The Association for Diplomatic Studies and Training
Foreign Affairs Oral History Project

DAN ADRIAAN NESER
JENNY NESER

Interviewed by: Daniel F. Whitman
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INTERVIEW

Q: This is Dan Whitman, and I am sitting here with Dan and Jenny Neser in a beautiful, lovely home in Pretoria, South Africa on a beautiful summer day. It is the nineteenth of February 2010. We've been chatting with Dan and Jenny, the better half of the couple, about activities that go back to the 1970s and beyond in South Africa, in a time of change. I think I'll start by asking Dan if he would tell us, in this complex society, in what part of the society his origins are. Then tell us about your early childhood, education, and going up to your tertiary education that led to you being an advocate in this area.

DAN NESER: I was brought up in Pretoria, born and bred here really. My father happened to have been a judge in this division. The net result was a network of various other judges where I grew, particularly in later years. I started my practice at the sidebar in due course and passed the bar [exam]. I joined an Afrikaans firm to start off with after qualifying at Stellenbosch University as my LLB [Bachelor of Laws].

Q: Can you tell us when that was, the degree?

DAN NESER: Nineteen sixty or 1959.

Q: Then you came back to Pretoria?

DAN NESER: I joined the firm, Dyson, Douglas, Muller, and Mayer. Muller had become the minister of foreign affairs at the time. I did my articles there for two years and then I was offered a senior post and then a partnership.

Q: That's remarkably quick.

DAN NESER: Yeah.

Q: Now Muller, when he was minister of foreign affairs, did he remain in the firm?

DAN NESER: He didn't. He had to resign. He left and I came in. He had been ambassador in Britain for a while, and then he came back, spent a little while in practice, and then became the minister and had to retire.

Q: How did things proceed?

DAN NESER: I had a very pleasant experience there and I enjoyed my practice. I was in the third part—the motor insurance division of the firm. We built that up to quite a pleasant size.

Q: Were these civil cases?

DAN NESER: Yeah, they were.

Q: These were clients who came to you?

DAN NESER: They were insurance companies and private clients and private individuals involved in an accident that could then be prosecuted in a criminal court. That is the practice that I built up. I became aware of the fact that both Jenny and I thought the apartheid was not good.

Q: About what time was this?

JENNY NESER: Mid-1960s. I would say that as soon as we became aware of what the political situation was—I would never have married you had you not felt that way. Both of us never minced our words. I thought you were jolly courageous in terms of where you were working. There wasn't a single person who doubted that you thought apartheid was completely wrong. You always spoke out. Some of your partners, that one man, came over when we had a house full of black people. I think he just about expired. I mean we had lots of people say, You are crazy. Then look around today; we weren't that crazy.

Q: Pretoria was said at the time to be a very conservative area.

DAN NESER: It was in those days.

Q: It's changed a lot in recent years, but it's still Pretoria. It was said that Stellenbosch and the University of Pretoria used to be referred to as bastions of the more conservative thought patterns. In other words, you came here with your beliefs and principles, which you did not seek to hide. This isolated you socially. Can we say that?

DAN NESER: Not really. No.

JENNY NESER: I would say that people would disapprove and what would happen is that you ended up being more of an active citizen than, perhaps, playing tennis or bridge or whatever. Most of our free time, certainly mine, was donated to the black movements

or the Christian Institute. In that sense, you left your friends behind, or didn't have enough time to carry on with certain relationships. Of course, among many of them, they thought that we were a little bit round the bend.

Q: But there was nothing punitive?

JENNY NESER: No, oh no.

DAN NESER: On the contrary, I was a member of the sports club in Pretoria, and I played cricket and rugby. They were conservative and liberal elements, but the conservative elements outweighed the liberal ones.

Q: On the sports field this didn't matter?

DAN NESER: Our captain, the rugby one, was in his position for four or five years. I had no difficulty with getting around and being accepted.

JENNY NESER: The funny thing is—and I always said this to Dan—that when he went to the bar, he wouldn't be briefed by the Nationalist Party firms. They always did brief you.

DAN NESER: Yeah, but I got briefed more by the Nationalist Party firms than the progressive and liberal firms.

Q: Was this because they trusted your professionalism and expertise?

DAN NESER: I got on well with them. They were ex-colleagues and ex-partners. We had parted on the very best of terms.

Q: What was it that moved you to leave the firm?

DAN NESER: Well, I decided I was going to speak out against apartheid publicly.

Q: You felt this would be embarrassing or compromising to that firm? It would affect their clientele. So, you left out of respect.

DAN NESER: Yes.

JENNY NESER: As he was about to become a senior partner.

Q: Kind of cheeky. Very bold.

DAN NESER: Yeah, we were all equal partners as far as money was concerned, but what Jenny is referring to is that I was going to become even more entrenched in the firm

because I had run the one division—the third party one—that had done very well for a number of years.

JENNY NESER: I thought he was very brave to just give up a job and not know where he was going. I don't think many people would do that. He didn't know what he was going to do. He gave up a secure job because he felt there was no future for our country. I think you were very courageous.

Q: It seems so. What did you think you were going to do?

DAN NESER: I was going to speak out publicly against apartheid.

Q: That's not really a way to make a living.

DAN NESER: No, it wasn't meant to be. I was convinced I could make a living anywhere. The big thing was figuring out where I could be the most effective and influential when I started my new career.

Q: Which was what? Private practice?

DAN NESER: No. I had the opportunity to join one of my clients as a personal legal counselor. It never worked out very well, so that wasn't a success. I was convinced, nonetheless, I could get a job if I needed one.

Q: As an advocate?

DAN NESER: Yes, as an advocate, or an attorney or in business.

JENNY NESER: I mean, I think whatever status we had, we spent it on early political campaigning.

Q: Now we've gone into another realm: political campaigns. When did that begin? Immediately after you left the firm?

DAN NESER: Not immediately, I spent quite a while and went to see Beyers Naudé; he referred me to Darbet Wash.

Q: I think we should mention for the reader, who may not be familiar with Beyers Naudé, that he was a very renowned Afrikaner church leader from Johannesburg. He had been banned for a fifteen- to twenty-year period and was very outspoken. He was cited as the leading Afrikaner in confronting the apartheid regime.

DAN NESER: He was for quite a while after that too. He was instrumental in starting the Christian Institute. Jenny and I were both founders in the institute. We'd been members of an organization known as the Christian Minister Group.

JENNY NESER: It was run by Pierre Dor, who was also banned and had to leave the country. It was a Christian organization, and what happened was we tried all aspects of society where you could pressure people. We worked through the church as much as we possibly could; I'd say I more than Dan. These were the places where you could meet people across the color line. The success of apartheid was that it did keep us apart.

Q: Is this how you met Naudé, or did you know him from before?

JENNY NESER: We knew him by reputation.

Q: Before, when we were chatting, you said, after trying to do this through the church, you found that this was not the most receptive place to work.

JENNY NESER: I think the church was very receptive, but what Dan was trying to say was that Naudé was highly involved with the church. He was head of the Broederbond, which was the most powerful lobby of the Afrikaner. He himself said that, even as head of the Broederbond, he couldn't bring about change. There was no more powerful position, other than in government, and he left it because he couldn't move it from within. What he was saying to Dan was, "By all means, use the church, but it's too slow. Go into politics." The two of us used it as a vehicle to meet people. Of course, we believed that the church could get its own house in order and demonstrate that it was against apartheid.

Q: Would you say that these were parallel but separate efforts to further the church's work within the political realm?

DAN NESER: Yes. Jenny was heavily involved in the church at the time.

JENNY NESER: Yeah, I was on the South African Council of Churches, with two others. I was always involved with my church. We felt that if all the churches got together and opposed the government, then the Dutch Reformed Church and the Afrikaans Churches would help change.

Q: As an ignorant foreigner, my impression of the Dutch Reformed Church is that they were resistant to change.

JENNY NESER: Oh, they were, because they had a doctrine that was all actually underpinned by religious beliefs.

DAN NESER: The scriptures.

JENNY NESER: Their interpretation of the scriptures.

Q: So, they were reformed but many centuries ago.

JENNY NESER: I would say it gave the government its scriptural legitimacy.

DAN NESER: For example, I went to see Jeffery Pregarte and Sam Pregarte. They were the same friends we had in Pretoria that we met through the Christian Institute.

JENNY NESER: I mean you had contact with Dikgang Moseneke's father. At the end of your stay at Dyson Douglas, the last item on the agenda was to give Moseneke a job, because he had just come off Robben Island. He is our deputy chief justice at the moment, but many people feel that he was overlooked. He should have been the chief justice.

DAN NESER: He doesn't believe that anybody can prescribe to him, as a judge, what he should do. They read it as sitting on the side of the Zumba matter and would find the case against him.

Q: This was fairly recent, right?

JENNY NESER: Yes. He was quite influential. He used to be the main advocate or legal advisor of Mandela.

Q: In the period of the mid-'60s, especially in the transfer, every effort was made to separate people of different races. How was it that you were able to know black people?

DAN NESER: The Christian Institute's main aim was to build bridges between the various groups, black and white specifically. They would hold meetings between groups and discuss whatever was relevant at the time. To that extent, we got to know people better.

JENNY NESER: Most of our contacts were originally through the church, which is where there was mixing, but mainly through our church, which was the Church of the Province of South Africa [CPSA]. Your churches were integrated, but we made it our business to establish friendships with the people we met because we felt that we had to find out what was going on. Many of our friends came out of these church groups.

Q: The churches were integrated, but nothing else was?

JENNY NESER: I would say that although the churches were integrated, there were white churches here that didn't really have black members. Then you would have a meeting on the diocese, and you would have the black community churches coming in. For instance, I started an educational program here because I was approached by the laborers in this area to say that they wanted to further their education. Some had had three years of education and they wanted to finish. They took a survey and said they couldn't stand being in the rural areas and wanted to be industrial. Just speaking to the domestics, 80 percent of them are illiterate or semi-literate. A black friend of mine through the

church and I started night schools in all the churches we could; some wouldn't allow us to. We would run the schools four nights a week.

Q: The diocese was the occasion for meeting, but what were the venues?

JENNY NESER: We would go to churches or church-related structures.

Q: Did the church provide a sort of neutral ground, sacred ground, where the police could not regulate.

JENNY NESER: Exactly, that is why the school I ran is here in church halls. The police would wait for us outside and force my students into the backs of their vans. The police would drive around until the curfew kicked in and then the student would be arrested. We ran the classes from quarter to eight until quarter to ten because we wanted to allow all domestic workers who had finished working to attend. Besides, the other laborers traditionally disappeared after work. There was a huge black population that would just disappear at night.

Q: They were obliged to disappear.

JENNY NESER: Yeah, they were. They were certainly all around at our schools.

Q: Safe in the church, but not safe outside the church.

JENNY NESER: Not at night. The interesting thing is that when Dan was involved with politics, we wanted to go to the townships, but you weren't really allowed there as a white. We would go with some friends of ours, but when he was actually standing as a candidate for parliament, we decided he would have to get permission. What could happen would count against him standing in the election. It was quite interesting because I can remember that I once went to the chief of police here. I asked him if he was a Christian, he said, "Yes I am." I said, "Do you believe that you can break bread with members of your church?" I said, "That's all Dan and I want to do." He looked at me like I was crazy, but I explained that that was why we wanted to go to the townships.

Q: Ah, you twisted his own logic.

JENNY NESER: So, we went, but it was a tactical move on Dan's part because they used everything they possibly could against a candidate who opposed the Nationalist Party.

Q: Now, did you actually campaign and seek votes?

DAN NESER: No, no, no. That had nothing to do with it.

Q: This was part of what you were doing to change society though?

JENNY NESER: This was part of standing as a candidate. Of course, you canvassed, and many other young folks were impressed that someone, young like him, was going to be brave enough to stand.

Q: Again, my ignorance, what was the status of people in the townships with regards to voting?

JENNY NESER: Oh, I'm sorry; they had no right to vote. No suffrage at all.

Q: The visits then were just visible expressions of your beliefs and your principles?

JENNY NESER: Yes, it was a way to find out what black people wanted. Dan, who asked you to go see Tutu?

DAN NESER: Quinoff. It worked this way though. There was this guy who was doing the articles in German; he was one of Jenny's contacts.

JENNY NESER: We went to university together. I was very interested in the African languages and very involved with any of the backgrounds in student politics. I had a lot of black friends across the color line. And Pikale Bon was one of them. He is the judge for the Land Claims Court and he's a very good friend of ours.

Q: And now this is something you did as a student?

JENNY NESER: Yes, as a student. The friends we met there across the color line remain friends of mine and Dan's because there really weren't black students at Stellenbosch University. I was at Cape Town. So those friends of mine were brought across into our marriage. I mean the fact that Dan was asked by some ministers—which he can tell you about—to try to persuade blacks about some things was indicative to me that they knew we had contacts in the black community.

DAN NESER: I went to see Greunoff. He finished his articles in German and he felt that he hadn't had enough experience. He wanted another three or four months doing articles in German.

JENNY NESER: And he had just come off an island.

Q: As a prisoner?

JENNY NESER: As a prisoner, *ja* (yes).

Q: And came to you to further his career?

JENNY NESER: Yes, he was a friend of mine. We weren't allowed to visit him on Robben Island. He only had certain visits and we certainly weren't going to take them up.

His family would obviously take those visits. Through Francis Wilson he got out. Francis Wilson was very involved against apartheid. He's professor of economic history at UCT [University of Cape Town]. We had contact with him, and then he went to jail. Then, obviously, immediately when he got out we resumed our contact with him.

DAN NESER: He got out of jail and got permission to go to Jo'burg [Johannesburg] to do articles, the legal articles we had to do at the time to qualify as an advocate. He had spent six months qualifying and he felt he did not have enough experience.

Q: He had had the academic training? Was this the finishing period?

JENNY NESER: The practical experience.

DAN NESER: He asked me to see whether I couldn't get permission for him to stay a bit longer to get a bit more experienced. I undertook to go and see Piet Koornhof, who was the minister of Bantu affairs at the time.

Q: The minister of Bantu affairs, that doesn't sound like a progressive ministry. Tell me if that's true.

DAN NESER: He was one of the few who was a little bit enlightened in a strange sort of way.

Q: He was friendly to you?

DAN NESER: Well, I don't think he knew me. I met him on one occasion.

Q: But he was the person you needed to see to get permission for Figglybaum to stay longer in this area?

JENNY NESER: There were certain restrictions from Robben Island.

DAN NESER: He was restricted to the island at the time.

Q: Did it require a waiver or special permission even to be here?

DAN NESER: Yes. I went to go see Piet Koornhof. He had discussed this with the police and could see no real problem, but he wanted to ask me a favor in return. Would I please persuade Desmond Tutu to accept an appointment to his Urban Black Council? He wanted to establish an Urban Black Council that could give him advice on the urban blacks.

Q: Why did he want this?

DAN NESER: Well, we wanted to give some credibility to whatever policy they were going to implement.

Q: He needed the information that Tutu would bring to him? Is this a technique to gain a cross-section or knowledge of a black community he didn't know much about?

DAN NESER: I would put it slightly differently. He wanted the credibility that Tutu's presence would give him.

Q: Did Tutu have any doubts he was being compromised?

DAN NESER: I went to see Tutu and said, "Well, this is what I've been asked to see you about; do you think he could join the Urban Black Council?" Desmond said to me he would give serious consideration if the government would do three things.

JENNY NESER: The first was to acknowledge the permanency of the urban blacks. You see the urban blacks were living here. There were two million people living in Soweto and they were considered temporary in a wide area. I mean it was ludicrous that they weren't accepted but the moment you accepted them would affect the whole policy of apartheid.

Q: This would change the notion of them being squatters? This would legitimize their presence?

JENNY NESER: Well, I would not say squatters as much as citizens as the whole of South Africa. Then you would have to give them votes and those sorts of things. I mean they were supposed to be citizens of the so-called "homelands," wherever they came from originally.

Q: They were seen as migrant workers?

JENNY NESER: Yes, yes.

Q: Can you remember the other conditions?

DAN NESER: One was something to do with a roof over their heads and a bed to sleep in. They were entitled to a roof over their heads and bed to sleep in and I've forgotten what the third one would be.

JENNY NESER: They were totally innocuous.

Q: Did he come up with these spontaneously or after reflection?

DAN NESER: Very spontaneously, in the sense that it was a discussion we had over a cup of tea one afternoon in his office. He came up with it quite stupendously.

Q: You were the go-between in a way. This started with Figglybum who needed something that required you to go to Piet Koornhof. Piet Koornhof was willing to listen to you on the condition that you transmit a message to Desmond Tutu. Desmond Tutu came back to you with a message to go back to Piet Koornhof. You were in this regard much more than a messenger but in this particular anecdote you were the messenger. Then what happened?

DAN NESER: Then I went back to Piet. He said, "Well, I'm terribly sorry. The police have refused to allow me to extend the permit that Figgleybum has," and he left to go back to the transfer.

Q: But he did say, "I'm terribly sorry?" So, he did try?

DAN NESER: Yes, he did try. He says he doesn't know why it's the way it is and why they refused to have a debate with him and tell him what the reasons were, but this was the story.

Q: The minister of Bantu affairs was overruled by the police?

DAN NESER: He was overruled in the sense that he was giving an okay and they said you cannot give an okay. So interestingly enough this is what Desmond said. He said that he would never get that past the cabinet.

Q: Those innocuous requests were understood to be ones that the great powers would find unacceptable?

DAN NESER: Unacceptable.

JENNY NESER: Yeah, but now I would say "they weren't innocuous" is wrong. The other two requests were really for basic necessities of living. They were innocuous but the first one, demanding permanence of the urban blacks, was really changing the whole policy of South Africa. So that's why he said he would never be able to get it through.

Q: So, did that relationship collapse at that point?

DAN NESER: We couldn't take it any further. Tutu did not accept the nomination to the Urban Council and Piet Koornhof couldn't take the argument any further.

Q: Did this give Tutu more credibility or more prestige in his circles, the fact that he refused this invitation?

DAN NESER: Nobody knew about it. It wasn't announced or anything like that.

JENNY NESER: But you did say Tutu thought it would compromise him; I think he obviously did. He could have only considered it had he got a big concession in return.

Q: Tutu, even back in that early time, had quite a bit of political savvy?

JENNY NESER: Oh yes. He always had.

DAN NESER: He is a political anomaly.

JENNY NESER: He is a deeply religious man, but it was obvious you couldn't be black in this country and not be political, because you just had no right. You were a second-class citizen.

Q: When Mandela was still in prison, in the U.S. I remember people talking about Tutu as being a possible president in the future. We heard the name Tutu so often and we vaguely knew this person with the name Mandela. It was Tutu who appeared to be a natural political leader.

JENNY NESER: You see he's the only person I would say is of the stature alongside Mandela. I hate to make odious comparisons, but I don't think his [Tutu's] integrity is in dispute. He has allowed himself to criticize the government without saying he doesn't like the ANC [African National Congress]. You feel that he is an honest citizen and that he wants the best for South Africa, whereas I'm afraid most of our politicians have really disappointed both Dan and me, and the masses. I mean that quite honestly. On occasion, for instance, I went to ask the head of SenTech whom we had met at a party. He was trained in Cuba. "What do you think of the foot soldiers who put you into power?" He just said to me, "Well, actually I don't think of them." I was totally flabbergasted, but then I would like to help you with the time span. When we talk about Pikale and this instance with Tutu is after you stood for those various elections.

DAN NESER: Not after various elections, after the first one definitely.

JENNY NESER: See Dan stood for the "Young Turks" and the Progressive Party.

Q: When you say Young Turks, is that an inverted comma?

DAN NESER: Young Turks were the United Party.

Q: Was this an official term, the Young Turks?

DAN NESER: From a newspaper point of view, it was an official term.

Q: I see. This would be the more progressive wing of the United Party?

DAN NESER: That's right.

Q: Was it the inevitable choice when Mandela asked Tutu to become the head of the Truth and Reconciliation Commission? Was that the proper choice and the inevitable choice?

JENNY NESER: Well, I think so.

DAN NESER: We certainly weren't surprised.

JENNY NESER: Well, I don't think there was anybody else. He was assisted by Boraine who I think was a really good choice.

Q: Was this in any way a compensation to Tutu for not having a prominent political role? We're going crazy in a chronological way.

DAN NESER: You know there's a cartoon which was published recently which was really a repeat of the old days. Now that Nelson Mandela's twentieth year was being celebrated, the cartoon is this little bishop, and he's so easy to caricature, jumping into the air and clicking his heels and saying "Yay! I can go back to the church!" To me this is a very, very true sort of picture of Tutu.

Q: Truly a man of the church.

JENNY NESER: Oh yes, he is. I think he struggled to get Mandela free and to change the system and he wanted to go back to the church. I don't get the impression, but maybe we're wrong, that he really wanted to stand for political office. I think he actually preferred to be the conscience of the government. That is why I think he is so honorable. He has stuck by all his beliefs. Nor has he, you know, been sucked into being part of the gravy train.

Q: He has transcended politics in some ways. I think. He has never been embedded in a predominant political party of the moment.

JENNY NESER: Look, yes, he would support the ANC, but he definitely wouldn't refrain from criticizing if he thought they were wrong.

Q: A man of great credibility, in a time right now where credibility is hard to find.

JENNY NESER: And a man of integrity. And he certainly is a man of integrity.

Q: It's my fault, but we got off the election with the United Party. You stood as a candidate for the United Party among the so-called Young Turks.

DAN NESER: A wing of the Young Turks.

Q: What year?

DAN NESER: Seventy-four.

JENNY NESER: The interesting thing is that one of the prime movers was Harry Shwarz who recently just died. He was an ambassador to Washington for a while. He was always an anti-apartheid guy. The interesting thing [to give you the nuance] is the United Party. We felt it was pretty conservative. This little group was moving towards the Progressive Party. The big thing that Dan was involved in, I think that's where you got your VIP thing from, was the Marie Commission where you sit up all involved. We all realize that it was ridiculous to have these little splinter groups trying to oppose this massive power of the Nationalist Party.

Q: We all needed to coalesce and it seemed as if the United Party was the most expedient way of doing that.

JENNY NESER: Well, I think standing in this neck of the woods in an absolutely secure Nationalist Party seat, you're probably more likely compared to the white electorate to consider giving them your vote. Whereas if you stood as a Progressive Party—

Q: You were marginalized.

JENNY NESER: I think Dan and I really felt it was no good just representing black people's views. You had to persuade your white South Africans to change. It was jolly difficult. I know from canvassing.

Q: When you say canvassing, did you go house-to-house?

JENNY NESER: Yes. I must've done it to about a thousand people.

DAN NESER: We really relied on a very, very official campaign the first time.

JENNY NESER: Well, Dan isn't an extremely well-liked person. There was great excitement that a young person would use up his savings and stand up against the government. We had a lovely team. Quite a lot of young Afrikaners canvassed the University of Pretoria. You felt that they wanted a change. It was quite exciting, actually. The results were a very great disappointment to us in terms of any possibility of winning the seat. I mean, he did better than anyone else in an absolutely secure Nationalist Party seat.

DAN NESER: Yes, very very strong.

JENNY NESER: Because they were afraid that this constituency might be lost.

Q: Now was this purely Transvaal constituency?

JENNY NESER: No, it's just purely Waterkloof.

DAN NESER: Oh, it's one part? Just the immediate area?

JENNY NESER: Yes. Quite a big area but I would say that it was the least conservative of the Pretoria group. Then they added this constituency and then they added this massive solid conservative part.

DAN NESER: To make sure this would never happen again?

JENNY NESER: Mhm.

DAN NESER: We would call that gerrymandering in the U.S., I think. So your campaign was successful enough that the authorities were alarmed that this might have greater success the next time.

DAN NESER: Ah. No.

JENNY NESER: One hates to say that; there is no doubt it was just to make it more secure.

Q: These things happen in almost any country that has a Parliament. The districts are redefined by anyone who has the power to redefine them in their own interests. No country is immune to that I believe. Okay, so you stood for Parliament knowing there was a very slight chance of succeeding?

DAN NESER: Yah, well you had to start somewhere. If I had really wanted to get into Parliament or I wanted a hope to get into Parliament I would have to move my allegiances to something in Jo'burg and justify being there and getting nominated in one of the constituencies.

Q: Okay, so after the campaign, which was not successful, what was your next objective?

DAN NESER: Let me finish the Figgleybum story. So Figgley was refused an extra two or three years. And the next thing is he finds me from Port Elizabeth. I said, "What are you doing there?" He says, "I'm working for the legal resources head." This would give him great experience.

Q: The LRC [the Legal Resource Center], which is still operating?

DAN NESER: It's what he wanted. I said, "Jeez. How'd you organize that? Where'd you get the permission to do that?" He said, "Dan, I went into the interview for the position and I stood there and they said, 'What took you so long?'" He told me he wanted work; he was looking for work.

Q: Fantastic, it was that simple. The person who gave this permission had no knowledge of who Figgley was. He just said go in. This was a bureaucrat without deep knowledge of the situation. This was a happy coincidence, a happy lapse in the system. In fact we were talking about the South Africans confined to the homeland back in South Africa. And it happened by accident.

DAN NESER: It was planned by Figgy there.

Q: Planning but appearing to be uneducated. Very shrewd. So he got himself to Port Elizabeth where he worked for LRC.

JENNY NESER: I actually have a lovely anecdote about that. Because we were friends at university, he invited me to the LRCs, when I was in the area. In the office was the father of Tapal. He has just been released from Robben Island. The irony of Figale's situation is that he is lost to freedom. We were looking after Hilhart Muller's house and he was sleeping in the bed of the minister of foreign affairs. As it happened, when he left us, he traveled with William Mandela, and at a stop street the police tore open the doors and arrested him. Funny enough, he was PAC at the time, in some ways. He said, "I'm never quite sure whether William gave me away or not."

The interesting thing is that he used to tell the story at Robben Island, where he used to sleep in the bed of the minister of foreign affairs of the Nationalist government. When I went to see him at the LRC offices, he took me to see the governor and said, "This is the lady I used to tell you about at Robben Island, who let me stay in the bed. Remember that story I used to tell you about? This is that lady who was renting the house at the time." In his office was a red carpet, and he was looking at the carpet. He'd just come out of Robben Island. He said to me, "You know Jenny, I hope that we can live up to the opulence of this carpet and really do well for our country." I even have goose pimples telling you about it, because we've come such a long way with so many disappointments. One of the hard things these days is to criticize the government as a white person, because they immediately call you a racist. People who know us just giggle. I really don't conceive myself a racist at all, but it's an interesting transition.

Q: What would Govenbeke say about his son?

DAN NESER: He was a big disappointment.

Q: Going back, viewed historically—he seemed like a courageous and enlightened person. His son was Thabo Mbeki, chief while his father was in prison.

JENNY NESER: Then he went to England and got a degree from Sussex University in banking. I told Figgy once that I was so upset that we have so much corruption and the government doesn't seem to care about the people on the ground. The one thing about the Nationalist Party is that they looked after their own people, the Afrikaners. If you were

English speaking, you got the least of a bad situation. They tried to bring their people up from poverty. You just don't get this feeling from our government at the moment.

I said to Figgy, "I have the feeling Thabo Mbeki is really quite anti-white." He said, "Jenny, do you think we, as blacks, have suddenly with Mandela just forgiven everything that whites have done for three hundred years? That would be asking for a total miracle." Then Thabo Mbeki got in this grand swell about what had been done to them for so long. I could see it. Figgy said, it'd take quite a while for the pendulum to swing. Both Dan and I, when we are with white friends moaning about the state of South Africa, would say to them that we didn't have a civil war. I worked in the black community, and when I saw what was done to them, I can't believe that we didn't have a war. It was because of Mandela.

Q: What was it about Mandela that convinced people to forgive their resentment for at least those four years?

JENNY NESER: I think that he is one of the most exceptional men of history. My brother was the deputy judge president of northern Kati and he was asked to swear in ministers under Mandela. Mandela said that he'd like to visit my brother in the office. My brother said, "I'm sure Mandela is great, but this Mandela-magic they talk about is overrated." Mandela visited him. My brother said he was totally blown away. Mandela knew everything about my brother and everything about the legal system; he knew what was going on. Mandala was genuinely interested and my brother said it was just the most remarkable experience. He said he knows that magic now. Mandala just took an interest in everybody, regardless of skin.

Q: I had the experience myself.

JENNY NESER: Would you concur with my assessment?

Q: Absolutely. The word miracle comes up quite often; you had a miracle in 1994. It was Addassa in the election of 1999; at the embassy we saw that the preparations had not been made. There were government officials who asked about the plan, but they were told that in the plan was the hope for another miracle, because we rely on miracles here.

Let me abruptly change course and ask you, Dan, about your recent trip to the U.S.

DAN NESER: Let me first say the other contact that we had, the other effort where we had to make our feelings known, was in conjunction with Julianne Jacka [model, dress designer]. She had access to a number of people who had gone to the states and been contacted by the diplomatic corps here. She knew who was in business and who was doing well in business. She knew more black people than any other white lady. She knew everybody.

Q: And you knew her from what?

DAN NESER: We met in the 1960s and were friends. I got one of my first jobs with her at a furniture company. Then I got a partnership at the X firm and ended up as secretary for the—

JENNY NESER: I think that we just clicked because we had the same desire for our country. I don't think I would want to be in her league. Because she had these contacts and worked for the embassy, we decided to try to do something.

DAN NESER: What I wanted to say is that of the other people involved in this project, one became a judge, Djion Bisson. He was a professor at law at Tucker's at the time. Another became a judge too.

JENNY NESER: We tried to set up dinner parties with all the conservative people from government we could get, all in powerful positions, including the head of the banks. We would bring black people we knew who were of significance in the black community or good businessmen.

Q: Are we in the '80s here?

DAN NESER: Eighties. The conscious part about efforts was to try and persuade the Afrikaans-speaking people that apartheid was wrong. Dion Bisson was the Takis professor and we got to know his colleagues. He was the only one involved in the dinners with us. We made an appointment to see de Klerk at the time. I met a fellow in Jo'burg named Fangost. He became president of the Young Millionaires Club or something like that. He made a lot of money through the years with his computer company. He happened to be a key politician and political historian. He had a little book for himself about how things would work in the future. When I went to see him, he said, "The next PM [prime minister] of South Africa, Dan, is going to be Willem de Klerk." I said, "How do you know that?" He explained that this is what he does and that this is his hobby; he studies these things. He said, "By the way, the most influential person in Evian's life is Foster," who was an attorney at the time. Foster happened to be writing at the time and I knew him very well, so all of the sudden we had access with that little group of Nationalists. We made a meeting with de Klerk. "Mr. Minister, what do you want me to call you in Afrikaans?" He said, "Dan, I don't know what your problem is, you've always called me Evian, why don't you carry on calling me Evian." I just wanted to clean this up. He started off the interview by saying, "I have power and you have no power whatsoever and that is why you are there and why I am here."

Q: This is a perceptive man, and a candid one.

JENNY NESER: It was absolutely true.

Q: Was he receptive to your point?

DAN NESER: He was quite happy to listen to us. In a funny sort of way, he owed it to me. When you are an article clerk you have beats. You make sure all your friends' paperwork is in order. You'd go down as a clerk on certain days and have coffee and tea with one another, while making sure the papers were done. Then you'd check the deeds office, the master's office, and the Supreme Court.

Q: So, you had camaraderie. When you made this point to him, surely this wasn't the first time he'd heard this?

DAN NESER: We don't know. No conclusions were drawn, no agendas were set, we just wanted to tell him to think about the alternatives. We wanted to speak with him because we felt he would be the next prime minister.

JENNY NESER: You also wanted to change the system from the bottom.

DAN NESER: That came later.

JENNY NESER: How many years was that? When he was in power as president?

DAN NESER: He was president at the time. I couldn't understand how he could possibly want to change the political character by forcing it down on them from the central government. The whole atmosphere of the Federation was to build it up from the bottom. He said, "Dan, I agree with you, but if I leave change to my officials there will never be any change."

JENNY NESER: I think we were unaware of all the conversations going on with Mandela. Obviously, he wouldn't reveal this to us.

DAN NESER: I'd been appointed a member of the President's Council and we became a very good friend of the leader, or supposed leader, of the Young Turk movement. When Yafi got appointed to the minister position, he was told to recommend someone he'd like to have to help him on the President's Council and he recommended me. I was a member of the Progressive Party at that stage. I went to my party boss and said, "Look, I've been offered this appointment, and I know that the party is against it. Can I accept it as an individual?" They said, Yes, of course. I accepted the offer. The next thing was that I became aware from Helen Susman that this was the wrong way to go.

JENNY NESER: You are aware of what the council does?

Q: No, and I was going to ask about Susman as well.

JENNY NESER: The council included all manner of people, except blacks, so that was why we were told not to touch it at all. It was also a forum for Dan to speak to the Nationalist Party. I was eventually asked not to open my mouth in front of the other wives because I embarrassed them every time. I would constantly challenge them. That's

just a tiny aside. Dan had a far better role but it was an incredible education because so many people were reporting on the situation.

Q: This is very intriguing what you said about the Clerk position. There is an anecdote that has currency in the U.S. because he came on an international visitor's program when you did. He made a famous comment when he was debriefed, along the lines of: I now understand. He indicated that his vision had changed. It seems as if the Clerk changes were very steady and very slow. Would you say this was a man who understood the need for change at an early time and who was wrestling with the right wing of his main element. Did you detect that in the mid-'80s?

DAN NESER: You know it's quite funny. You often sit and wonder whether it was or wasn't or how it worked. I have a very good friend, Harvey Legu, who became a member of the Executive Council of the Nationalist Party in Cape Town. I was told by Harvey what happened when Wurter stood down. He gave notice very suddenly and they had to organize for the new leader. What took place in that debate was they went to caucus immediately and decided who would be the next PM or president. There were various offers and counter-offers. At one stage, the leadership of the Nationalist Party wanted to bring in even more members of the caucus meeting. They suggested the prime minister name his deputy at the next caucus meeting. In other words de Clerk must team up with the Wurter faction. Anybody else who wants to stand can team up with whoever they want to team up with. The big *velukte* (shoe/boot) in those days was the Duplici. If he had to team up with anybody, he would team up with Fuldune. He got involved in politics. Some thought he would be a great success. He never was a great success, but he was a highly thought of spiritual leader.

JENNY NESER: I think he was enlightened; he just wasn't as effective. He used to send his domestic to one of our schools. Our students would have to go ride in the back in the black areas. I got an audience with him through one of our trustees. I said you are really being hypocritical, allowing your domestic policy to come to our schools, which you think are illegal and then forcing people to go deal with it in the townships. You were allowed seventy-two hours in the white area without permit if you were black. That was changed. There was not a single reason why you can't let our students ride through this area. He was quite happy to announce that he did not have a domestic worker there in an illegal school. There was just a tiny bit about this. He did care about certain things and he was prepared to do enlightened things, even if it was against his party.

Q: He himself maintained a visual posture of great conservatism and benefited from the changes that you two were insisting upon.

JENNY NESER: I can understand from that one meeting with him that he was such an understanding and gracious man. I think, Dan, that you should mention Wimpe Cleric. He was extremely enlightened and used to write articles for the Afrikaans newspapers and he was editor or something. If only he were the president because he was so enlightened.

Q: He had the visit you made, his own brother, and his colleagues. His trip to the U.S. was good. I think you're suggesting a certain decency to him. The seeds of change were there, but they matured rather slowly over time.

DAN NESER: You know, I've concluded that isn't correct. My conclusion might as well be wrong, but just to give you an idea of what I've been thinking, is that de Klerk's father was a senator and that de Klerk was born in politics and was aware of the fact that the Nationalist Party was majority conservative.

Q: The opposite of the verlekte.

DAN NESER: He, I believe, realized that if he ever wanted to get to the top of politics he had to be seen as conservative. Whatever happened would have happened incrementally, and possibly a trip to the States where he may have tried to change his image.

Q: That's what I was trying to say. In order to maintain his political base, he had to maintain his particular image. What's fascinating about this is that we don't really know what went on in his mind, but the changes were made on his watch. He permitted the changes to happen.

JENNY NESER: He was keeping his position when he got into power. Then he could start to implement what he really thought. Also he brought a lot of people with him.

Q: This gradual process was progressing. What were the experiences you think that might have swayed him to this path?

DAN NESER: I think that one must be realistic and give credit to his brother. No one has ever spoken about who did what and how he was interested in things like that. So you don't have anything to go on. He seems to get on well with his brother, who was very enlightened and believed to be conservative. The conservative group in the party voted in his favor and they believed that he had betrayed them when he changed his stance.

JENNY NESER: I think this worked well for Mandela who must have been an incredible influence. I think he was really a remarkable guy.

DAN NESER: You must realize that he was a leader of the Nationalist Party. He persuaded Fyeve too. Because of negotiations he would denounce violence and release political prisoners.

JENNY NESER: Dan, you must tell them about your advice to the American embassy, your interactions with one man who would become one of the great protagonists of the Bill of Rights.

DAN NESER: He couldn't go.

JENNY NESER: It was the other guy. I was aware. This is just an aside, but I was asked to write a white paper on the Bill of Rights. They eventually decided that they would have to investigate and implement a Bill of Rights.

Q: I know that as an American thing. You're talking about adapting this for South Africa.

DAN NESER: Not exactly. The U.S. Bill is too complex to convert straight over to South Africa, but it would have to be adapted. It would be a formal document that would say what rights people have and how they are assured of them. William Nickle was the best we had at the time, and I knew him well enough to phone him immediately. Ask if he had heard that Fyeve was approached to write a Bill of Rights. I asked to see him immediately and told him to make the same offer to this bloke as he had to me. He didn't hesitate. He immediately made the offer, and I believe it was accepted, but I'm not sure how much came of it, but there is interest.

Q: Olivier was asked by the Nationalist Party. Nickel, the U.S. ambassador to South Africa, got Olivier to be invited to the U.S. to look at the Bill of Rights. We skipped over your own trip. Could you tell us about that?

DAN NESER: My trip was fascinating. It was 1977.

JENNY NESER: You were mainly invited through the Marie Commission and your friends. Dan then went through the formal way to get an opposition together. Marie was a judge. Why did you choose him if he was a Nationalist?

DAN NESER: I chose him because he was good at his job and being Nationalist no longer meant what it had. He was a Nationalist who decided things couldn't be Nationalist any longer; things had to change.

JENNY NESER: It was really an official attempt to try to get the opposition to stop the government groups.

Q: Sorry, was this a way of weakening the opposition?

JENNY NESER: No, it was a way of strengthening. In other words, it was our way to get them to operate among themselves and against the Nationalist powers. Dan chose Marie because he was a disillusioned Nationalist judge.

Q: Yeah, but we were on the subject of your own trip.

DAN NESER: I was successful in getting the two parties together under the umbrella of the Marie Commission. The commission had to decide whether it was possible to put on paper the principles that both parties would subscribe to. This would allow them, under those principles, to enter elections. It was a fascinating experience. I became, together

with a fellow named Peter Sole, a Progressive Party member, the secretary of the commission. The secretary organized who would give evidence, et cetera.

Q: This could be added to the transcript later, but the point is your involvement in the Marie Commission got some acknowledgement from the U.S. government and they were aware and invited you. Were you the creator?

DAN NESER: I was instrumental. Just Peter Sole and me. I was the United Party and he was the Progressive. We were unified in our belief that we should have a combined opposition to the Nationalist Party. Fragmented opposition was just a waste of energy.

Q: Any embassy doing its work would see this as part of the political scene and they'd be aware of this. That's what embassies do.

DAN NESER: They offered me the trip for many reasons. Because I started off in politics and lived in Pretoria, I got to go to many dinners and political functions. There were very few people who were really speaking up at the functions. I found myself in a lucky position and I could say what I wanted to say quite clearly.

Q: What types of people were there?

DAN NESER: It was a mixture of all types.

Q: Why were you lucky? Free of the law firm commitment?

DAN NESER: Yes, that and I had just joined the Young Turks movement. I really liked their policy. It was easy to express your opinion and put it on the table and say, this is what I stand by. You became friends with as many ambassadors as you could, and the Nickels and I became very good friends. I got on very well with his wife too; so did Jenny. We had purely social get-togethers too. They knew me. We got to do all sorts of very interesting things. We visited Martin Luther King's grave. The people who were touring us were flabbergasted that we were white! They prepared everything on the basis that we were black South Africans.

Q: Wow. Their reaction to that?

DAN NESER: Pleasant. There was that angle. We went to see Andrew Young, but instead we talked with his second-in-command.

Q: Andrew Young was the mayor of Atlanta and then became the permanent representative to the UN [United Nations].

DAN NESER: Donald McHenry.

Q: He later negotiated Namibia.

You were talking before, about your efforts to open the bar to people of other races.

DAN NESER: Yes, at any rate what happened was that William Deviliers, who was a member of the Brita board, voted against it. He was leader of the ball. I was very surprised to see him voting against it. The rest of the Nationalist Party members had done their homework and persuaded the others to vote in favor. So, the motion to scrap Clause Six was carried.

Q: Really? This was a great step forward?

DAN NESER: A great step forward. We had one of the leaders of the Verklempte saying publicly that I had chosen a Kefir before Chris Baers. I told him I did not understand how he would arrive at that conclusion. He told me that the moment a black man would walk in and join us, he would walk out. He told me that the decision had been my responsibility.

Q: So that's an ultimatum that was not a response to what your agenda was? You never proposed anyone should leave; you wanted more people to come in.

DAN NESER: Right. Any rate, I was seen as the main instigator for the change by quite a few people. Particularly the black community. The first person of color to serve articles in Pretoria was an Indian magistrate. He never actually joined the bar; he passed his exams and he went somewhere else. I think it was Germany. My friend who had threatened to leave never left.

Then we had Dick Hahm arrive. He had finished his articles in Jo'burg. He was admitted and allowed to practice as a member of any of the bars. He arrived in Pretoria, and the day he walked in, this fellow walked out. I must tell you that the interesting thing was this man was offered chambers next door to a very conservative person. Chris Diaga took the first opportunity that arrived when we were drinking coffee together. Chris said to Dick that he was the boss, and he wanted a cup of tea. I automatically jumped up to say it was totally out of order. The next thing I knew, there was a grip on my arm. "This is my job, Dan." It was Dick Hahm. I sat and I watched as he gave the conservative person tea, and we carried on chatting. Three months later, there was a knock on my door. It was Chris Diaga. He said, "Okay, Dan. You were right. I was wrong. I'm sorry. Now buzz off." (laughter)

Q: That's a wonderful story. Rigidity, ability to take in information, ability to move on, a certain spite and candor in doing so.

DAN NESER: He wound up changing quite dramatically. We were good friends, but I experienced the same thing in the President's Council. Contact between the various race groups makes a difference. I could have stood on my head for three years, and I would never have persuaded Chris Diaga otherwise. It took Dick Hahm three months. I was

involved in the President's Council for two years. I started off in Doctor Vernamurver's committee. I don't know quite how it worked out, but I ended up in Robenheimer's committee. I think they asked me to come over because we were investigating local level government, and they thought I could make a better contribution. It's quite ironic. We had the feeling and had been told that Robenheimer had been sent to the council because he was too *verkrampt* (cramped) for John Foster. So, he sent him there as one of the chairmen. He publicly apologized after about a year on the President's Council. He was confronted by the fact that some of the better speeches had been made by Blacks and Indians.

Q: What was it about Dick Hahm that enabled him to succeed in changing to a conservative in three months?

DAN NESER: I think you have to meet him in order to be able to understand that. He is just a charming person. He's got a lovely sense of humor. He's very intelligent, and he is an organized person.

Q: This is all done with the lubrication of personal charm? Will interacting with people inevitably bring down barriers?

DAN NESER: That's for sure. How to fix whatever takes place after that is another story. Well, I'll quickly tell you how Dick Hahm came into my life. I was walking down Audrey Street, which is the street where we had our offices, and I had about a month to go. I had given six-months' notice of my resignation as a partner, and I had a month to go. There was to be one partners' meeting to be held before I left. I had gotten all my things in order to leave, and I was going to decide in due course what I was to do. As I was leaving the building, a voice called "Mr. Neser." It was Dick Hahm's father, whom I had met before. I greeted him, and we had a little chat. He told me that he needed my help. I asked how, and he told me that he was hoping I could get articles for his son. He told me who his son was, and I was curious as to why he asked me. He said it was because I was the only one that would help get articles. I said it wouldn't be too difficult. He informed me he was coming home from an island in three weeks time. I thought that I had just started investigating my future and had accomplished a lot. I knew most of the liberal attorneys, so I thought I could persuade one to give this young black man articles. I wasn't successful. At the last meeting of our partnership, I added to the bottom of the agenda this idea. The chairman of our partnership, who was the most senior partner, wanted to know what this was. I told him that this young man was coming from Robben Island in a week or two, and we were going to give him articles. They wanted to know about him, and one of them had checked into his family history and background. Dick had done very well academically, so Michael knew he was a smart lad. There was a policy that prevented him from obtaining articles because he hadn't earned an LLB. Our firm would not grant articles unless people had earned this. However, they, without hesitation, decided to assist him by allowing him to be the librarian until he earned his LLB, at which point they would then provide him articles.

Q: I see. People who may have seemed very entrenched at the time found innovative, small methods of making incremental change. These were things that they might not have done visibly, but which still were very significant. It was a streak of decency that played when given an opportunity.

DAN NESER: Yes.

JENNY NESER: Mark Mayer is one of those people. The most amazing thing is that after I'd run these schools for twelve years and had all the police nonsense, at the end of every year, we'd have what I called a meeting of celebration and thanksgiving. We had survived another year and helped so many people. We would get about six hundred people there. Mark Mayer had sent his gardener to our school. When he passed his standard five, which is form seven today, he moved him from his garden into his office as a filing clerk. He came that night, and he was so impressed. He asked who knows about it. I told him I didn't care who knew; I was doing it for the community.

He told me I couldn't carry on like this, though. He wanted me to form a body of trustees and start raising money because it was the students' school. They paid five rand a month out of a thirty rand a month salary. With that money we ran the school and paid honorariums to our black teachers. The other two hundred were volunteers. They gave up fifty-six nights a year to help somebody else. I had people who were professors and secretaries. Mark Mayer organized the trustees, and he became our first chairman. He was kicked out after a short time because he was an impossible bloke. I couldn't stand him after a year. People told me I had to get rid of him. I told him how ridiculous it was. He had started the thing, and now he was destroying it because he was impossible. He said he thought he had done his work.

Q: That was an amazing story.

DAN NESER: To finish the story up, Dick Hahm arrives at the firm three or four weeks later to start his career as the librarian. Mark Mayer asked him where his suit was. Dick said he didn't have one. Mark asked him why, and he responded that he couldn't afford one. Mark gave him twenty-five pounds and told him to go buy a suit because, "We wear suits at this firm."

Q: Very rigid, very traditional, yet apparently seeking to display decency. Remarkable. There is so much more for our next session.

End of interview