

Naomi Davids

LRC Oral History Project

5 September 2008

(This interview is both substantively and substantially edited by the interviewee.)

Int This is an interview with Naomi Davids and it is Friday, the 5th of September (2008). Naomi, on behalf of SALS Foundation in the United States, we really want to thank you for giving the time and agreeing to participate in the LRC Oral History Project. I wondered whether we could start the interview...if you talk about your early childhood memories, growing up in South Africa under apartheid and where you think your sense of social justice and injustice developed?

ND I grew up on the Cape Flats, which is now known as the disadvantaged areas. We were deprived of numerous human rights under the apartheid laws.

Int When you say you were deprived in what way, as a child growing up in that area, what was your sense of difference? Did you have much contact with white people for example?

ND No, I didn't . It was mainly that we couldn't go where we wanted to go, e.g. if we wanted to go to the beach, we had to go and look for the area which had a sign "non-whites only"

Int So, when you were growing up did your parents ever talk about apartheid and that you as a person of colour, couldn't do certain things?

ND Oh, yes, we were warned not to go to places that had signs "whites only", , That was the way we were reared and we got used to the idea.

Int Growing up, did you have a sense of what you wanted to do and what happened after finishing school etc?

ND After I finished school, I did a secretarial course as I wanted to be a secretary, and thereafter started work.

Int Was it law firms?

ND No, it wasn't law firms, it was different, clothing, engineering etc. and eventually, I landed up at a law firm and found that I simply enjoyed that type of work.

Int Really?

ND Yes

- Int What aspect of law do you think you enjoyed?
- ND Well, we did everything, it was very varied, we did divorces, car accidents, custody of children etc., in a commercial law firm. Then I changed and went to another law firm where I wasn't happy because I just had to concentrate on bank overdrafts. I knew a lady that worked here who worked with me at a previous law firm. and asked her if there were no vacancies at the LRC and she said she was leaving and would give my name in but wasn't sure if I would get the job. I came for an interview, was successful and that's how I came into the Legal Resources Centre. I actually knew nothing about the type of work they do, for me it was just an ordinary law firm. I then discovered that the work involved disadvantaged people who were discriminated against and who suffered under the apartheid laws and that obviously became more interesting. I was determined to assist these people as I knew what we went through in the apartheid years.
- Int It seems to me that you started at a crucial time because the LRC had started then a few years ago, the Cape Town office and you started in 1986, if I am not mistaken?
- ND No 1987 and then we were more into labour and damages at that time. Labour was the main practise but eventually, labour and damages cases were discontinued..
- Int When you started, was Lee Bozalek, the Director?
- ND That's correct. I worked for Lee (Bozalek) and William Kerfoot.
- Int Right .What were your experiences during that time, it seems that they might have been positive, because you decided to stay on?
- ND It was fantastic working here and I enjoyed working with Lee Bozalek and William Kerfoot. They were extremely committed to the work they did..
- Int I also get a sense that when you started, it was hot on the heels of the KTC case and apparently, the office was chaotic?
- ND Unfortunately, I was not involved in the KTC case.
- Int But what was the general atmosphere?
- ND It was extremely busy and people were excited of getting involved in this disadvantaged community case, they worked long hours, over weekends and late at night.

Int At what point do you think from your personal perspective, at what point did things start changing at the LRC?

ND For me about five years ago.

Int Five years ago. Interesting so we are positioning this at 2003 really. And what do you think were the changes for you personally?

ND The changes for me was the work. Funders were now going into projects. We couldn't take everything that came across our door and what we would have liked to take on. The work that we could take on was limited. Directors change every 4 years, (Cape Town is the only office that changes Directors). I'm not in favour with this for the simple reason that they don't have managerial skills. That becomes part of problems in an office...

Int What sort of work would you have liked the LRC to continue taking?

ND I would have preferred every type of problem that came across the door, because people have very serious problems and we assisted them. All of a sudden, it stopped and then we had to go into projects. Now we have to send clients elsewhere. Numerous clients came back saying that they did not get the help they wanted. This was sad because we weren't allowed to take those cases on any longer.

Int I am also wondering Naomi, this office has got a very different sense about it from other offices, because the lawyers here, in particular, Steve Kahanovitz, Henk Smith, Kobus Pienaar and William Kerfoot have stayed for a very long time. Vincent Saldanha has just left; he has been here for a very long time, as well. What's your sense of why, this Cape Town office manages to be very different from say, Johannesburg or other offices, which has had such high turnovers?

ND The lawyers are very committed to the type of work they do, that's why they stay.

Int I am also wondering the Cape Town office is also considered to have lot of white lawyers in particular, Vincent Saldanha and Chantel Fortuin being the exception, a lot of white male lawyers and I am wondering what your sense...how that creates tensions in an office?

ND I came here when the LRC was very white. It started changing to people of colour over the years. but I now feel that we are back at the white LRC, like we are going backwards and it does cause tension especially for us, who have suffered under the apartheid laws. There are many lawyers of colour who could work in the LRC. In my view, lawyers of colour are now leaving the LRC because they don't want to work under white rule again. We have been there and now we are going back.

- Int Why do you think the LRC and the Cape Town office in particular, why do you think it has moved to becoming more white? If there are black lawyers out there who are very good, why aren't they coming into the LRC, what do you think are the reasons?
- ND There isn't place for black lawyers because white lawyers are not leaving and this obviously blocks the way for blacks to come in.
- Int I am also wondering Naomi, you have been here such a long time, what have been the periods that you felt that the LRC was at the cutting edge, in terms of the types of work that it was doing?
- ND What do you mean at the cutting edge?
- Int That it was really addressing public interest issues, what periods during your time, did you feel that they were really engaging with issues that concerned the public at large?
- ND I think that it could have been in the first fifteen years I've been here.
- Int So you would say from the mid to late eighties until mid-nineties or...?
- ND That's right, till the mid-nineties
- Int And what do you think is the reason for that kind of change, where it is no longer at the cutting edge?
- ND I think it was when funders wanted us to work in projects and report on those particular projects.
- Int And that is something that is very important to you...
- ND Oh, yes, definitely
- Int It seems to me that it is not just you, there has always been this tension in the organization between the person who works through the door and the need to focus?
- ND That's right.
- Int I am also wondering because it seems to me how has the nature of your job changed because you know, because if you have less staff and admin staff in particular, the pressure grows...

- ND Oh yes, much more pressure is put on the secretary.
- Int And how has your job then been created in your job and who you work for and who gives you tasks and how you juggle the different things, because it is always a juggling act from what I can gather?
- ND Well, recently, I have been working for William Kerfoot and Vincent Saldanha
- Int Who has now left?
- ND Yes and I now work for Kobus Pienaar.
- Int Who is now the Regional Director...?
- ND Yes The focus at the moment with William Kerfoot is mainly on refugees. I have only recently, say about five months been working with Kobus Pienaar who does his own typing, so I work mainly for William Kerfoot who keeps me busy full-time.
- Int I am sure, I am sure (laughter). It is a high pressured job as well, isn't it ?
- ND Yes William Kerfoot is an extremely soft person. He still takes on a few cases that come across the door, which is not allowed because of his weakness to refuse a client assistance even if it means just writing a little letter on the client's behalf. I had a client recently phoning me saying that he asked William Kerfoot to get him an ambulance as he couldn't get to hospital and then he phones again and says he doesn't have rent money. William Kerfoot bent over backwards to get client rent money. I would say, out of all the lawyers, William Kerfoot is the most committed, in this office.
- Int When you work with some that closely, there is bound to be some friction, but with William Kerfoot, it seems that you don't have....
- ND The only problem that I have with William Kerfoot is that, he is totally unorganised...
- Int Well, he said to me that while he was away, you organised his office and it is back to what it was...
- ND Aahh, it is a nightmare, you can organise William Kerfoot's office now and within the next five minutes, it is like a bomb hit it again, but otherwise there are no complaints.

Int Until recently, and it is quite unusual, you had Chantel Fortuin as the Director, a woman and a woman of colour and now you have Kobus Pienaar, what the differences that you can gauge from the way Chantel Fortuin had her practices as Regional Director and now for the past five months?

ND Well, I can personally say, I have had hell in this past five months.

Int Really? In what way?

ND Kobus Pienaar just seems to have a very serious problem.

Int Have you broached this with him at all?

ND Oh yes, we've been in some fighting matches.

Int He has been here a long time...?

ND Yes

Int You said just now that you don't think that he will remain as Regional Director for long. What is your sense of that and who do you think will step into the breach given the dynamics of this office?

ND It is a bit difficult to say who will step in because we are only left with white lawyers. Chantel Fortuin, it would seem is on her way out.

Int You have been here, you have a strong institutional history of the LRC, you have been here a long time, I am wondering what are some of your concerns for the future of the LRC in relation to what is going on, government says things about the judiciary etc? And there is always the funding issue. What are some of your concerns about how National Office has restructured things and what do you think is the future of the LRC and the Cape Town office?

ND I actually know nothing really about what happens at National Office. My worry is funding, will funding still be available in time to come and then also is there still a need for the LRC because there are so many organisations out there now, who can assist people, so you worry, you know, how long is the LRC still going to operate and the fact that this office is going back to white rule. Also, in the last couple of years, we have been mainly into refugee work and don't see any local people coming across our doors anymore

Int Why do you think it is that the local people, community doesn't come here?

- ND I don't know, I get the impression that word gets around, that if you come here all we do is refer clients to other organisations so people feel they are wasting their time coming here. Also they probably do not come as we used to have up to a 100-200 refugees per day in our waiting room – locals come and they feel that refugees are getting more attention – locals get a compliment slip referring them elsewhere.
- Int Recently, well, this was about a year, people were issued with retrenchment letters. What's your experience of that, were you issued one and how do you feel about that?
- ND I wasn't issued with one but it was a very traumatic period. We did not know who was going to get letters. The office was extremely tense. People were a nervous wreck, some have houses with bonds and debt to pay. When letters were distributed staff were devastated – it was a *why me and not you and why you and not me*. It didn't last very long because eventually they were told that their hours would be reduced and they wouldn't be retrenched. A slip-up then came to light and they were told there would be no reduction in hours as well. The receptionist had decided to leave and one secretary requested the package. The messenger at the time became the receptionist and we were just left with two secretaries, myself and Maggie. There was no replacing of staff.
- Int One of the things that strikes me about the Cape Town office set up is that Maggie (Carolissen) works for certain lawyers and you work for certain lawyers, but sometimes things happens with another lawyer, who you are not supposed to work with... for, gives you work to do, do you ever have that experience and the lawyers that you are supposed to work with ask for their work and then you find yourself in the middle of things?
- ND Yes, I have had that problem but the way I have worked it now, they must first ask the lawyers that I work for, for permission
- Int I have asked you a range of questions and I am wondering whether there is something that I have neglected to ask you, which you feel ought to be included as part of the oral history interview.
- ND No I think we have covered more or less everything.
- Int I know the next question, in order to end the interview, is going to be very hard for you but, I'd like to ask, I wondered whether you could share a memory of the time or a particular moment, whether it is with a client or whether it is with a particular lawyer or even Arthur or anyone in the LRC, that you really treasure, as part of your LRC experience and history? I am sure there are many, Naomi (laughter)
- ND There's so many but I can't think of anything specifically.
- Int Are there any funny stories that you might want to share?

ND No.

Int Naomi, thank you very much, it was a great opportunity to interview you and thank you very much.

ND Thanks.

Naomi Davids–Name Index

Bozalek, Lee, 2
Carolissen, Maggie, 7
Fortuin, Chantel, 3, 5, 6
Kahanovitz, Steve, 3
Kerfoot, William, 2, 5
Pienaar, Kobus, 5, 6
Saldanha, Vincent, 3, 5
Smith, Henk, 3

LEGAL RESOURCES CENTRE Oral History Project

PUBLISHER:

Publisher:- Historical Papers, William Cullen Library, University of the Witwatersrand

Location:- Johannesburg

©2011

LEGAL NOTICES:

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

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

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

DOCUMENT DETAILS:

Document ID:- AG3298-1-033

Document Title:- Naomi Davids Interview

Author:- Legal Resources Centre Trust South Africa (LRC)

Document Date:- 2008