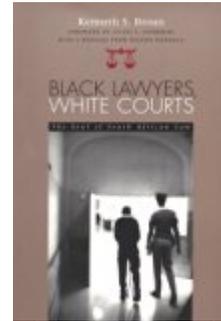


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Kenneth S Broun. *Black Lawyers, White Courts: The Soul of South African Law.* With a message from Nelson Mandela, foreword by Julius S Chambers. Athens, Ohio: Ohio University Press, 2000. xxiv + 286 pp. \$45.00 (cloth), ISBN 978-0-8214-1286-2.

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Although there are long traditions in South Africa of the use of oral narrative and performance as strategies for the transmission of information, social knowledge, and understandings of the past, the more extended and deep-level techniques of oral history (or of the sociological life history interview) have been surprisingly little used in South Africa's present. Of course some notable exceptions such as Belinda Bozzoli's *Women of Phokeng*[1], which extensively utilise the words, contexts and meanings of interview participants/project collaborators in the published text have been produced. Such projects have however been few and far between. What has been much more common has been the use of highly structured interviews (or questionnaires/focus groups) through which evidence (or, more properly, data) has been collected and then, essentially, subsumed within the principal author's text.

Kenneth S Broun, in *Black Lawyers, White Courts*, has chosen to construct as large a space as possible for the voices of the participants in his project, to record and to understand as much as possible of the lives of a selected group of twenty seven black lawyers in South Africa, crossing several generations and former "racial categories" while sharing a common history of having trained for the law during the period before democracy came to South Africa in 1994. Broun's links with black lawyers in South Africa go as far back as the darker days of the mid-1980s and his work as a visiting lawyer conducting trial advocacy programs for the Black Lawyers Association-Legal Education Centre, although the core of the book is made up of lengthy transcripts from a series of interviews conducted over a five-month period in 1996. The transcripts are edited and positioned within brief contextualising passages which outline the social

and political histories of South Africa during the period, extending far beyond the provide a rich but unobtrusive framework for the words of the lawyers themselves.

The work of historians such as Deborah Posel [2] has taught us much about the administrative processes of racial segregation in South Africa. Here, those processes are uncovered in a quite different way, one which allows the varied experiences of those trying to find their way through the byzantine turns of the system to be elucidated. The transcripts of Broun's interviews are remarkable for the sustained history of lawyering in the Struggle that they build up: a complex set of stories of courage, setbacks, and persistence on the one hand and, on the other, a rare perspective of the minutiae of the administration of the apartheid state, including its cruelties and blind spots, and those exploitable interstices which the apartheid bureaucrats' need to believe in a rule of law, no matter how distorted, could open up for clever and committed attorneys and advocates to use to the ends of a justice which was all too rare in those times.

Broun says little about his interview practice, about the extent to which he framed the interviews, about how open-ended they were, whether this varied from interviewee to interviewee, about the numbers and types of questions, about indeed where the interviews were conducted and under what conditions. This would have provided a useful context for the material itself (and the people involved), as well as for our understanding and development of this type of research exercise. Despite this lacuna, the transcripts seem to reveal a comparatively unstructured approach to the interviews which enabled the participants to tell their stories in their own words and in their own contexts and sequences. This in itself repre-

sents a serious contribution to South African historiography in which, as indicated above, the open-ended interview, even when used as an information-gathering technique, has comparatively rarely been recorded as fully as Broun has chosen to do here.

What this technique achieves is a layered and nuanced survey of a range of individual experiences covering five decades which Broun has collected and edited into thematic chapters which follow the course of a life history, beginning with early childhood and school experiences and culminating with the story of Dullah Omar, Minister of Justice in the first democratically-elected parliament. Much detail is drawn out: of the intricacies of studying for a law degree, of obtaining articles or pupillage (since South Africa had, and continues to have, a divided bar), of setting up or joining law firms, and of practising law in an habitually unsupportive and frequently hostile environment, whether the practice was political or simply criminal or conveyancing-oriented. Almost more useful though, is the vast quantity of information about the lives of black South Africans living through apartheid that is revealed almost incidentally through the interviews. Dolly Mokgatle's musing on her experiences of Bantu education (p.54); Dikgang Moseneke's brief and telling explanation of the mechanics of state pressures on black business people and the tensions those pressures engendered in township communities, contextualising the divisions that became manifest so intensely in the 1980s (p.101); or Pansy Tlakula's memory of being among the first group of black students to live on the seemingly-liberal Wits campus, where "down the passage from my room was a bathroom that no white girl ever used. It was mine for the two years, which was beau-

tiful!"(p.82)

Broun uses the words and experiences of a group of quite remarkably articulate and reflexive co-participants to construct a work which draws out much that we might well think that we know already about the experiential dimensions of apartheid and its predecessors. In the detail of both the interview transcripts and of Broun's careful contextualisation of his materials there lies embedded a wealth of detail about the lives and practices of black lawyers in the period before 1994, and about the nature of the apartheid regime. Used alongside works such as Richard Abel's *Politics by other means* or Stephen Ellman's *In a time of trouble* [3], Kenneth Broun's excursion into the lives of black lawyers has much to tell us of life as it was lived in apartheid South Africa.

Notes

[1]. Belinda Bozzoli, *Women of Phokeng: consciousness, life strategy and migrancy in South Africa, 1900-1983* (Portsmouth, New Hampshire, Heinemann, >1991).

[2]. Deborah Posel, *The making of apartheid, 1948-1961: conflict and compromise* (Oxford, Clarendon, 1991).

[3]. Richard Abel, *Politics by other means: law in the struggle against apartheid, 1980-94* (New York, Routledge, 1995); Stephen Ellman, *In a time of trouble: law and liberty in South Africa's state of emergency* (Oxford, Clarendon, 1992)

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