offices were part of your mobilisation, and therefore when, you know, when advice offices were no more and most of them shut down, you demobilise society. You know, people in Zola for example, who would know whatever the problems are, whether it's my house or it's an issue for us and the street and the block, they would go to the advice centre. If nothing else, to have a space for a discourse. And that would probably clarify their own thinking and where they wanted to take particular issues. Rebelling civil society going forward…you know, there was an attempt when we established the National Development Agency. The attempt was to rebuild a civil society. I was part of the engineering of that and I got into government for that reason because I wanted to run a (inaudible) from inside and I was happy that there was an openness to the idea of moving money from the 'fiscus' – most of the money was stuck in the 'fiscus' – into an entity such as the National Development Agency that would be able to continue to support grassroots work.

Int And so you were…in the Social Development…?

SM National Development Agency. When it was established, it was established deliberately to be linked to the Presidency and to account to Parliament every so often, linked to the Presidency as well as…when we moved it from…when there were discussions to move it from the Presidency and I was still part of those discussions, the best compromise we could come up with at the time, was link it to Finance. And for me you could not move it beyond Finance to any line function without losing it. and the interesting thing is for those of us…and it's also not knowing when you step off processes, because this process was driven by Mlambo-Ngcuka, the Deputy President now, and I was reporting to her on what we were doing, because she had the same passion for civil society as I have. So when we concluded this, and this was an entity built accounting to Finance, linked to Finance and accounting to Parliament through (inaudible). Finance. As a poverty measure. Because this was really to say, if you're going to have a real democracy and keep your civil society alive, then you needed to have a budget for it. And we then in setting up the governance of it, we were careful to say, you will always have…the chairperson will always be a civil society person. In terms of numbers, I know that we have said eight people must come from civil society organisations and four from government, to control the power of government. Interestingly we then handed it over and it hired its own personnel. What I found very disheartening is that some of the first decisions that Board made – I mean, it's a Board that they were at pains to establish and to ensure that it comes primarily from civil society – and that very Board, one of the first decisions, guess what? Was the remove it from Finance, because they didn't see any sense of it reporting to Finance and they put it under Social Development. And I knew the battle was lost. You can't learn functions like that…and let's get it to work. It just becomes a back pocket of the Minister of Social Development. So there we were, and the second thing they did was they said they didn't see any sense in the unequal numbers of government representatives and civil society representatives.

Int So this is the second government?

SM This is the civil society body. No, remember that Board that's making these decisions are predominantly civil society.

Int It's ironic.

SM Oh God! It makes me angry to this day. Because that is one platform we had. And then the mandate of the institution was poverty alleviation, but, it was really enabling communities to participate in poverty alleviation and finding solutions. It had three sub mandates under that broad mandate. The first was continuing to support grassroots organisations in deep rural areas, in urban (inaudible) settings, wherever they are in other words. The second was to create a platform of engagement between government and civil society bodies so that the information that's coming up here can move to government and probably can become government policy. Thirdly was to continue to have its own research so that if even these issues…if within these platforms there are still issues that are not resolved, that are gaps, that the institution should have the research capacity to explore those issues and reprogram them if they needed to. And the last discussion…actually it was the first discussion I had last year early. We had someone from NDA coming to us, we were part of the establishment of this body. Yes, I'm glad you remember. And you guys drafted the mandate. This mandate is too broad and untenable…. You can't say it's untenable, you cannot say it's broad. But how do we do poverty alleviation? You don't do poverty alleviation without the context and the three sub mandates defines your context for you. So you're not going to go out there and just do poverty alleviation everywhere. That of course is a government's job. All of government in all departments of government, so you can't do it in a single entity. However this entity allows you to get views, to get work supported that civil society orientated. You have the ability to define the scope of that work, so you might decide, we will fund only those areas that are looking into education because it's in line with if government wants to put emphasis on education, so you might want to focus on education. It doesn't matter. It gives you the space. You can define. You can't in a piece of legislation want to define the specifics. Those will be defined by your strategy. But you've got the space. Only then, she says, oh, now I get it! Well, guys, come on, this was established in 1997. You're sitting 10 years later and you're beginning to get the mandate, even if you do get the mandate, it's messed up. It's messed up because this entity was supposed to report to Finance. And I know that the Minister of Finance was kicking and screaming, but we wanted it to sit there because that's where poverty alleviation should be driven. You can't drive poverty from a line function.

Int So was this the point when you left?

SM Yes. You mean the NDA. I left the NDA the point where we were done with the legislation. And we had appointed a board of Trustees and we had facilitate their appointment of their first chairperson, and felt…DG Chikane, my job is done. Clearly it was not done.

Int And this is was under (Nelson) Mandela's government really, the first government?

SM Well, it was under (Nelson) Mandela's government, so long as you do remember that the Deputy Presidency was the executive. So it was under Deputy President (Thabo) Mbeki as was the bulk of civil service.

Int And so in terms of you moving on, what did you do subsequently?

SM Well, from there…from government I came here.

Int Directly. So you've been here since…?

SM I've been here since '99.

Int In terms of being a Trustee at the Legal Resources Trust, when did you start that?

SM It must be three years ago. We don't meet that often, so I'm still trying to…I don't feel I'm driving. It's just been…I suppose the Centre does most of the work, not the Trust. So I'm sitting on the Trust side.

Int I know, it must be hard, especially for someone with a very hands on…

SM Yes. Sitting there like, oh God, I'm looking at papers and papers and papers, where's the work? But that's not the duty of the Trust.

Int Sure. But it is in a way frustrating because I'm wondering, when I interview people they say to me how pivotal the advice offices were, even the lawyers, , and how much they enjoyed it and the…of concern that there aren't advice offices. And attached to that, very closely attached to that, is a sense that there isn't enough human rights education going on, and a lot of them closely then tie it to the current situation where people use intemperate language in the public space to talk about, you know, killing and all kinds of things, and I wondered what your sense is of that? Whether you think that's…

SM It's absolutely true. We simply…don't talk about public interest law or education. Just talk about educating people about the Constitution and the Bill of Rights and what it means. But you see…in the absence of a vibrant civil society how do you do that? You want government to do it? No.

Int Impossible really.

SM Absolutely. So who does it? You don't have civil society. You have the opposition, but the opposition at this point is too white and too much on fright. What you do need is something to the left of the ANC.

Int Interesting. Bongi, that brings me to this…and I think you're very well placed to answer this question. You've had a long history of community activism and during those times, especially the 1980s, I'm sure in the papers you must have seen the LRC's name come up time and time again in terms of the cases it took. And suddenly when you go into the offices you see those framed banners.

SM Absolutely.

Int But it seems from what people tell me is that the LRC doesn't seem to be in the public domain very much these days. Do you get a sense of that?

SM Of course it's not. If it is, it again brings me to the left or to the right, (inaudible) to… You see the thing is that the political space is so muddled that the most vocal of voices are voices that have money, but not poor voices and not poor people's voices. So am I seeing LRC…you know, at this point as we see it as the SS, LRC, LRT, do I have the same sense…let me just put it this way, do I have the same sense as I had when I was in Zola, that we are amongst the people, that we are one of them, that we are pushing a particular agenda in a particular direction, and that direction inevitably will benefit the most poor? I don't have that sense. I do have a sense that we're trying hard to talk about the rights, but the space is muddied. It's rights within a context where you have to look at a number of other issues. It's not a number of delivered A, or B, or C. There are a number of things that need to happen. And therefore it's…well, you can't be an LRC without strong community structures. You actually…I'm thinking about it now that it's…say suppose, you're LRC, let's look at a field I know, children. And from government you get the rights of children not to be…corporal punishment for example, let's take corporal punishment. Or let's take the birth certificate, which is easier than corporal punishment. And you have to do it, you have to ensure that children, all of them have certificates and they get their government grant, right? Now from a legal point of view, well done. Then comes Bongi, from a community point of view. I say, yes, well done, but eish we got a grant for one child, there are five children in that home and nobody explained to this child how they are beneficiaries of these grants and how this grant is used to support a whole family. Now this grant is also given to the mother of the child. The mother of the child could be my 16 year old. Who in my house is a child. In the government's eyes is an adult. So it would seem to me the LRC also has to 'indigenise' itself, ground itself on something. It can't do public interest law as if it's sitting anywhere in the U.S. It's not. It's sitting in a particular cultural context. And therefore as you pursue the rights you should also be able to assist people make sense of those rights. Let me give you an example: I was at Dion's the other day, because Ish (Mkhabela), my husband was exercising on our tiles, and these are ceramic and a bit cold. So I go in there and I say to the salesman, I want an exercise mat because my husband is exercising on the tiles. I think he's going to get terrible flu. So he says: why do you care? Well, because it's my husband and he's going to get a cold. He says: since we had rights, women don't seem to care. He is a young man. So I stopped and I started to say, what do you mean? He says, well, you know, there just doesn't seem to be any more love and caring for people in families. Are you married? And: no, I'm not. And are you thinking of getting married? He says: whew, I must say mama - must be in African context, I'm old enough to be his mom, so he's got to say mom - you know

mum, I'm really worried. I'm worried whether I should start a family and whether I'll be able to deal with these rights and what these rights mean to me and my children. And I went back to Ish and I said you know what, we are not educating, we're talking to ourselves in boardrooms, we're not talking to wonderful…he's a wonderful young man but he's in a space where he's feeling not even confident enough to start a family. And he's the kind of young man that you'd want your daughter to bring home. But he's the kind also who thinks about things long enough to say: should I? But the reality is that, if we go back to the example of the government grant, sounds good, looks good, it's an enormous headache. It's an enormous headache because you don't have enough social workers. So before I even get all the grants I would love to get as many social workers on the ground as possible because these very grants that are given to my…now legally, it's given to the mother. Now this mother is a child in my house. I have five other children in the house. I have this other child who now thinks she owns us because she pays for our livelihoods. What am I saying? Really that we need to re-indigenise our work, contextualise our work, give it its African flavour. It must be like Mahomed (Navsa) walking back in the streets of Zola. His advice was correct because it was coming out of him walking into that advice office and feeling how people live and how they see their lives, and he could therefore provide solutions that are very much in line with how they live. My biggest fear is in the absence of advice offices we could be sitting anywhere in the world and doing public interest law, it doesn't matter.

Int So in a way, contextualisation of the work that the Legal Resources has to be done.

SM I think that's going to be important. I think that for me it's going to be the most helpful thing we can do, at least from my perspective. But even it does matter if we have to look at environmental issues. I mean, if you're looking at the issues on housing. I think Legal Resources Centre some time back took a case, and they won it. A case for a particular group of people not to be evicted. They should have been evicted. They should have been evicted. You went to that place and you see how the children live in this place. And that is not right. And why are you here? And you see, the other thing is, there should be people responsibility. You cannot choose to take a child and go and live with that child in a place that compromises the health of the child, and then go and say it's your legal right. It's the child's legal right as well to be properly accommodated in a proper home. You decided to have the baby. Let's also look at responsibilities. So we're looking at rights, we're not looking at people's responsibilities. This case, because Ish (Mkhabela) was working with that community and you cannot get more community sensitive than Ish (Mkhabela) is. And he was livid with the judgement. Because that judgement allowed all sorts…when walked into that block of flats the first time, the police could not walk into that block of flats. They were scared. Ish (Mkhabela) is crazy enough to walk in, and he said, I walked in and the guns were put on the table. Now that's never shown when the lawyers come. Everything looks clean. Unless a lawyer is talking to a community people who's walking those streets at different times, has no understanding of the context, and therefore runs the risk of pulling people deeper into a crisis. Yes, you win the legal issue but you've just pulled a lot of people into a deeper crisis than you can imagine. If we had advice offices those lawyers would have been working through the Hoek Street Advice Office, they would have understood, there would have been relationships in there. Those relationships that seem and sound so unimportant,

they're actually the most critical. And that's the absence of trying to do what you're trying to do, what we're trying to do without Legal Resources. Without support of those who are walking those streets.

Int Bongi, I think those are absolutely crucial issues, and to take it one step broader, the LRC during apartheid had a very clear enemy in a sense, the regime. But in a post-apartheid context lines have become very blurred, but to its credit it has continued to take cases on against government. But in the current context where there are attacks on the judiciary, especially on the Constitutional Court, etc, what's your sense of how a public…the space within which a public interest law organisation, like the LRC, can function?

SM Whoo, that's hard! That's a very difficult question, that's unfair (laughs). It's fair. It's fair, but it's a very difficult question because I haven't applied my mind sufficiently to say how do we function. I do know that you've got to do that which we all find very difficult, critical support. Because you've got to be supportive of this government and yet you've got to be critical. So there is inherent tension in that relationship that needs to be balanced all the time. I can't see it being, you know, a relationship where we are always against government or for government. I just think that it has to be issue by issue. And what would give us strength – it goes back to the community thing – is our presence on the ground, is what would give us strength. Because whatever we are articulating and saying, it should be in line with what is in the best interest of the least empowered. I think for me the perspective I would take is a perspective of how does my work enable the least empowered amongst us to be empowered? And if it in defence of that, and sometimes it would be against government…not only government. We should be grown enough also to be able to take business. So it could be business, it could be any player that's undermining the rights of a group. We should be able to deal with them, both in a creative support, in the manner in which you deal with business, in the manner in which we deal with government, sometimes in which we deal with communities themselves, because there could also be issues within communities. But I don't have a straight answer.

Int Sure, fair enough. I'm also wondering, you know, you've picked up the whole issue about contextualisation and community involvement and civil society. In your view for the future of a better South Africa, what do you think are the key areas of public interest that would need attention from an organisation, like the LRC, in conjunction with the community?

SM What do you mean by areas?

Int So, is it… for example, some people tell me it's environment, some people tell me it's human rights, some people tell me it's poverty alleviation, socio-economic rights, what in your sense are the areas that would need litigation, and also, you know, defending of rights in that sense?

SM I think one would look at it from what inhibits the most, and…whatever that would be. When you say poverty, what do you mean? Because then you have to really get to

the real issue. If it's joblessness, then you have to deal with joblessness – I don't know how you even begin to say you will litigate, because for some reason business is…you know, business always comes out as the good guys. And yet probably they're the cause of most of your problems.

Int As you know, the LRC does a lot of Workers' Compensation and labour tenancy cases, etc.

SM Yes, but in a country where your majority are unemployed, I wonder what you would do that would be defined as poverty. What do people say? What are the specifics that would be taken on…?

Int In terms of poverty I think people are talking a lot about socio-economic rights in terms of pensions, welfare, social workers…

SM Ok, I get that. Social grants. I think I would want to agree with the issue of pensions and those kinds of rights. Because it's important for me that…when I say, what would enable the most. That is put money in the family. And the grants at least help to put some money in the family in the hands of people. Probably health and education. The right to have an education. For me those would be the three critical things.

Int I've asked you a range of questions and I'm wondering whether I've neglected to ask you something which you think ought to be included in your Oral History interview?

SM You know…maybe when I read it, things will kind of come up and gaps will come up.

Int I wondered whether we could end the interview if you could share a memory, anything, whether it's working with Mahomed (Navsa) and Thandi (Orleyn), or whether it's something to do with a client at the advice centre…

SM (laughs) I've shared with you already.

Int Yes, wonderful stories. Anything else that you treasure? Or even being a Trustee, anything that's…?

SM I think that the one thing that will stand out for us and probably even if I was to recall my team at the Zola Advice Offices, one it's the simplicity of it. It's working within a team. You know, the LRC team, the Zola team, the Black Sash team…it's working within a team, and that team being on the same page. I think it's rare these days to find in these kinds of environments, where people are together in that kind of way. And I think we were very lucky in the lawyers that we got. I think we got people who had their feet on the ground. And in that way…that Mahomed (Navsa)…driving into Zola…have you driven into Zola? You've got to do that, because you've got to get a

sense of what we're talking about. And go to the Bridgeman's and it's still there. It's doing other things now but it's still there. And get Mahomed (Navsa) to go into those very simple, very basic offices and see him working with very ordinary people in a very empathising and respectful way. I think for me that's what I'm taking forward. I'm also taking with me all the time…just the ground we broke in those ways, and probably a sadness that makes one feel or look like one is always trying to get back into the past, you know, grab the past. But it's the…is the fact that we were doing things at the time that benefited people and that advanced our cause. We can't say it was only about them, it was about us as well, it was about advancing our cause. And the more people we educated – my highlights are always people who came back saying, I've walked three steps, help me with the last two – I think those were my best.

Int Sibongile, thank you so much for such a thoughtful interview and also for sharing your memories and also your experiences…

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