

**UNIVERSITY OF DURBAN – WESTVILLE**

**DOCUMENTATION CENTRE**

**ORAL HISTORY PROJECT**

**“VOICES OF RESISTANCE”**

INTERVIEWEE: YUSUF VAWDA  
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WESTVILLE

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MN: Good morning and welcome to the Documentation Centre at University of Durban Westville. Welcome to another session of our Oral History. Today we are blessed with a visit of Mr Yusuf Vawda, who's the Director of the Law Clinic here at UDW. Mr Vawda, good morning and welcome.

YV: Thank you, Musa, pleasure to be here.

MN: Thank you, Sir. If we may start. Where it all started. Where were you born?

YV: I was born in Durban in the city, 1952, and I grew up in town and went to school there.

MN: Can you tell us about your parents, who are your parents?

YV: Well, my Dad is late. He was a person who came from India, my Mum was also, my Mum was born here and they met here, ja, I think through family intercession, arranged and married and I come from a fairly large family. We are nine in all. I am the youngest of the nine in the family.

MN: Do you know anything about your grandparents from both sides?

YV: Yes, I have, my grandfather on both sides, maternal and paternal, actually lived with us for a while, so I have a vague recollection of them. I must have been 2 or 3, you know, when I recall this and then they passed on, so you know, I don't have much more of a character, memories about them, but just vaguely, you know, an old man sleeping in the bedroom.

MN: Can you explain the community you lived in? What sort of a community?

YV: Very interesting. I lived in the Grey Street section of town, which is, you know, as you know, sort of an Indian group area, but we lived in a block of flats which was fairly integrated, you know, we had mostly Indian and Coloured families living there and for a while, I think, even South African families. I remember there used to be an Herbalist who lived in one of the bottom flats who ran what is commonly known as a "Muti" shop, you know, so there was quite an interesting mix of people to sort of, you know, grow up around.

MN: Can you tell us about where you started your education?

YV: Alright, ja, I went to school. First I went to Crescent Primary School in Town for the first five, six years of my schooling and then I went to across town to Anjuman which is in Leopold Street. I think these schools are now closed and I finished my primary education there and then I proceeded to Orient High, Orient High School where I completed my Matric.

MN: What sort of a student was Mr Vawda?

YV: Well, ja, I was regarded as probably on the brighter side of students. I usually topped my class for most

years and I was the Dux in my high school year as well, my Matric year. So ja, I was regarded as a fairly studious sort of student, but towards the latter part of my schooling, I think I got up to a fair amount of mischief - [laughs]

MN: Can you tell us about this?

YV: Well, ja, in a sense it has a political flair though, because I remember when we were in Standard 9 and this is now around 1969, 1970, there used to be the annual Republic Day celebrations and you know, the schools in line with departmental requests or instructions, whatever, would be required to hoist the flag and sing the National Anthem and I remember in the one year, a group of us actually organised a little protest when this was happening on the 30th, 31st of May. It was Friday afternoon as I recall it. Our Principal was a very conservative man and he, of course, required everybody to be present at the assembly to raise the flag and sing the National Anthem and then a group of us started to jeer and “boo” for which the whole school was punished. Instead of getting half the day off, we were all sent back to class. For us, the period after lunch was Physical Education, so we were taken to Currie’s Fountain and punished by being made to run up and down the pavilion several times, you know, so ja, I don’t know have any permanent damage about that, so in a sense, ja, there was that element as well and I think that was the kind of first awakening of some sort of political consciousness that I have, you know. I’ve always felt you know, growing up in a big family, it’s been very mixed in the sense that I was the

youngest and in many ways sort of favourite and spoilt somewhat, but also there was a sense of knowing what it was to be fair, because you know, my parents constantly had to make sure that everybody got everything in a reasonably equal and fair measure. So ja, that's a lesson that I sort of got I think, from my parents that they sort of managed to balance so well, meeting the needs of a large family of kids and you know, all their needs in terms of schooling and recreation and that sort of thing and also during the holidays we had our relatives from up-country coming and staying over, so you know, I can never, still can't understand and my Mom who is now 83-years old and quite ill, how they managed to feed nine kids, plus perhaps another half a dozen other visiting kids and adults during those times, but you know, they, I have two kids and I know how difficult it is to please them in terms of all their needs and wishes and so on, so they did really a marvelous job, you know, managing all that.

MN: What sort of a work was your old man [father] doing?

YV: My father worked as a Shop Assistant in Victoria Street very close to town, walking distance from where we lived until I think I must have been about 14 or something and then that business went down and then he, you know, he didn't really quite manage to get a job after. He was quite, you know, he was getting quite old as well, so, but luckily my two older brothers had finished school and started to work and help to support the family, so you know, it wasn't really a luxurious sort of family

life, but we made do. We had all the basics and we managed quite well.

MN: Was Mum working, or what?

YV: Well, with nine children she had her job cut out. She was what they presently call, a Home Executive. You know, the fancy sort of word. She slaved and she worked very hard to take care of all of us, ja. It was the days before washing machines and all those kinds of luxuries, so.

MN: In 1969 when this mischief broke out at school, was that, can I say, is it right right to see it as your political turning point?

YV: Ja, unfortunately I can't blame you know, one event as a, as a sort of you know, spark, as a lot of people do. I would think that was one of the things, but perhaps ja, you know, you know, a fairly strong indicator that would be, but I think generally there was, you know, we were aware that of course, you couldn't have access to certain places, e.g. we would go to watch, you know, soccer and there would be segregated stands. We couldn't go. We would go to the beach and we couldn't go to the Snake Park areas, because that had been segregated – the best beach, you know, the surfing beaches were segregated for Whites only. So there was this awareness that you know, things were not right and not sort of equal and of course, we didn't have a lot of facilities in the, in the town living in the City, so the nearest place for recreation was a place called Albert Park which still kind of exists, but you know, which also was segregated, so there was a section where we could play soccer and you know, but that was a good 10, 15 minutes walk from home.

We found it easier to play soccer in Prince Edward Street, you know, dodging between the traffic and so on and of course, it was highly dangerous and also illegal as you know, so we would occasionally have on Sundays, of course, we would have Police turning the corner and sort of raiding and, and, and everybody would disappear into the buildings and so on. So ja, that was a little bit of a, you know, if you like, brush with the Law, you know. On one occasion we even got arrested for playing soccer on the streets and we had to be bailed out. I forget what the Admission of Guilt and be bailed out, we all you know were taken in a van to Smith Street Police Station as it was then, to have our little comeuppance you know, but ja, that was, so I wouldn't say any particular event. I think a whole lot of different things, you know.

MN: A combination of different things.

YV: Ja, ja.

MN: Yes, when did you matriculate?

YV: 1970.

MN: 1970. From there, where to?

YV: Then I came to Durban-Westville and I tried my hand at Science for a year and dropped out and that didn't go very well and then the only other thing that looked interesting, was to do law. I don't know whether it was the sort of sense, well, you know, that's the good thing to do, or it's about Justice and so on. Partly that, I guess. Probably more, you know, for lack of choices so I then, ja, studied Law.

I did a BA Law and then I, at the end of 1974, I left University here and went to work. I started working, serving my Articles with a Law firm in

Verulam and I continued to study through Unisa [University of South Africa] for my post-graduate degree, so that was what I did. I commuted every day to Verulam to do work of an Article Clerk, which was very, you know, lowly as the legal hierarchy goes and then, you know, continued to study by correspondence. So I did that for the next couple of years. Actually it was 1975 I studied full-time. I wasn't able to get Articles. It was in 1976 that I got Articles and then completed my studies in 1977 and in 1978 I was admitted as an Attorney.

MN: Yes, coming back to your days at UDW, can you paint a picture for us since UDW has been painted as some sort of a political boiling point? What was UDW at your time?

YV: Oh, well it was two things. It was on the one hand a very repressive climate. It was a place where of course you know, most of our Lecturers were probably handpicked by the Broederbond so we had a very conservative kind of, you know teaching sort of staff and administrative staff, as you would know, and unlike today where there is so much of interaction where, between you know, staff and students and so on. It was very, very rigid in those days. Some lecturers even required people to dress formally. I'm sure you've heard the story several times, ja. Of course, we tried, we defied that as much we could and got into a little bit of trouble around that. So on the one hand it was that. On the other hand it was really the other extreme and that is that it was a place where, it was a melting point for ideas. 1972 was a very big year, as you would know. It was the first year that we were on this

campus. It was the year of the National Students' Strike. You know the South African Student Organisation (SASO) had actually called a strike as a result of, I think it was Abraham Tiro's expulsion from Turfloop University and we were very involved very much in that, so in a sense that was really a big turning point. You know more than I think a lot of the other sort of issues, because one was in a place where there was a lot of students, many of them like-minded who were very aggrieved with the system, or were very unhappy about the discrimination and the laws in this country who were articulating very clearly and you know, lucidly and in very interesting ways that there was something better to look forward to, who were very brave and happy to take risks and, and become involved in political activity, which was all, you know, very difficult, because in our parents' generation very much, you know, didn't discuss politics openly, and although we had the basic lessons of fairness and justice and so on, talking about politics was really not, you know, a dinner table conversation. So it was here really, you know, more than anything else where it came alive in a focused way and as you know, it was very difficult to be involved in political activity so the student boycott of that year was really a very big kind of turning point in the sense that people were able to come up, come out, stand up and openly articulate their unhappiness with the system, openly criticise the University administration and criticise the Government's education policy, having been the main sort of issue, but of course, the lack of, of,



you know, the vote and so on for people and in a sense, this brought it all together in a very sort of strong way. There was also the time when we were able to express ourselves very freely in terms of the way we dressed and grew our hair and all that kind of thing, so I think it kind of gave the individual - we felt we had opportunities to express ourselves out of the rigidity of the school system and out of the, you know, prevailing sort of societal pressures and in a sense, you know, you saw other people do things and express themselves in ways in which you hoped you could do yourself. And found some strength and comfort in being able to do that, so that was certainly a big sort of issue and of course, I was fully involved, not as a leader or any, I was one of these, you know, "Rookies" if you like, who sort of followed along and very closely you know, followed the debates and so on. Also an opportunity, because of events that were happening off campus to hear and be influenced. As I said again, not in a sort of big way, but just being able to experience to hear Steve Biko speak. To you know, to be able to hear different points of view come across. To hear the likes of Ric Turner, you know, address students. These were very, very, I think interesting political sort of watersheds to help us to sort of focus and see things differently and also to believe, you know and strengthen our belief in, in resistance in the Struggle which eventually became to be that, ja, so I would say that that was a very important take-off point and it gave us a number of lessons. Would you like me to go on?

MN: Yes.

YV: Well, one of the lessons that came to me very quickly in that 1972 student boycott which I think was an experience and a lesson for a lot of students, my contemporaries, was that clearly there were things wrong with the administration and the way we were being taught and trained in this university, but that it was clearly linked to something bigger. It wasn't just a problem with this university. It was a broader societal problem, that in fact there was a repressive Government in place which made it possible for repression to continue, you know, at campus level and that if you really wanted significant and meaningful change in your life as a student here, you needed to go outside. You needed to look beyond the campus, you needed to look at the broader sort of issues in our society and I think many of us, and of course, I'm talking now, sort of student leadership at the time were people who are fairly prominent now, including the Chancellor of this University, Zac Yacoob; people like Praveen Gordhan, Yunus Mohamed, there was Vas Soni you know, a whole lot of people. These were the sorts of people who kind of provided the leadership in that period. They were of course, in their final year, I think and senior students at the time and you know, in discussions with many of these contemporaries, who then later became very close friends and comrades even, it was clear that we were looking at, if we were serious about bringing about a change in our lives, we had to look beyond the confines of this sort of university; and that got us focused into activities outside of the university. I think what is interesting is that this is coming in a

time, you know, historically, Durban had those big strikes in 1973. There was a lot of industrial unrest and it gave rise to the burgeoning Trade Union movement, because and a lot of you know people I think from the student ranks and this would be true of our contemporaries from Natal University, the so-called White left. A lot of them actually went into organising unions and organising workers and running worker education and that sort of thing. Here we also experienced that you know, the dissatisfaction of being limited to our work here on campus and we started to look outside of campus and look into communities and one of the things that we started to do was to become and I'm saying, myself and my contemporaries, other colleagues and comrades who were like-minded, to look at how we could become more relevant in our, in practicing our politics. Obviously, we started to develop ideas which said, you know, "We need a revolution" and "We need a change in society" and certainly that wasn't going to come by waving banners on campus and you know, marching up and down the administration block. So we started to make some connection and one of the earliest things, you know, two of the earliest experiences that I had in terms of my involvement in becoming and more, becoming more outward looking was we started, a group of us started evening classes with the Cathedral in the City. I don't if you know Cathedral Road between Queen Street and Pine Street?

MN: Ja.

YV: It's the Roman Catholic Church, Emmanuel Cathedral and what happened there was that they had started part of the, you know, initiative of this church, if you like. They had started English classes for Zulu-speaking adult people and it was actually a project started by the then SACHED it was called. South African Council of Higher Education. Of course, they were running short of personnel and they looked and the word got round, "Could University students help?" So one of the earliest projects I got involved in was to go and help there and of course, I was the English Major for a good part of my final year, so I felt I could do something in that level. So I got involved in these evening classes in this parish and we gave support to adults who were studying for their Standard Eight. I think it was the Junior Certificate called then and Matric examinations, so this was actually quite an, you know, eye-opening experience, because here we were, you know, 19, 20-year old students who were ready to go and change the world and then we found that we're dealing with adults who were probably you know the age that our parents were, who were battling to get an education and we forced to sort of interact, and to really understand what is you know, their reality, what kind of, you know, lives they were living. They were all workers. They would come at 5 o'clock, very tired and you know, we would have to take them through the syllabus of English, of English poetry and literature, you know. It gave us an opportunity to hear, to see another reality, you know, to begin to interact with people who were

really involved in a very different kind of, sort of Struggle. Very important day to day, you know, bread and butter kind of, sort of Struggle. So that was an interesting and eye-opening experience and a bevy of involvement for me. The other was, we also ran for high school students in an area called Sparks Estate, Sydenham area and that we would do on Saturdays. A group of us were involved in that, and basically it involved preparing students for Matric exams. It meant meeting on Saturdays, helping them with their Maths or English or Science or whatever it was, and again I think many of us, although I'd been a, you know, a practitioner and continued to practice some Law through the Clinic, for many years, now almost 20 plus years, teaching has always been a big love and you know I felt, I think that my interest in teaching was sustained and, and sparked in that sort of period as well. So we did that particular activity. But becoming, you know, more sort of involved in community-based activity, was the, you know, thing which really took off around 1977, 1978, when there was flooding in the Tintown area, which is a low-lying Indian settlement of mainly sort of tin shacks on the banks of the Umgeni River, right, just north of Durban, Springfield area. You might know, in that period that was a very significant issue. What had happened was that the Umgeni overflowed its banks and that place got flooded and people had to be housed, so they were then provided emergency houses in I think it was Asherville Sports Ground, ja, in a couple of areas. In tents and community halls and so on and of course everybody who was

interested in doing you know charitable work of one sort or the other, thought, “Well, let’s go and do something here”, so they became in providing blankets and food and all kinds of support. We also did, a party of students, I know Praveen was involved and so was Yunus, I’m trying to think who some of the other students were and you know, including other people who came from community organisations in that area and of course we saw clearly that it was important to do that and meet people’s needs, but again, really, that problem was really a problem about a lack of housing. It was about people not having to access to their rights, you know. Now of course we have a Constitution, which says we should have that as a right. Then it wasn’t acknowledged as a right and clearly, it wasn’t even acknowledged in practical terms. So the whole question was where would sort of people go and of course, the Council, the City Council was then earmarking the new area of Phoenix for development and for the accommodation of these families who had been sort of stranded and of course, this was on line, it was you know, houses were being built, not at a very rapid pace, so clearly this became a very important issue. Those people were earmarked to move into Phoenix, but what were they moving into? Were they moving into anything necessarily better and it became evident that they were getting these blockhouses which were hardly you know, comfortable or even good from a, you know, health standard and then it became important that that area should be dealt with, that we should, you know, people should focus on how

do we go about getting the best possible housing that we could get under the circumstances so as people began to move into Phoenix initially, into the first few units of Phoenix from the then Tintown area - of course later people came in from other parts of Durban into Phoenix. We also got involved with these communities, because in Tintown we were active in a committee that was trying to negotiate a better deal and a good transition from the old to the new. We also you know, became involved in those committees in the Phoenix area. As people moved in, they encountered numerous problems. I mean, they had these houses, they were barely shells. The facilities were non-existent. There were no real roads there, so you had to trudge through mud to get to your house and that kind of thing if it rained and it really became a big battle to now focus on getting proper facilities and getting the basic needs actually met. So although those houses had electricity and water, which the, which were a big improvement on the Tintown settlement, there were no other facilities. There were no telephones at the time in that area and there were certainly no amenities or recreational amenities. Schools were starting to go up at a pace. The people were still commuting at that point between their residential area and the old schools that they were going to. So in a sense that became a fairly big, you know preoccupation with many of us to become involved in that and in the course of doing that work and interacting with those people in that new settlement we became involved in establishing organisations and these were mainly community-

based organisations, civic organisations to campaign and work around people's civic demands. The need for better housing, better facilities and so on. Of course, the big break in many ways in, in the sort of Durban context of community organising, was the establishment of the Phoenix Working Committee, which was the umbrella organisation of Phoenix community and so on, to campaign against, you know, the Government and the City Council to ensure that people got the amenities they needed and later on, the Phoenix Working Committee spearheaded a number of different campaigns around civic issues, including you know, high rent and including the issue of autonomy, which the Council was very keen to give to this little fledgling township. They wanted to hand it over to the community as it were, and let them run their own township without the infrastructure and without the facilities and so on, so those became some sort of big campaigns.

MN: You were still students by then?

YV: Well, ja at that point, I had started you know, serving my Articles as a you know, Candidate Attorney as they're now called and ja, it was the period between that and then, you know, qualifying and becoming you know, an Attorney in practice, ja, the end of my student years.

MN: Were you affiliated to any organisation by then? Any political organisation?

YV: Well, at that point, no, but later yes, ja. What had happened was, you know, we had the civic organisations that a number of us were involved in. The only, of course, as you know, around 1977, the



Black Consciousness organisations had been, you know, a subject of repression and got banned and so on and the only sort of viable organisation that existed at the time was the Natal Indian Congress. Yes, I became active in it, not as a card-carrying, office bearing member, but I attended the meetings and I became involved in activities that were, coordinated by the NIC from time to time, ja, so, I was, I became active and later on of course I became more active and at some point even became a member of the Executive Committee of the NIC.

MN: Were you still living on Grey Street?

YV: Yes, at that point I was still living in town, ja. You know, town was still the centre of a lot of activities. The NIC used to call meetings in Kajee Hall in Leopold Street and Bolton Hall in Albert Street and you know, these used to be attended by over a hundred people, of course always under the watchful eyes of the Security Police.

MN: You were not involved there?

YV: Well, I wasn't centrally involved. I would say, I was involved more as a you know, a person who was interested and attended meetings and you know, kept you know, abreast of what was going on, but I wasn't centrally involved in the organisation and of course, it got a lot of Police attention so that was one of the reasons, I guess, you know, many of us sort of chose not to be - but of course there people who were, you know, high-profile people and there was a kind of unwritten understanding that you know, not all young people should sort of rush into occupying high-profile positions in political organisations and become sitting targets as it were,

you know. So many of us sort of preferred to sort of work quietly and of course, that kind of work also led us, being later on, many of us, including myself, being recruited into the underground African National Congress and the South African Communist Party and of course, from around 1980 or so, I became involved at that level, but that was a completely different level of work which involved clandestine work, which involved working in small groups in a very sort of quiet way, while we were at the time working publicly in civic organisations and going on delegations to the City Council to argue you know, the case for the community for better facilities and so on. Ja, so you know, one had a very dual kind of existence at that level from about that period, ja.

MN: So you were doing it privately, then using the front, as a front you were doing this empowerment?

YV: I won't say, we were often accused of that. You know, when we started organising in the Phoenix area, we, of course, everything then goes smoothly. Although people had you know, common problems, but everybody was of the same mind in terms of what we should do about it. There were, those of us who felt you know, we should confront the Council and demand and so on and make sure that in the course of that, you know, people became more conscious about their rights and so on. There were others who took the softly approach who felt, you know, we should go in delegations and talk to Council and we should, you know, try to persuade them of the rightness of our position. Many of them were very conservative sort of elements, so in the

course of you know, taking up these issues, these kinds of “polls” if you like, developed even in communities; and we were often accused by the so-called conservative factions, you know, who were used in communities that we were often accused by them of being politicians who were there to subvert the community, who wanted to merely use the community to bring about, achieve our own ends which was of course, revolution, etc. And they weren’t entirely wrong in that, mind you, but I must say in our defence that although we were politically motivated and this is why we got involved in community organisations, our intention was never to sort of use people or to get people, or to you know, to use people cannon-fodder to fight sort of our own battles. We were actually very protective of people that we worked with in the community and you know we made sure that, as best as we could, that they were not exposed to the sort of Security Police attention that would come in leading a demonstration or a march or whatever. So in that sense, you know, we had very strong, you know, scruples about how we, we worked at that level. We worked in a very, I would say, respectful way with the sort of community and even though we had political motivations and so on, when we worked in the Phoenix Working Committee or later in the Durban Housing Action Committee on housing issues, it was putting those sort of issues first. It wasn’t necessarily putting, you know, ahead any political agenda. Of course, you know, in the course of working with a lot of interesting and, and committed people came up who we then tried to

recruit into the political organisations, because and we did, because we felt that it was natural arising out of your disgust with the, the state of affairs at a community level, that people should see the bigger picture and become involved at that level and I think we were successful to a great extent in, in drawing a lot of people from the community ranks into the political mainstream as it were, ja.

MN: Can we pause?

YV: Ja.

TAPE SWITCHED OFF

RESUMPTION ON B-SIDE

MN: Welcome back, Sir. You were telling us about your community work. Before you continue, can I ask you this one. Did you have a political philosophy by then? The reason I'm asking is because when students come to the university, that's when they start getting philosophy while at high school you only go for party politics and all in the name of it. When you arrived, did you have your own philosophy that you believed in?

YV: Well, I think it was, you know, in the making. I wouldn't, you know, put a label on it sort of straightaway, but what was interesting was that, you know, UDW was a melting pot. We had, I would say, three different kinds of strands, or maybe even four of political thought that you know, existed here. The one of course, as I mentioned earlier on, was that there was an element of the Black Consciousness Movement which was very attractive, because it was very strident and forthright and it was you know exciting to become involved in. But you know, I for a long time, I was

very charmed by you know, that kind of philosophy, but also saw, you know, limitations in it. I felt that it didn't really look at issues of you know, class, basically. It tended to put everybody in racial sort of categories and later of course it became clear that one needed to go beyond that. So that you know, was attractive, but also showed some limitations. Then there was of course, which then became a fairly major thing, was what was known the Congress and later became known as the Freedom Charter sort of tendency which was sort of present here. People who belonged to the Natal Indian Congress and other congress reformations, expressed that strongly. The Freedom Charter came up. We, for the first time, you know, in my life, I began to see a copy of the Freedom Charter and read it and understand a little about that history so that was the sort of tendency. There were a few students who belonged to the Unity Movements who were mostly very critical of you know, the other tendencies and there was a small, what one might call, anarchist tendency. We didn't really want to have any sort of political label, so what was interesting was that there were all of these people and of course as young students, as somebody who was identified as being, you know some potential recruit, I was also subjected to overtures by different factions to say, "Well you know come", you know. I was given literature to read about you know the history of APDUSA [AFRICAN PEOPLES' DEMOCRATIC UNION] Unity Movement or Black Consciousness stuff or the Freedom Charter and the Congress Movement

information and in a sense you know, that was, so yes, I would say that I didn't come in with a clear political philosophy. I was certainly exposed to a reasonably good spectrum of, you know, political thought here and eventually I gravitated towards the Congress Movement philosophy, but I also became quite interested in Marxism. You know Leninism, reading about, you know, Marx and other contemporary Marxist writers and found that to be quite a useful way of analysing the world, you know, the tool of Marxism, of understanding how things work and then you know, I think I operated for a long time in terms of using that as my analytical tools.

MN: The reason why I ask you, because it is a philosophy question, was because of similarities between what the B.C.[BLACK CONSCIOUSNESS] Movement busy movement was doing, opening clinics and all and your work, doing what you were doing in Tintown and Phoenix and all, there was similarity. That's why I was asking whether you were influenced, you got an influence from them?

YV: Yes, I would say that. You know, we felt you had to work with the masses as it were and clearly, you know one of the things you would in any sort of literature and looking at, you know, especially Marxist literature is that you know, the people are the motive force of history and that, you know students as well-intentioned and intellectually astute they might be, on their own can't actually do anything, so you know that was a lesson which sort of came fairly earlier on and it might have come from a combination of that kind of philosophical

background as well as I think a little bit of common sense, but you know, people were suffering and you know you want to talk, talk all the time, spend a lot of nice late, you know, long hours talking about these things, but really you needed to, you know, get busy and get down and dirty a little, you know, get your hands in, that sort of thing. Mind you, we were attacked by some students on campus for being very Reformist in our work, because they felt, well, this is really charity work, this is, you know, tinkering with the sort of system and trying to put Band-Aids on things, you know, when what you should do is have a Revolution and just basically turn everything upside down. Fairly earlier on I think those of us who worked in this area, you know, of community organising, were able to argue against that tendency because we felt, we saw that you know these people were professionals at sort of reading the most left-wing literature and talking all the time, but doing very little and you know, we didn't find that particularly attractive. For a while it's attractive, you know, to know everything that's written you know, to be able to speak with erudition about you know, philosophy and you know, political economy and that kind of thing. Eventually, we learnt most of our politics and most of our philosophy, I think, working with people, because really, that's what we found to be the sort of reservoir of knowledge and you know, experience and everything.

MN: Tell us more about what you did in Phoenix. I mean, your work. Tell us about the characters

involved ,the people whom you were involved with, do you remember?

YV: Ja, well what was interesting was that because of you know, the repressive nature of things, even organising around civic issues became a risky business. So you know, Security Police would eventually hear about a meeting and come and enquire and so on. So we felt that you know, it wasn't a good idea to sort of start by having big public gatherings and so on which would then attract attention. We thought a good way of getting to people and debating with people about issues, was to have smaller meetings, so we started a series of you know, what we call house meetings, where we would get people together in a particular road with maybe 20, 30 households, call them to a meeting, we'd have a fairly set agenda where we would discuss particular issues, but open it up and get people to participate in that. And we did that and you know, I'm happy to say that over the years that we worked in Phoenix, we actually had several rounds of these meetings which virtually touched every household in those areas and of course, in the course of those meetings we just had, you know, it was a lot of, you know, backbreaking sort of work at the level of, a lot of legwork - going the night before, giving out handbills, asking people to come to a meeting, pitching up the following evening, conducting the meeting and getting people together. Of course, we had worked with people from the community so they would be very much involved and as students we were seen and later as professionals, as something of outsiders who came



in, who were relatively more affluent, who had a profession and a job and that you know, was an issue which we tried hard to sort of deal with, because you know, we, it was not something you could easily discount and of course our detractors sometimes said, "have a look at these people, you know, they have jobs and so on and they're okay." You know, they want to get you involved in politics and get you into trouble and take care of your family. You know, those kinds of issues came out, but you know, as I said, we were quite successful in reaching people. We had the most marvelous meetings, you know, in houses, we had people come, all manner of people, we tried to and even stay on and encourage the participation of women in our meetings, so this would be very interesting, because sometimes it would be the very first time that women would have an opportunity to speak and you know people would naturally look at the men when questions were asked and raised and, but the women came to the fore. I mean, you know, Phoenix women were in their own right. I mean, there were some very colourful characters. I remember Mrs Maharaj and I know that there was some elderly gentlemen, Mr Luke Naidoo, Mr J.M. Singh, who then became the Chairperson of the Phoenix Working Committee, Mr Jackie Nair; many of whom are late now, who were really people who came in who had very difficult lives, who struggled, you know, working people, but who saw the need to become involved in sort of organising. It wasn't all hard work, you know, boring meetings and so on. We found a good way of creating awareness was by

having activities, you know, variety concerts and musical shows and so on which involved the community, because they participated in putting out items, but many of these plays and skits would have a sort of, a political theme or a vaguely you know, a community-based kind of theme with a lot of humour and so on, so we had, I remember, the first big you know show we had in Phoenix around community organisation was held in a big tent because there were no community halls erected at that stage and you know, the community participated in a wonderful variety of musical items and plays and the high school youth of that community involved in putting up and we discovered that for example youth were very good at portraying drunken gentlemen, you know, I mean and you know, they were, some of these kids were, were portraying the sort of situation that they experienced on a daily basis. The drunken father coming home, beating on the, you know, family and so on. I wouldn't generalise and say that was the situation, but that was the kind of situation one did sort of encounter, but it was interesting that people were prepared to put this out in the public domain you know and to say, this is the kind of activities, ja, so you know, we had a lot of fun times around those sorts of things and you know, we'd get over weekends, the community involved in doing fun things, going out on picnics and that kind of thing to you know, create some sort of community spirit and awareness, so ja, there were sort of fun things. I don't know whether it would count as very exciting and fun by today's standards, but certainly,

you know, there was a variety of things, but we were fairly serious people I must say, so we did a lot of, a lot of our time was spent around focusing on the issues and you know, trying to work around those kinds of things, yes.

MN: Now, Mr Vawda, you also mentioned that insofar as political philosophy, you were leaning more to the congress or the Freedom Charter. Can you tell us more about your political life? I mean, your political involvement after or during your student days? I mean, your broad political involvement?

YV: Okay, at university of course, 1972 was a very charged year so there was a lot of activity, the boycott and so on, and after that of course there was community activity so in a sense it wasn't overt, all of it wasn't overtly political activity, because working in the community was really community work with the political objective you know of actually making people more politically aware and gradually getting people to see you know, the wisdom in taking political action. So you know, 1972 was that, but after 1972 of course, there was no SRC available. There was very little student activity on campus, and as I indicated we went and worked in communities, but of course there was political activity, which was pretty underground on campus, so I, you know and this in a sense was a useful I guess, training ground for those of us who were still on campus in the year 1973 and 1974. You might remember that in that time, there were a number of issues that you know happened. There was for example the miners' death in Carletonville. There were other issues,

Sharpeville was commemorated every year and because you had no organised activities on campus, these events couldn't take place in an organised fashion, but they were commemorated nonetheless. So for example, we would go to Lloyd Padayachee's house in Greenwood Park and use the roneo-ing machine that we had in the garage there to print pamphlets and then we would work overnight and, and prepare these pamphlets, getting it on campus early in the morning, probably before 7 o'clock before lectures started and made sure that they were all placed in lecture theatres and so on and then nobody would know where it came from and this was done very sort of clandestinely and then you know and that would announce that there would be a meeting at 10:00 and at 10:00 somebody would just get up with the megaphone in the quad and completely, well, ostensibly impromptu, because you know, it wasn't advertised beforehand so that the university authorities were not alerted and the Security Police were not on standby and so on and of course, they would get to know about it and sometimes they did get in here and sort of try to break up the meeting but often in 2 or 3 hours we could get a reasonable mass of students in the quad. We would have one occasional outside speaker, but often student speakers who would then talk about the event, whether it was Sharpeville or some other commemoration and in two or three hours that event would be over and we'd be gone, so there was that public activity, but a lot of the organising was actually done in a sort of clandestine, quiet way, because you didn't want to

attract the attention of the system and you ensured, you know, anonymity for yourself and for your colleagues and it was an effective working. It required a lot of discipline, you couldn't sort of talk about it, there was always a tendency to go and say, "Hey, you see that pink pamphlet attacking the Government? We did that sort of thing" and you know, one had to be disciplined and you know, people would comment and say, "Hey, this is great work" or somebody would criticise it and you had to be careful not to, you know, rush to the defence, for fear of sort of exposing yourself on that level. Ja, so there was that kind of, you know, work that went on and even though there was no ostensible public activity on campus, with the exception of those meetings that we occasionally called, this happened.

You know, there were groups of students who were meeting quietly and discussing and of course, it was mainly talking and talking about politics, but occasionally also producing things which were for mass consumption which would then go out to the student body. So usefully that you know was perhaps a precursor to sort of learning the discipline of working in a clandestine way of being

able to sort of work underground. So when in and around 1980, the approach was made to me to join the underground of the ANC, I you know thought about it, but it was the natural thing to do, because I had been naturally gravitating towards the sort of congress kind of philosophy which was captured in the Freedom Charter as you recall in many ways, but it also it went beyond just you know, the broad church of the ANC, the Congress

Movement. One also felt that you know, you needed to look at the majority of the people in society who were working people, working class, who really were not going to necessarily get improvements in their situation unless we had a different kind of system and you know, one then began to get exposed to think as Marxist thinkers and people who wrote about Socialism and of course, you know, very interesting what was happening in the then Socialist World, you know, Soviet Union, in China and Cuba and so on, followed very closely developments there, because that seemed to be the brave new world. That was what appeared to offer an alternative to you know what could be, and so that was, ja, an interesting sort of angle to look at, but certainly, becoming involved in the underground of the ANC probably had added burdens, including the risk and the danger of being exposed, or uncovered at some point and facing arrest and so on, which, which happened of course, eventually at some point, but what was interesting was that it then gave a much more stronger focus and commitment. One felt part of something sort of bigger and there was a lot of comfort and relief and strength in knowing that it wasn't just a group of people who were doing something and knocking against walls which you didn't know what the outcome was going to be. It meant, you know, you were part of something larger, a bigger movement, which had a strong tradition and history, you know. It also gave us opportunities to interact with, in a limited way, some comrades from other communities like the African community which had been a very

limiting you know part of the experience up to that point, because UDW was an exclusively Indian institution and the communities we lived in and worked in where you know it was very difficult to go and work in Umlazi at the time, because you know, all sorts of you know risks and you know, so, so that was limiting, but working in the ANC then opened up to that sort of reality and our work was mainly at the level of propaganda. It involved putting out ANC propaganda, producing them sort of locally and using various different methods, like distributing and it was mostly clandestine methods, you know going and dropping them outside factory gates, in communities and so on. Occasionally we got, you know, bold and we stood in places and handed them out, but that you know, obviously didn't augur too well in terms of exposing ourselves, ja, so a lot of that work was actually to, to put across the message of the ANC and it would be around different event and whether it was the January, sort of ANC's anniversary meeting or some other event that took place, or it was the anniversary of a leader of the ANC when ANC leaders, for example, died in exile, there would be publications that would come out, you know, focusing on them so that people would be aware of what was actually going on and a lot of our activity was focused around that, that kind of work and it also involved the nature of things being in touch with the movement particularly in exile, so it meant that contact had to be maintained and that contact took place in, in different ways. The one way was of course to travel, to drive up to Swaziland or

Lesotho, or wherever the ANC, in Mozambique, where the ANC had area offices and meet with, you know, leaders of the ANC, the different people who were in the area, you know. We had meetings with people like Mac Maharaj and Jacob Zuma and kept in contact in that way, or alternatively, meetings would happen where a courier would be sent in with information and would take information out or other couriers were used, you know, people who we knew were travelling, they would be able to take reports or information out and that's the way in which a lot of the connections were maintained. Of course there were other methods like what they called, they had letter bombs where messages and information would be dropped in an area, which was known only to us. We would be able to access it at different times and there was some limited use of say, telephonic communication. Of course, speaking in very coded and cryptic sort of ways and not sort of talking openly about that. You know, with code names and all that kind of stuff. It also had a lot of aura, adventure and you know, excitement about that as well, but it wasn't without, because ultimately you know, we did, there were mistakes which were made, you know, which resulted in, in some tracks leading to us and this actually happened for me and personally it happened in the 80's, mid eighties, when I think some messages had either been accepted or a Courier from Swaziland had been intercepted and then the Security Police got on to a communication channel that we had with the outside, I think it was telephonic communication. Although it was, we had



cryptic and coded messages, they were able to track it down to a couple of us in a particular ANC cell and eventually there was a raid in, it was around June 1985, but I think in 1986, ja, that we were raided and well, it was also the time of the emergency that had been declared after the Cradock [Five] killings and so on, ja, so all of us who had been working also in the public organisations, not all of us, many of us, were being very careful about it. We didn't sort of stay; we were staying in safe places and so on, so when they came to arrest us early in the morning, some of us were picked up and some of us were not and I happened not to be sleeping at home at that particular night so I had kind of been alerted and then I consulted with some of my Comrades in the cell and we decided that we should go into hiding and sort of work underground.

So I did that for some 6 months in the latter part of that 1986 and of course this was at a tremendous cost, because it meant that I couldn't sort of work publicly for one in terms of community organisations, but I could work, you know, by working quietly and you know, being in touch with individuals, but also it affected my; because I was already in practice then and I was running a solo practice so it was quite a strain. I had to arrange for people to come in and take over the work I was doing and it was, you know, financially crippling as well, but it was a difficult time. In fact, in many ways, being so underground and sort of evading the Police, being in hiding, was a lot more difficult than being in detention, but you know, more of that later. So that happened in the

middle of that 1985, 1986 period and for some five or six months, I was in the situation where I was staying in a safe place, I was having meetings, I was doing work underground, continuing to do propaganda work, meeting with people who were working in the community organisations, giving them support and consulting with them and you know, playing some role, but I couldn't play a public role obviously, because that would have exposed me to, you know, arrest and so on; and of course, it was, as I said, being in that situation wasn't; it was very stressful and so on and one had to then evaluate on an ongoing basis what was going to happen. There was no intention to be underground forever and ever; and it became clear that it would be necessary at some point to sort of surface and go through the motions of detention and get that out of the way to be able to come back and work publicly and this was motivated by the fact that a number of things; one, was that we did a fair amount of damage control. Even though ourselves had been, you know, sort of identified and busted, Dr Desai who was a Medical Practitioner working in Johannesburg and I was one of the first people to be arrested and the other person who had been arrested at that time also was Mr Logie Naidoo, who is now Deputy Mayor, and there had been for a while and through, you know, they were arrested for one or two months and when they were released it was possible to find out exactly, or to a fair degree, what the Security Police knew about our activities. So with the basis of that kind of knowledge one would be able to do some damage control and say,

“okay, this is all they know about us and basically, that’s what we have to deal with” and it became clear that although they knew something, they didn’t know a helluva lot about us. So in January 87 I then, you know, decided to surface, I went back to my office after the New Year’s holidays and I was arrested on the first day by two Afrikaans-speaking Security Policemen came, said they had an authorisation from the Minister to arrest me in terms of Section 29 of the Internal Security Act as it was then, which makes provision for Detention without Trial and I was in detention for 5½ months until June that year.

MN: So little.

YV: Yes, that was interesting because what happened was initially I was taken to CR Swart Police Station and then because of the large number of people who had been arrested, they weren’t able to hold everybody in the Police cells, so then we were held in the Westville Prison, in a special section, and although it was solitary in the sense that each, you know, political detainee was in a single cell, there was some, you know, it was possible to have communication, so that was actually quite a fortunate thing in some ways, in the sense that you know, you could, so shouting across the corridor and you know, speaking through windows, have contact and get up to information. So different people had different things and a person coming in, and when I went in there were several other people who were already, you know, in detention at the time and one of whom was a gentleman who served some time on Robben Island, Nathoo Barbenia, who

is late now. He died about two years ago. He was, of course, not part of any network that I was, but you know, I knew him quite well and he happened to be in the cell next to me, but as people sort of came in, new people, we would be able to bring in more information about what was going on so it was a way of actually keeping in touch. Then of course, there were other ways, you know, occasionally we would go down to, fortnightly for our medical check-up with the prison doctor and you might encounter awaiting trial prisoners or other people who would, you know, pass on information or notes and so on. So, you know, prisoners can be very resourceful and we devised many interesting ways of getting notes out, getting information out and so on.

MN: Were you tortured?

YV: I was not tortured. No, I think I was interrogated quite extensively for the first three or four weeks, where I was taken daily to CR Swart Police Station – long hours sort of standing and being questioned. I was verbally abused. I was, you know, sworn at and all that sort of thing, but I wasn't physically manhandled and you know, I came close to getting klapped a few times. There was this one Afrikaans gentleman. I think it was Lieutenant Breytenbach or something who, was in charge of my interrogation and he, I had my story, you know, worked out. My, of course; they had some suspicions that we were connected to the ANC and to the MK, and they would question us about this and of course, we would deny and my sense was that having understood what they knew and having heard from

others what they probably knew, that they had a clue of some connections, but they didn't have details, so we could get away by continuing to deny it and we did and of course, he was persistent and he swore and he said, you know became, at one session particularly, he got very aggressive and he said, you know, "You'll fuckin' rot in jail" and you know, "You're not going to get out of here", this, that and so on and he went on and you know, for me it was interesting, because it had reached a new point in that interrogation relationship between us and I felt like he know he was really, up to that point I had a fairly good measure of things. You know, I was in control and I was, he couldn't get the better of me and I felt that he was sort of trying to move to another level of sort of dominating that relationship, so I took a fairly big risk and I said, "I'm going to get a bit cheeky" which I can be" and I said to him, you know, "Are you threatening me?" at which he completely flipped, he just lost it. He came next to me and his fist came like within a centimetre of my face and you know, he was going to beat me up for all, I think and then somehow he cooled off. I think there was some deference because I had a legal background and I was a sort of, so they didn't you know, probably treated other people a lot worse. So he walked out of the room and he left me with two Black African Security Policemen who then tried to play good cops you see, and then said to me, "Oh, you must think about your career and you must think about your practice and you're a professional man and you know, you should co-operate. The guy is, you know, giving you a

chance to come clean and all that sort of stuff, so they tried that little trap to see if anyone would and I nodded to them and they just said nothing and after that of course, the relationship became strained. You know, I mean, you know, we were just, it would be completely formal as it has always been and we would, you know, he would come with these questions and I would give my answer and they would leave me and say, "Write what you have to write" and I would write repeating mainly my legal sort of activities and denying all my clandestine activities, and after about two months, 6 to 8 weeks of that, they probably felt that I had nothing to offer them, so they sent me back to Westville Prison and occasionally would take me in and read some part of the statement and ask for clarification and that kind of thing. and the interrogation then became virtually sporadic and that was really the worst part, because you know, while you were been interrogated and being taken each day to Police cells, it was possible to be very alert and you know, intellectually stimulated in some sense as hard as you might find it to believe, but when you are just left to get up, take a shower and exercise, sit in a cell. We managed to smuggle an odd book or newspaper and so on, it became very difficult to sort of maintain that kind of thing. So that continued for a good 2½, 3 months. In the course of which time, my family had brought an Application in the High Court to - let me tell you this interesting anecdote - to get, get my release, and of course I had, before I left, I instructed my Attorney, Thumba Pillay, who is now a Judge of the

Natal Court, to you know, I had given an Affidavit saying what my involvement was and so on, it's all legal and all that kind of thing, so they used that to bring an Application and of course the Courts were then very conservative. We had Judges who, the matter was going to come before a fairly liberal Judge, Didcott, but the State's Attorneys did a dirty on our counsel and they said, "Look, you know, let's postpone the matter to next week, a few days, we're waiting for word from Pretoria that we may be able to release your client." So they got excited and so on and said, "Okay, what's a few days?" but that was a ploy to get, they weren't smart enough, of course. That was a ploy to get the matter off the roll on that day, and Didcott was not going to be in that court and then the matter, eventually they reneged on the Agreement. They didn't, they said, "No, we haven't got the word" and "Look, no, we've got information that there's a heavy involvement here" and so on and they sort of played along. So when the matter eventually came to court it was heard by Judge Kriek, who's very conservative, and who heard the argument. I was represented by Thumba Pillay but the counsel was Douglas Shaw, who's a QC and Tien Aboobaker, who's now Senior Counsel, and they of course argued a very good case, but he reserved judgment and he reserved judgment and the matter went on for weeks and weeks and weeks and almost getting to months and of course, this was very frustrating and of course, I was getting some news that you know, this was going on. So you know, you have a lot of time to think when you're sitting in the situation.

MN: Can we possibly pause?

END OF TAPE 1

ON RESUMPTION

MN: Welcome back, Sir. You were telling us about the case.

YV: Yes, what happened was that the Judgment had been reserved and I was getting incredibly frustrated that nothing was happening, knowing that you know probably the Conservative Judiciary was keen to let the matter ride out and nothing was going to happen. So as I said, you know, when you have all this time on your hands you tend to think about different things that can sometimes become quite creative, so then I came up with this idea, and I said to myself, well, the matter was heard, they have said everything they need to say about my case, the guy is sitting with the Judgment and he's not you know delivering it and you know, I need to get on with my life and what can I do to accelerate this? Could I do anything? You know, my lawyer said, "Well no, you can't really do anything." So I said, "No, I'm going to do this. I'm going to write to the Judge President". So one day I managed to get some paper and I wrote a letter addressed to the then Judge President who was John Milne, who was a liberal Judge, and very highly respected and one of the first Judges to sort of bring in Black lawyers as Assessors in his cases. No other Judges were doing that at the time. So I wrote a letter in which I said basically, "This is who I am. I am an Attorney. I have practised for all these years. I have been arrested in terms of these security laws. Application has been made for my release. This is



my..." without going into the merits of that, because I didn't want to, I knew he would have a difficulty with that, but just saying that I think it's a travesty of Justice that the matter has been heard before a Court, one of his officers and that Judgment, it's taking so long for Judgment to be delivered as a result of which justice is not being served. I am languishing in detention, my practice is suffering, my family life is suffering, my, you know, work and my social life and so on and that as an Officer of the Court, if I am being meted out this particular treatment, how much worse is it for the person in the street, and you know what confidence they can have in the judicial system and so on. I wrapped this letter up into a little parcel and I slipped it out to, I think it was Alan Pearce who was awaiting trial because he was connected to the Robert McBride Magoos' [Bar] bombing and so on, and Alan Pearce was tried separately, but Alan Pearce was awaiting trial so he had more access, he had, you know, visits from his lawyers and so on. I saw him in the sickbay and I gave him this note and I thought, well, this is it, I don't whether Alan is going to get it. Alan is going to give it to somebody. If they get it out whatever, and then nothing happens for weeks. So I think, well, there's goes a good intention, a good idea, probably nothing is ever going to come of it. I got used to you know, the routine of prison life in Westville Prison, and forgot about the matter for all intents and purposes, until one morning a Captain Kapp, I remember his name, very strident, very difficult guy, comes into my cell, you know. We

were getting ready, I think we had already done breakfast and people were getting ready, taking exercise breaks and then to get showered and says, "Come with me" and I thought, well, this can only be, it can't be I'm being released, at least I don't think so. He wouldn't know anything about this. I thought the other thing was that he was maybe transferring me, or perhaps he was taking me to be met by the Security Police for interrogation or something. I get dressed for the whatever, you know, I could and go along with him and we walked through the Medium B and we walked you know within the Prison and eventually we come to this very nice office which was clearly the office of the Head of the Prison or something, and he says, "Wait outside." So I wait outside and he goes inside and he comes out and he says to me, "Just a minute" and then I said, "Why?" I kept asking him, you know, "What's going on, what's happening?" and he refused to say nothing. At that point he says, "No, the Judge is here." So I get ushered into a very nice office and there happens to be Judge Galgut, I think it was, from the Natal Provincial Division or Durban Division and you know, greeted me and sat down and he said, "Look, I'm being sent here by the Judge President. He wants me to let you know that he received your note and that he is taking it very seriously. He's concerned, you know, by the issues that you raised and so on and he wants me to assure you that your matter will be, you know, given serious attention and that no time would be lost in you know, bringing this matter to finality and that

what he can do, he will, to ensure that the matter, you know, is expedited, as it were. So it was very pleasing to know that and I think and he also asked me, Galgut, whether I was being treated well and what were the conditions and so on. He took the opportunity to do that and you know, basically, after from the fact that it was boredom and sort of languishing and nothing else really was happening, so you know, I could honestly tell him that ja, you know, I mean, I don't have any complaints to make except that I don't want to be sitting here. And then he left and I was taken back to my cell. But I think it was very significant thing for me, because it gave me a, it was a tremendous morale booster for me, because it felt that you know, a little strategy like that could make some change, not that he got me released immediately, not that it made things better for a whole lot of other detainees, but I think I felt that my issues sort of were raised in a couple of different places in a forum. I think it would be a lot more difficult for people to treat me badly and to continue to ignore my sort of situation and the fact that the Judge President had notice of this issue, gave me the kind of protection and exposure which you know, I might not otherwise have got. I felt very pleased with myself, you know, being able to pull this little trick and of course, I continued to, this was towards the latter part of the detention and then I had, making several requests to the Minister, to the Commissioner, to several people to have access to my family, to have access, of course, I was then single. I didn't have, I wasn't married or had

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kids at that point, but to other members of my family and to my lawyers to deal with my personal matters, my practice matters and so on and these were, you know denied. In fact I was getting nil official response, I was just being told, “There is no answer yet, there is no answer yet” and so on, until Friday, the 12th of June, I think it was, when I was then said “Look, your Attorney is here to see you.” So I get a surprise and say, “Well, I was least expecting this to happen”, so I said, “let’s go”. I go, I’m let down, I go to an office, and I’m met there by a person who was my associate in practice, Paul David. He was also a Political Activist and very active in you know, the NIC and in community organisations and so on, who had been, you know, managing my practice in my interim and he came of course, with the series of files and issues where my, you know, advice and my comment was sort of needed. But of course he came mainly to see, you know what was happening and to give me a certain political message that everything was okay, to get that message from me as well and more to make the sort of contact. It was a lovely meeting. Of course, there was a Warder present all of the time. We were able to communicate things through you know, again, coded language and so on, but it was great you know and I managed to get information about what was going on – who was released, who else might have been detained all that kind of thing and I then was taken back, the meeting lasted about an hour to my cell. There is a break in the day where everybody is sort of resting, the cells are closed, so

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you don't, you know, it's very difficult to communicate, but people knew, as I was going past, the Warder there, when I was leaving, they were asking "what's going on?" When I returned, they wanted to know "what happened?" I said, "Well I had this, my lawyer, you know, I sort of, I will get the information to them" and everyone was very excited and you know, cheering and all that sort of stuff in their individual cells and before we can actually get a chance to break, where they open your cell doors and you get a chance to exercise in the corridor, another Warder comes in and said "they've just received the cable or whatever it was from Pretoria, that I was to be released" and I hardly had a chance to tell my other Comrades what had gone on, what information I had and I was sort of savouring it, you know, sending a note and so on, so I just quickly scribbled down a few things to let them know what is going on. Someone then scribbled notes to tell me and Ian Keys who has a honorary doctorate from this university, who was in the adjoining cell and he quickly scribbled a note which I had to take to Eunice, his wife and a few others, you know, gave me notes which I hurriedly stuffed in my socks or whatever, to take out and there was very little time. I said, "No, I need some time to pack" and you know and "some of my underwear is still wet" and all that kind of stuff and they were trying to rush, without any delay. Can you imagine, after 5½ months I had been released and I'm still trying to get a few more minutes to get all these things in, so you know, that was, you know,

that was it. I was released that Friday, I was taken and dropped at my place in town, in the middle of the day and it was completely, you know, out of blue. Of course, the judgment hadn't been delivered at that point, so I wasn't released by Court Order and interestingly, in the time of my detention, the first month or so, Patrick Moodley who was a Black, you know, a member of the Black [Consciousness] Azapo, and a Black Consciousness activist who, we became very friendly, because you know, we were able to communicate and so on, had been detained as well and his application was successful. It came before Judge Didcott. Didcott ordered his release, so it was actually, you know, a very positive thing. We were ecstatic when we heard that and there was hope that other people might go that way as well. So my judgment hadn't been delivered, but you know, they probably decided at Security Police headquarters that they didn't want to keep me any longer and they, you know, ordered my release. So I was released and it was only a month or so after my release that the judgment was delivered, which actually didn't go in our favour either, so had the judgment been released while I was in detention, I probably would have remained there for a while.

MN: What year was it?

YV: In 87

MN: 87

YV: Ja, 1987.

MN: How did you adapt to life, I mean what did you do, did you continue with your political activism?

YV: Oh ja, I was actually interviewed that very day and the day after that and by the newspapers and so on and I made it very clear that I felt very energised and I felt, in many ways, I felt that I had, before that I had been working very sort of quietly and although I had been involved publicly in community organisations and to a lesser extent in the Natal Indian Congress, I had a relatively low sort of profile, so that imposed certain constraints on what you could do, but coming out of detention, you know, I had, my profile had sort of increased and I felt that I was able to sort of be more outspoken, you know, than I had previously been able to. But also, I felt very fortified by that experience. I felt, you know, I had to do that and it was the right, it was important to give that signal also that you know, we were not defeated by the system, even if they, you know, put us in detention for an extended period of time; that we were able to come out stronger and so on. I felt that was an important, I honestly felt that way, I felt incredibly energised, I felt very much sort of stronger. I felt, you know, more committed to what I was doing and rather than, you know, the other way around. I lost a lot of weight. I lost about, about 10 or 11 kilos in detention, because you know, the food is awful, plus I was exercising sort of regularly, and so on. That was a bit of a shock to my friends and comrades and family and so on, to see me like that and, but then there were other adjustments that had to be made, you know. It was difficult to, you know, adapting from, even for that short period of time. I mean,

that was, this was not like years and years on Robben Island or something, but it was a big adjustment, you know, in terms of adjusting to noises and adjusting to having more people around and so on.

MN: And basking in the sun?

YV: And getting the sun, ja, because of course, I came out with like, with a Vitamin C deficiency and things, so ja, that was a, I had a Vitamin C deficiency, so ja, that was quite a, you know, change.

MN: Any conditions attached to your release?

YV: No, there were no conditions, so I was able to go back to my community work and you know, of course, the ANC party and so on, was still banned at the time, so you know, we could not publicly declare that and of course, you know, that was a story that we maintained throughout our detention that we were not in any way connected to these organisations. I think, you know, that most people would agree that that level of lying is acceptable and in fact, even noble, right? So we subscribed to that, but I continued with my community, ja, the very next week I was, you know, back in meetings and so on.

MN: You rejoined the cell?

YV: Yes and rejoined and we felt that we had to do some reconstitution, we had to, you know, do some damage control. Of course, one of our cell members had to in fact, go into exile, because he was much more heavily, more of the leads came through him and he then went into, his name is Teas Mistry from



Tongaat, who has now passed on. He died a few years ago, and he had to go into exile, because he was quite heavily implicated and he would have definitely had a much more difficult time than we would have had, because they had more information on him and they would have probably, you know, tortured him very severely, so he went into exile and then came back, you know. In fact, he came back before the unbanning of the ANC and he worked underground for a while, ja and then when the ANC was unbanned, he was able to surface.

MN: Are you at liberty to mention names of members of the cell?

YV: Well, I've mentioned some of the names already. It was Teas Mistry, Buski Desai, the other names whom you know, I could mention, but you know, I don't know if they have a view about this matter, so I'd rather not, you know, because they may want to maintain their anonymity about these sorts of things, ja.

MN: You see, the one thing we forgot to touch on, because you've been touching the events that sort of changed South Africa, but we forgot to talk a bit. Can you talk a little about the 1976 uprisings, the June 16, the effects and everything? What went on within you or your community or in the cell? You joined the cell in the eighties, but what sort of? What can you tell us?

YV: Well look, clearly it was a big sort of watershed event. You know, it started as a small thing and everybody felt that you know, what's going to happen next and so on and as the momentum sort of

gathered and spread and so on. So we were incredibly; you know, energised by this. I mean you know, the youth, generation of the youth and of course, we still considered ourselves part of that, coming up in such an unambiguous way and taking on the system with you know, sticks and stones and so on. Unfortunately, you know, there was not such an outpouring of activity around in this region and of course in the communities where we were working, we were still battling with a very conservative, sort of, you know, level of response, so it was very mixed, you know, working in the community. Of course, students, we were in touch. I had left campus by then. I had started work and the student generation that was here was incredibly energised by it and they, I think were having a series of events around what was happening in Soweto and other places, but in the community which that point we had been working in, you know, is still very conservative. So they saw it as all those kids rioting and that sort of stuff and you know, we did things to try and help interpret that and say, "Well you know, this is what people are really doing and so on" and I honestly can't claim a lot of success in, in being, convincing people that you know, this was really a positive thing and we should be supportive of it and so on. But clearly at a personal level and in terms of our people I worked with and so on, you know, we understood the political significance of those sorts of events, so that was a fairly, you know, important sort of watershed for us and of course later we understood

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it in its sort of entire complex. But of course, there were a series of other things. The big thing in Durban as in many places of the world, were the eighties schools boycott which then became much more widespread and involved a lot and we were very involved, because by then we were heavily involved in the communities and again, through our community networks and so on, we were working with many of these youths, many of these young students in the high schools were youth working in the community organisations, so they were picking up some of the political dynamics and they had some idea of organising, because they were coming to meetings and so on and it stood us, you know, well as an organisation in good stead, because we formed committees everywhere you know, parents' committees to oversee the issues, because the Police were coming into schools and that kind of thing and to negotiate and we got involved in many of these stand-offs with Police where they would come and have to go and, you know, as parents' delegations to be there to protect them, because some of the Principals were supportive and many of them were very spineless and you know, would not stand up for the kids. So that actually became the big picture, but I would say, '80 was much more of an eventful year for us and the communities that we were working in and certainly in Phoenix and in Chatsworth and in other areas, students came out. They were very involved and they were very you know, sort of motivated and it served as a, as a boost for a number of things. One was, a lot of

those students who got conscientised through protesting in the school, became involved in community organisations. Some number of them, a percentage came to university to further their education, so they actually fed into that ongoing, radical sort of content that was coming out from, you know, schools and communities into the sort of university. It had a fairly big impact on that, ja.

MN: When you were arrested and when you were released, you were released around '87, that was when most of the, some of the Islanders would be released, the Govan Mbeki's you know. Do you think probably that's the reason why you were not so, tortured so heavily and you were released, because the winds of change have caught up with the State?

YV: I think it was a little before that. '89 was when you know, Oom Gov [Govan Mbeki] and others, you know and then that, that period, Walter Sisulu were released, ja. It was still a very repressive time. One can only speculate why not. I think a combination of things. What would argue against what you're saying is that, the fact that others who had been in detention were severely tortured. I know another comrade from the townships whose name I cannot remember, because we basically didn't get to know a first name, but I knew sort of his code name, was for a while in the cell next to me and he was quite severely tortured and he didn't come back for two nights and we were worried about him and then when he came back, he was really a wreck, you know. So I think you had to do

a number of different things if you were really interested in joining, the one I think was that I think there was a certain amount of deference that I was a professional person. I think there was also recognition that I had a lot more resources and a lot more support to make trouble, you know. I had a strong family and professional and you know, a social network that could make a lot of noise for me. I think that's a reason as well. I suppose also, in their eyes I wasn't somebody who was necessarily a "big fish". What they knew about me was you know, eventually they gave up was fairly mild and of course, what they didn't know could have got me into trouble. I could have probably got a prison sentence for at least, you know, for being in membership of a banned organisation, but I wasn't going to give, hand it them on a platter and they couldn't really establish that sufficiently, so perhaps, you know, they would have assessed that look, they might have left that room open to doubt. Maybe, well there isn't anything here. So I think, a combination of things, but certainly other people were treated very badly and you know, had been tortured physically and abused and so on.

MN: Another point of interest, Mr Vawda, you stuck to the ANC since you have stuck to the Congress, even though UDF was there, any reason?

MN: No well, it is not really the exclusion of the UDF, because the UDF was form in '83, I was very much part of that event. The UDF was really a collection of a whole lot of organisations, community, political, unions and so on, right, so I didn't

mention it, because I necessarily wasn't following a chronological order, but I attended the Rocklands Civic Centre UDF launch. It was very exciting and all the rallies we had and all the mobilisation that happened, ja, it was very much a part of things, so the UDF was actually, yes, I could happily say I was at the founding of the UDF and of course, played a small role in terms of you know, organising, you know in the Durban region we were involved in you know, putting out UDF publications, the UDF used to come out with a colourful newsletter and had lots of newspaper ads around elections for the Tricameral Parliament and elections for the local councils in the townships and so on and ja, I was very much, you know, part of that sort of generation and in fact, you know it was an open secret that the UDF was a kind of ANC front, if you like and there's no doubt about it that you know, the people who drove the UDF were really in many ways, people who either were sympathetic to the ANC, or connected, you know, in ways some of us, whereas others had much more strong ways and it's interesting, I mean, it wasn't necessarily an ANC conspiracy, it was a very organic, you know, my view at the moment, it arose out of community struggles and worker struggles and things that were happening on the ground and it appeared to be the right thing to do at the time, to bring this together, because it was crystallising around key historical issues, like the tricameral elections, like those elections I mentioned, and it was seen to be a good thing to do, but it was clear that you know, those of

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us who were in the ANC would have consulted, you know, with our organisation and found, you know, gotten support, you know and really, it was driven by the conditions on the ground.

MN: Going back a little bit again, to most people the B.C. [Black Consciousness] movement is viewed as a foundation of unity among the oppressed and the UDF is viewed as the end results or the end product of that unity, because it's when the civics organisations from different communities came together, your view on those?

YV: Well, in some respects I do see, you know, that those political organisations and tendencies, not as poles but as a continuum. I think, you know, that is a good way of saying it and in fact, a lot of people who came through the ranks of BC, went to the Island and became, moved to the congress sort of position. One would swear by that as well, but, you know, you've got to have the necessary conditions for that and you know, they are people who sort of didn't go beyond that point and others sort of did go beyond that point. I personally didn't move along that sort of - like when I became politically active and became politically, let's say, settled in my thinking, there was still very much you know a different sort of tendency and mind you, we had very good, you know, relationships with people who were in this thing and I mean, I used to go out and socialise with people in B.C. and so on and one of my close friends during that time was Kessie Moodley and you know, we occasionally, we don't have much contact now, but you know, we had very

different views in terms of that. I mean, we both agreed on the end that we wanted to change apartheid and so on. He was, he came from a very strong B.C. traditional family and so on, but we had a very good friendship, you know and we, so we maintained that and it was very much like that, so I didn't necessarily move along and continue as it were, sort of going through BC, you know I was involved in sort of melting pot where one chose you know what one had to do. There was always a very good relationship and a respectful you know, understanding of, of those kinds of positions. You know, during student years there was a certain amount of name-calling and all that kind of stuff, we grew out of that.

MN: Macmillan spoke of "Winds of Change" and it wasn't other presidents, but it was De Klerk who finally had the "Winds of Change". Why do you think De Klerk or the National Government accepted change?

YV: Ja, well, interesting question. I think you know, a series of different issues. I think they had tried the military option. You know, the Apartheid regime, they had tried, they thought that they would arm themselves to the teeth, they would put down their resistance and that would hold them and that failed clearly, right, and in many ways it sort of failed. It just didn't fail because Umkontho we Sizwe defeated the army, did not defeat the regime, it was a combination of things, which resulted in that. But more significantly I think the Nationalists got a good hiding with the combined MPLA and Cubans



in Angola and I think that taught them a lesson that if they were, you know, that was a scenario that was staring them in the face and they realised that the military option was there. So I think they realised that it's sort of fairly elementary what's happening. They were being internationally isolated. They, you know, the sanctions were beginning to sort of bite, the investments were dropping, foreign investments, they were being increasingly, you know isolated internationally and so on and up to a point they were happy to live with that but then they found that of course, even that, you know, was becoming untenable. And of course, there was resistance, you know, not just by the UDF and the underground ANC and so on, by the unions and COSATU and so on. I mean, it was just, you know, ja a plethora of resistance that was happening which they had to sort of confront and you know, there was that sort of mass mobilisation which was going on. I think, you know, by the time and towards the end of the eighties, despite the State of Emergency and so on, I mean, one of the biggest political rallies that I attended was the funeral of the four, right. Matthew Goniwe and others and I mean, that was probably the most repressive time, you know, between that time and the detention in my personal political life, the most repressive time that I had experienced, but I mean, they were, you know, 50, 60,000 people in the one sort of open space with flags of the South African Communist Party, unheard of, undreamed of, and so on, you know, openly. The Army was ringed around that place. In

fact the State of Emergency was declared as we were driving out of that. We were being told, the announcement was made that this was actually going on, so, but I think that despite all of that, they realised they just couldn't, I mean, you know, the combination of the MPLA's armed propaganda, the mass resistance, the internationalised situation which the ANC was, you know, quite successful in doing externally in isolating the country. The business confidence the question of the recognition that, but perhaps the "Winds of Change" is the level that you know what was happening in the Soviet Union.

MN: Ja

YV: Probably because it was becoming clear that now everybody was looking towards negotiated solutions and not military solutions to solve the problems, so from that point probably De Klerk was you know, influenced by Gorbachev's thinking at some level. Everybody I guess was at that time, ja, so it might have contributed to some extent to the move.

MN: Are you still an ANC member?

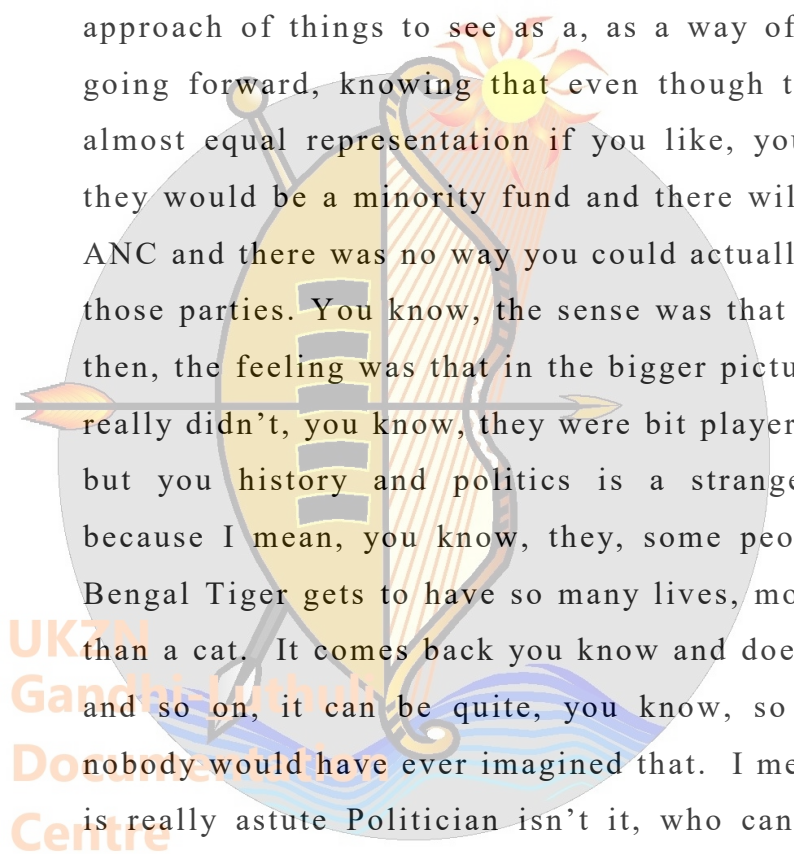
YV: Well, I don't have an official card, okay, but I consider myself to be a member of the ANC.

MN: I mean at heart?

YV: Oh yes, ja, very much so. Ja, I consider myself to be a critical, but loyal ANC member. You know, I have unhappiness about many things, the positions that the ANC takes, but I consider myself to be a member of the ANC.

MN: Were you happy with the negotiations at the World Trade Centre, the composition of negotiators, meaning the, some people have reservations about the involvement of the former Bantustans leaders, the Mangope's and the inclusion of those, the likes of the Bengal Tiger who were, who were members of the Tricameral Parliament. What's your opinion?

YV: Well you know, I wasn't happy, but you know, it was seen at the time, it was a very pragmatic kind of approach of things to see as a, as a way of sort of going forward, knowing that even though they had almost equal representation if you like, you know, they would be a minority fund and there will be the ANC and there was no way you could actually create those parties. You know, the sense was that I would then, the feeling was that in the bigger picture, they really didn't, you know, they were bit players, okay, but you history and politics is a strange thing, because I mean, you know, they, some people like Bengal Tiger gets to have so many lives, more lives than a cat. It comes back you know and does things and so on, it can be quite, you know, so I mean nobody would have ever imagined that. I mean, that is really astute Politician isn't it, who can sort of come back and bounce back and still be the friend and still you know, hold the balance of forces in, in the province or whatever, you know. So I would say, a short answer, yes, we were not happy with it, but we saw it as a necessary evil, as a way of actually going forward and we thought it would even out in the sort of big process, which it did too



I think in many respects, but also, it gave them a lease of life and an opportunity to know, exist.

MN: Do you think, some people tend to think that the ANC or Freedom Movements, compromised their lot during the negotiations. Do you also feel the same way, or what's your opinion?

YV: Well you know, as I said, I was to some extent involved in the negotiation process. In the first round of CODESA I was a Natal Indian Congress delegate to one of the groups, I think it was group five, which looked at timeframes and so on and then of course, you know, there was the break in the negotiations and then the Bisho thing and so on and then the thing started again and at that time, you know, because we're caucusing, we were part of the broad Congress Alliance called the Natal Indian Congress, the ANC and some other like Transkei Homeland; Holomisa was close to the ANC camp and so on, would regularly caucus and so on and these debates actually raised. Personally I felt that you know we did particularly around you know securing, I mean, the Sunset Clauses, you know. There was thing about keeping that right-wing happy at some level, you know, I personally felt that you know was sort of giving too much and when we see some of that in the way in which the new Government is having difficulty in dismantling some of the old, you know, infrastructure and old machinery and so on and how embedded some of these things are. So yes, I would say, a very mixed feeling about it, but again, you know it was negotiations. It's sort of give and take

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and you feel that you know, you can, you look at a bigger sort of picture and you look at the end and not only the means.

MN: Mr Vawda, can we pause a minute?

YV: Sure.

END OF TAPE 2A

RESUMPTION ON 2B

MN: Welcome back, Sir. Still on with you wearing your ANC cap, I want to know, what's your view on the Government's stance on HIV/Aids?

YV: Well, I am actually very critical of Government's position. I can understand some of the difficulties of tackling, you know, this epidemic, but I think that basically the Government has messed up completely on the HIV/Aids issue. I think a lot has got to do with the fact that Government and particularly at, you know, leadership level, is not convinced about the causation issue that HIV causes Aids and sadly this has resulted in very serious policy mistakes, so you know, this is one area which I have been involved in my post-graduate research as well, the HIV/Aids, access to medicines and so on and its become in my research as well as in my reading of the situation, one of the big mistakes that our Government has made and I think we're going to pay very dearly for this, because you cannot undo you know what we've done. We've lost opportunities to step in and make interventions, particularly treatment intervention and unfortunately, we might have missed that boat so I think that's one of the single biggest failures of the Government so far, ja.

MN: Mr Vawda, still, what do you think of the blocking of the fund that is supposed to come to the Province regarding the HIV/Aids by the National Minister?

YV: Ja.

MN: The reason I'm asking you is because some people have a view that, or the Minister should I say of the Government, it should have been taken to nationally, to National Government to be spread wide, but again the other opinion is that the attorneys, they mostly affected problems, so it deserved, what's your opinion on that? The blocking, the funding and also?

YV: I think Government is wrong to try and appropriate that fund. Donors give money for particular projects. They don't say, you know, "We give you the money and you can go and do, shop as you like", kind of thing, so I think even simple, anybody who gets grants from, you know, donor agencies will know this role. I think the Government was wrong in doing that and again, you know, one can only speculate about why this is happening. We suspect many people that Government wanted to do this because the Proposal had a very strong treatment element and as you know, Government is very ambivalent about treatment, it is not and this is really the problem with the HIV issue in this country that Government does not want to conceive that treatment is a very important part of the strategy in fighting Aids.

MN: Now with your Law cap on, can you tell us your opinion about, about the TRC? Did you participate in it? What's your opinion on it?

YV: No, I didn't, I didn't participate. I observed it sort of you know as did most of us. I think it was a most useful process. Of course with the benefit of hindsight you can say that well, you know, we shouldn't have gone that route. In the early days there were lots of debate about should we have a TRC or should we have a Nuremberg type of trial. I think for South Africa that was the right thing. I think that it was a unique way of dealing with things. Not completely unique. I mean, other places have tried TRC's, but it was a unique South African experience at that level. There are lots of people who are, you know, unhappy with it and unhappiness has a number of levels. One is of course that there are people who did, committed heinous and walked away with Amnesty and you know were pardoned virtually, right and that's as bad as it is. My concern is more the level of where the victims have actually been adequately you know, fairly exonerated and feel adequately, feel satisfied and I see a lot of unhappiness about this and I think there is a valid criticism on the level of how well we have taken care of that need. Because at the very public level, yes, you know, we've had reconciliation and we have come to some terms of the nation with this issue, but I think for many people who have suffered, you know, a lot of hardship and pain and sacrifice and so on, there hasn't been enough closure on this and you know, I think again, you know the process itself might have been limited. It's also what happens after the process in terms of reparation and in terms of giving

people, you know, some comfort in terms of coming to terms with their losses and so on. I think that has been a sort of weakness. Again all of this is the sort of benefit of hindsight but some of these things can be fixed, like for example, you know the reparations issue can be speeded up and there can be better you know justice for the people who feel like they haven't, you know, so the high-profile people come there and say their thing and you know, get all this exposure, but it's really the ordinary people who have really been short-changed in this issue and that has been a failing, you know. I wouldn't knock the whole TRC process for that reason. I still think it was a useful process, but I think certain aspects of it should have been handled differently and could have been more friendly and helpful to many thousands of people who actually made big sacrifices and suffered and you know, don't feel their pain has been acknowledged and they've been, they've got closure about these issues.

MN: But did it achieve its objectives? I mean, did we know, did we get the truth? The reason I'm asking is that up until now we don't know what happened to Steve Biko. Even though we think we know, but the people who are supposed to be telling, to have told the TRC.

YV: I would say it did only partially and that's a good example of a case where it didn't you know, do much for us, so you know, I think you know the success of it would have to qualified. I think a lot you know was swept under the carpet, people haven't come forward and so on and the truth can be



quite an elusive thing, you know, whether it's a court of Law or it's the you know, TRC or whatever.

That must remain as a serious sort of plot that we don't know key bits of our history and nobody is ever going to uncover that.

MN: So it was worth every cent?

YV: Well, I don't know. I don't know the costing of it and so on. I think, you know, on balance I would say that it was a successful exercise, but I have reservations about some of the issues, like you say, the truth didn't come out, people haven't had their issues addressed and to me, those seem to detract from the overall success of it.

MN: Yes now coming to the Government as it is, do you feel that the Transformation has taken place? Do you feel like the Government is delivering or it has delivered? Do you see the big difference between the past and the present, beside the disbanded past Government and the present Government, besides the fact that now we can vote?

YV: I think there's a very big difference between the past Government. I'm not one of those people who says it's just like the old times, but when you look on the ground, that's I think where you know the story is more sort of stark. I think in many ways, we've had significant transformation. There's no question about it, political and the way you know people can conduct free political activity and do the things that you know, you couldn't do before so I think, you know, there's the transformation is not insubstantial, I think I must make that point. However, in terms of what kind of society we're

sort of heading to and what's happening, I'm usually disappointed with the way in which you know, things have sort of turned out. In terms of the material well-being of, of people on the ground, very little has changed, unemployment as actually risen, right? Houses, okay more houses we've had, but and water we've had and electrification, but perhaps not at the scale that we would like to have seen you know 8 years down the line. Of course, it's easy to be critical, but I think that the Government certainly have done more and of course, a lot has got to do with the fact that the Government has adopted economic policies which are quite conservative and which are more market-orientated rather than being more you know, towards Social Services and to me that's the basic problem with Government policy. It's the focus on GEAR which tends to move away from provision of Social Services and, and putting more investment in that area and more focus on making the economy more attractive to foreign investment and you know, export, economy and that kind of thing, so from that point of view, that's an explanation for why perhaps we're not seeing the kind of change we would like to have seen, so I'm very disappointed in terms of delivery. I think it's not to say that there's been no delivery, but I don't think that delivery has been at the pace that it should have been and I think the reason for that is the policies that the Government have chosen and not, you know, an accident or just due to the fact that well, things are bad uniformly. I think that's also a feature. You know, the

economy globally is problematic, but at the same time, we also have made choices here. The Government in this country, which have not helped the situation.

MN: Sir, is privatisation a road to prosperity?

YV: I don't know. I'm not a fan of privatisation. I feel that at an obvious level it results in the shedding of jobs. I am not convinced. I've used, I'll give you an example. I've used both the public and the private medical health services, right? All of us had experience. We've been at the King Edward whatever and we go to St August whatever and I can tell you that I don't think the private sector is necessarily more efficient. You know, I've heard bad stories, both in the clinic and in my practice and of course, you know, just sitting around at a social sort of function of people who have really had bad health services in the private sector. Some horror stories if you like, okay, so I don't think that the private sector is necessarily more efficient. Of course it can be, because every cent is very carefully counted and so on. The Public Service can be efficient at the level, you know, it's a bureaucracy. Bureaucracies that can happen, people can hide in the system, whether they do their work or don't do their work and so. Their accountability get blurred and so on, but I think in a country like ours where we have such, you know, a degree of sort of poverty, unemployment and so on, to take key, you know, aspects of social delivery, e.g. this thing of privatising water and so on, I think it's foolhardy. I think it's actually not the way to go.

We don't have the kind of, you know, we're not an advanced capitalist economy where if you privatise, most of the people will be able to pay user charges and so on. I don't think that situation can work here and I think it's a mistake to privatise.

MN: Still within the ANC itself, what made you think that they changed from, because they spoke of nationalisation before going to power, then all of a sudden they opted for privatisation. Briefly, if you can.

YV: Okay, I haven't really been sort of privy to all the policy decisions and so on, but my sense is that I think it's just the pressure of sort of global economy and you know everybody says that you know, the area of globalisation, either you jump on or you stay out of it, right and the issue is not really that. I don't think it's a question of you have to go along with the agenda of the powerful economies of the world and of course, their adjuncts, the World Bank and the IMF and so on. I think, you know, a different way has to be found and I don't think, I think we lacked the courage and the creativity to find that sort of way, to engage with you know globalisation and to engage with multi-nationals and so on, in a way in which we didn't detract from our developmental objectives, those being what are spelt out in the RDP, right. Instead, we dumped the RDP and we went on to what people, okay, I don't like to you know use labels, but you know Neo-liberal sort of economic policy which is encapsulated GEAR and we didn't look hard enough and try hard enough to

make, you know, the RDP work and make development drive everything you know and that make our priority. So I think you know, we were shortsighted at that level and you know, people in Government have all these sorts of pressures, but they also have the pressure of meeting the needs of the people and you know, somehow perhaps that was lost sight of, I don't know.

MN: Still in the ANC, Sir, there is talk that some Indian members of the ANC are disgruntled or they don't feel comfortable with the fact that now the ANC is embracing those who were involved in Tricameral Parliament. The Rajbanses and there is, there was talk in recent past papers of the reformation of the NIC. Do you see ANC being a role or what is your opinion in the whole scenario?

YV: Well, you know, I haven't really thought any great length about it. I certainly think it's a matter which should be debated, but I have serious doubts about whether you know, reviving the Natal Union Congress, it having lapsed after this period of time, is really going to make a lot of sense. I think one needs to you know, people tend to go for very quick fix solutions. If this don't work, try that out and so on and I think that that would be the wrong way to sort of go. My personal sense would be not to revive the NIC. I think that one needs to find a new way of doing it and I think again you know, people try out policies and if they fail then they want to blame it on something or they want to you know, find a quick fix and in this case the quick fix might be that, but I don't necessarily think that would be

the way to go. I think we should think a lot harder.

I know the issue really there is not the question of whether you revive the NIC or whether you did talk to Rajbansees the question is how does one, for me, bring the Indian community into the mainstream of, of you know, politics and maybe in fact progressive force, right, I think that would be the sort of issue. It may be to the ANC, it may be to the NIC, it may be through some other sort of formation. Again I think that you know, that question hasn't really been adequately sort of grappled and I think you know, that debate is important. I think it's important to talk about that, but I don't know whether the answer is reviving the NIC. Personally, I don't think so.

MN: Sir, you've been through, I mean, your resistance, your activism and all. What was the role of your family like, I mean, broad?

YV: Okay, my family has always been, this is my, you know "birth family" if you like, have been very protective of me. You know, we were a very close family and being the youngest of course, there were a lot of protectiveness over me and so on, so when I started to get involved with the students and so on, there would be this, you know, they would be unhappy about my being involved. "You'll get into trouble; you'll get locked up; you'll get tortured" and all that sort of stuff. So that has always been there. What has been interesting is that although my family wasn't an overtly political family, we did talk about things and you know, especially as I became an adult and so on, I was able to engage,

you know, I was still, I think finishing high school when my father died, but you know, other members of my family and get them to talk a little bit more about it and see things and I think what happened was they moved quite significantly which is, you know, important to an acceptance and it didn't take away their fear of what would happen to me, or their, you know, reservations about it. It didn't get them marching out in the streets and so on, but there was an acceptance and support. So that was the most wonderful thing and of course, by the time that I got detained which was the sort of, the worst that could actually have happened to me in their eyes, they were incredibly supportive, they sort of rallied around, they were an incredible sort of source of strength to one another and then to me and then knowing that and hearing that nobody was really freaking out and being you know, upset about that and so on, they were very proud of me. They became you know, over a period of time. For that, they were proud of me for other things that I'd done, but also for this one, was a source of inspiration and strength to me. Ja, so you know, that's my general family and of course, you know my broader sort of social network, my friends and comrades and so on, that was always support you know and to this day, I mean, you know, that support is there. Of course you know, one of the big - of course everybody was happy to go out and vote you know in the very first elections, but it was a source of pride to me when you know my mother who was then about 74, 75, would also be

able to go out and vote, you know, for the first time in her life, you know. So ja, I think you know, they sort of came round with their support and they certainly, from a personal point of view, it made, you know that, that was, perhaps it was an intermediary kind of, sort of position, because of my involvement, they felt somewhere involved and making a contribution in that way.

MN: Throughout the Struggle, you went as a single man. Can you tell us about your family at that time?

YV: I was one of those people who put sort of the kind of Struggle first, ja. Okay.

MN: Tell us about.

YV: I met Katy Lang, as she was then known, in 1988, but she is actually, was born in the US and she came to work here at the, her background is that you know, she had a science background and she went to John Hopkins University in the early eighties and got her Masters in Public Health and then of course, she didn't see herself working in the US, because she was unhappy about many of the things that were happening there and continued to happen there. So she worked in different places in the Netherlands, in Zaire, in Switzerland and then when she was in Geneva, she met with Jerry Coovadia, who was visiting with her, who was known to her former Professor at Hopkins University and then they got introduced, and Jerry of course was then involved in the Phoenix Settlement Trust and the Mahatma Gandhi Clinic at the Phoenix Settlement which had been operating until the mid-eighties when the Bombay problem broke out, so we invited Katy to



come over and work there for the six-month sort of period and that's where we actually met. She came to work, we were having meetings and so on and we you know, became sort of friendly and became involved with her eventually and, that's you know, another sort of story of its own, because after the six months, of course, the mistake that Katy made was she came at the invitation of the Phoenix Mahatma Gandhi Clinic. The people that were sitting on the committee are people like Ela Gandhi and Jerry Coovadia and so on, who are high-profile political people. So then at six months they said to her, "First six months and then another six months" and they realised this was like a political thing, so they decided to not renew her permit. But of course, we had become involved by that time, so it became a very big struggle and then of course, we formed the system and we appealed and we did all sorts of things under the old Aliens Act, trying to get her to stay and eventually she left for a bit. She went and worked in the Transkei in a Development project near Port St John's and then I got detained, so that was actually the most difficult time for both of us, because she was there, I was there, we didn't know what was happening to one another. It was difficult, but of course, you know, she had met some members of my family and then maintained contact with them and they were, you know, supportive of one another at that level. So after I was released, then we decided that, because some "winds of change" were blowing and we decided that we were not going to, look she was coming in you know, clandestinely,

because there was no border control in the Transkei so she could sort of drive up and you know, be very quiet here and so on and we would spend some time together and go back to work, so by, after I came back, we talked about it and we felt well, in terms of the old laws, if you marry a person who's, you know, a foreigner, you don't necessarily get, the Law is a weird thing, you know, you get domiciled, but you don't get the husband citizenship, so she wouldn't have got in any case, but we decided that we'd buck the system. We wrote to them, we fought with them and so on. We were going to now take the next step. So I think they had just repealed the Mixed Marriages Act in 1988 and the Immorality Act, those provisions, so we decided that we would then take the sort of plunge and we might not have got sort of rushed into getting married, but we felt that was the way of actually now making sure that she stayed here, because we were going to, you know, we had made a commitment to one another. So we got married in 1988 and it was, I think after our first child, our son was born maybe a year or two, that she eventually got Permanent residence, she got, you know, residency, so it was an ongoing battle, even during the time that we were sort of married, they kept sort of saying they're not going to renew and we appealed and we wrote back and forth and so on, so that went for a while. Ja, Katy has been very strong, you know support in, for that period that we've known another in my life. We have two children now – a son who turned 13 yesterday and my daughter who is 8-years old. She

is working now as the Director of the Children's Rights Centre in Durban, and she's quite active in the Treatment Action Campaign and you know, in HIV/Aids treatment issues. Ja, so that's a little snippet?

MN: Now, looking back at your life, your political life, especially, what can you point and say, "If I had a chance I would do that thing differently, the thing that you feel you've done wrong, politically?"

YV: Many things, but probably the, well, many small things, I guess, but nothing you know, really. I would definitely go the route that I had gone. There might have been different things that I would have done in terms of my career. I might probably not have gone into Law. I might have done something, working more in a sort of different environment, you know, planning or something like that. I felt, you know, that that's something that sort of interests me a lot. Politically, ja, I don't think substantially anything would have changed in any way. I mean, I think I would have gone more or less the same route. I might have kept some different company, but -

MN: In your leisure time, what sort of music do you listen to?

YV: Well, we are bit stuck in the sort of past, you know. I have a very eclectic sort of taste, you know, being that seventies generation, we listened to all the protest sort of music, so we were fans of you know, Bob Marley and Bob Dylan and all that you know and that sort of rock in the Woodstock sort of generation at some level. I also you know, have a

fondness for jazz music, but I also listen to Eastern music and I mean, probably more in the last 10, 15 years. I don't like the pop Indian music that you hear in films and so on. That doesn't attract me at all. I like the more sort of classical and semi-classical sort of music. Ja, so I have a very eclectic taste and I try to be more connected to the continent so I have been, you know, listening to more indigenous music from around the continent. It's not very easy to get, even though with all the doors sort of opening, ja.

MN: What's your old-time favourite?

YV: Sorry?

MN: What's your old-time favourite?

YV: My old-time favourite. Well, you know, there're things that kind of stick in your mind and I have, there was an artist who committed suicide fairly young. Her name was Phil Oakes. She was a folk singer and she really sang the most amazing political sort of songs. I would say, you know, some of his songs and then of course, you know, Bob Marley was always at the top of our - .

MN: What do you read, what sort of books do you read? What are you reading now?

YV: Well, for the last few years I've actually interested in reading biography, memoir type of writings and you know, mainly focus on South African history because you know it's something that I can identify with clearly and I can maybe pretend to know a little bit about as well. So I've been, you know doing that and I've actually read virtually everything that's been published recently about

people, you know, many of them, you know all the stuff about Biko, Mandela, other people, Slovo, you know the sort of contemporary things. A lot of that stuff has gone on here and it's amazing you know, especially when you read memoirs, what interests me is to see how history is interpreted through particular eyes, you know and clearly, you know, if I wrote my memoir, I would be the centre of the universe in the Struggle and so on and that's clearly what you see in the sort of books. So that's very interesting to sort of, for example you read, you know Kasrils book, you know, I mean, he was very much the centre of things. If you read somebody else's biography, you know and I think to an extent, that's a truism, because people see things you know, from their perspective, their eyes, so ja, that's what I, I, you know, become interested in reading and I have this fight with my family all the time, because my kids like fiction and my wife likes fiction, she's a fan of Terry Pratchett this "off the wall" sort of kind of humour but never sort of interested me. Ja, I do like humour, but it will be more the sort of you know, conventional sort of humour.

MN: Do you have an ultimate favourite author, that is, whom where every time you always look something the new release of?

YV: Well, I used to be a fan of John Le Carre you know, the mystery writer, ja and, but I haven't read any of his for a long time, ja and I liked Fowles also, a number of interesting novels, but no, I don't, you know, I'm not, I will go with the times, I'll read stuff. I read a lot of the sort of local stuff you

know which have the African writer series and so on. I've been through all of that, but you know and I've read a lot of Soyinka, but I find that he's a bit dense. I like to read him, but you know, I like to think that, ja, but I've read a lot of the, you know, the sweat during the Struggle. It was important to see how people wrote about Russian history and life in Russia and in China and in you know, other parts of the world, South America and so on, so I have you know, read quite widely in all those sorts of areas, but I guess I'm very much down to memoirs and biographies now.

MN: If you could be President for a day, what would you advise the Cabinet, or say to the Government, should do? What would you say if you were to be in charge for a day or two?

YV: Well, I would say that it would be around the HIV/Aids issue. I would say that we must accept that we have to treat people, that I would use all the legislative machines that we have available to make it possible to produce medicines cheaply whether it's antiretroviral medicines, or any other medicines, because we have a number of diseases which go beyond you know, TB, Malaria and all this sort of thing. I would make sure that all the machinery at our disposal would facilitate cheaper production of medicines and so on.

MN: The Brazil way?

YV: They'll go to Brazil and perhaps even beyond.

MN: Ja

YV: That's the one thing I wouldn't do. I can do other things as well. I'll fire a lot of people, but - [laughs]

MN: The youth of the 60's, 70's and 80's were the Struggle youth. They were involved in the Struggle and youth of the 90's found it much easier than the youth, there are so many entertainment things that they're doing. What would be your advice to them? What should they do, I mean, to live positively, what would they, what would you say to them?

YV: Ja, unfortunately, so much of our message today, is, is overshadowed by the HIV/Aids issue and you know what their message is. I would be repeating the same things. I spoke at a Celebrate Durban Week in Phoenix two weeks ago and you know, the sort of same thing and it's true that you know, this generation doesn't know about the sort of Struggle and the hardships and so on and we see that in our classes. People can't identify with those kinds of things. So unfortunately because the HIV/Aids issue is so much sort of overshadowing, the message would have to be around that particular issue. I mean that is really what is going to determine whether we have another generation or not, so unfortunately you know, that's the same message that I would give, but I think there are other things as well. I think you know, people don't take certain things for granted and I think that you know one of the messages we try and teach in the clinic when we're talking, when our students are dealing with the public and interviewing clients and so on, is to treat people with, you know, we have a constitution,

but you know, people still don't treat one another with respect and with common sort of courtesy and so on. I think that's a very important lesson, which we try to teach future Lawyers to do, but I think I would ask every student, every young person to sort of keep that in mind. Not from the point of view of young people respecting older people. I think vice versa as well, but more the level that, you know, how much value people put on human beings. That I think plays out in how, whether people are prepared to mark somebody or stab somebody, or whatever and I think it's got to do with a lack of respect for other people and a lack of respect for life eventually. So that would be another sort of added message, but I think certainly they have to be very wise about how they take care of themselves and conduct themselves safely in terms of their sexual activity and, and be responsible basically, ja.

MN: That was Mr Yusuf Vawda, the Director of the Law Clinic at UDW. Sir, thank you very much for coming through.

YV: Thank you, it's my pleasure.

MN: Thank you.

END OF INTERVIEW

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