

Victoria Mxenge Group launch: adopting group values

By Susannah Cowen, Johannesburg Bar

Victoria Mxenge was born in 1942 in Tamara Village in King Williams Town.* She trained initially as a nurse and a midwife, but later turned to the practice of law. In 1985, at the age of 43, she was murdered by agents of the apartheid state. She was murdered not long after she addressed 50 000 mourners at the funeral of the Cradock Four: Matthew Goniwe, Fort Calata, Sparrow Mkhonto and Sicelo Mhlauli. It was shortly before the Pietermaritzburg treason trial. She was part of the trialists' defence team.

Her brutal and untimely death sent shock waves through her community, which she had served throughout her life. As a lawyer, her practice was marked by service of those in need, students facing detention and those who suffered at the hands of the apartheid regime. She was a prominent anti-apartheid activist, a member of the Natal Organisation of Women and active in UDF structures.

She served her community, as did so many others of that time, in the face of great personal loss. Her husband, Griffiths Mxenge, was imprisoned for two years on Robben Island shortly after their marriage and subjected thereafter to a banning order. He endured various periods of detention including 109 days' solitary confinement. In November 1981, he was brutally murdered by agents of the apartheid state, a truth that was publically acknowledged only as a result of the Truth and Reconciliation Commission, which granted three of his killers amnesty. At the time of his assassination, Police General Johan Coetzee claimed that his own organisation,

the ANC, had caused his death, a lie that Mrs Mxenge did not live to see officially exposed. After her husband's death, Mrs Mxenge's resolve to fight injustice was strengthened and she became an icon of the struggle. Her two sons, Mbasa and Viwe, and her daughter Namhla were only 15, 10 and 6 when her husband, their father, was killed.

By any measure, she must have been an extraordinary human being whose life can only inspire.

On 19 November 2011, the anniversary of Griffiths Mxenge's death, eleven members of the Johannesburg Bar launched a new group. With the blessing of the Mxenge family, they have named themselves the Victoria Mxenge group. It was an occasion when one could feel proud to be associated with the profession. The event took place at the group's new offices, which are located in Sandown Village, Sandton in the same building occupied by the Duma Nokwe group and the General Council of the Bar. The event was well attended by members of the Mxenge family, the judiciary, the profession and civil society.

Former Chief Justice Pius Langa, who was a close friend and colleague of the Mxenges and who remains close to their children, presented a deeply moving keynote address providing personal insight to the qualities, life and legacy of this 'Great Lady of the Struggle.' At the heart of his address was a challenge to the lawyers who have associated themselves with her name: 'Those of us who were close to her congratulate this group of advocates in setting for themselves the highest of ideals that Mrs Mxenge stood for, by adopting her name as the name of the group.'

The legacy of the woman he described was not only that of a woman who responded to her set backs with 'steely determination' and a woman who dedicated her life to promoting social justice. The legacy portrayed was one of extraordinary compassion and humanity. Chief Justice



Group leader Muzi Sikhakhane with Judge Kathree-Setiloane.



Namhla Mxenge giving the concluding speech.

Langa explained that after Griffiths Mxenge's death, Victoria Mxenge, who had by then qualified as a lawyer, took over her husband's practice and strengthened and developed it 'to make it a central place of the struggle for democracy' and a place for people who were 'most poorly treated by the system.' She also opened her home to accommodate those in need, mothering them through their troubles.

Namhla Mxenge gave the concluding speech speaking for the family. Her words were living testimony to the values her parents espoused. The warmth and integrity with which she told her story utterly belied the horror her family has lived through and reminded us that at the heart of what we do are the people whom we serve and the humanity we can bring to our profession. It is a wonderful turn of history that the Mxenge's daughter can stand at a podium and offer her challenge

* In compiling the information about Victoria Mxenge, I have drawn heavily on Deputy Chief Justice Mosenene's Inaugural Griffiths and Victoria Mxenge Memorial lecture of 30 October 2009 'Establishing Social Consensus of the Shifting Boundaries between Judicial and Executive Functions of the State – Lessons of the Recent Past' and from the presentation of former Chief Justice Langa at the launch of the Victoria Mxenge group on 19 November 2011. Any errors remain those of the author.



Members of the Victoria Mxenge Group with family.

to the members of the new group. She said: 'You must ask yourselves every day whether you are living in the path left by Victoria Mxenge.'

The picture she left of her mother, who died when she was 10, is of an enormously courageous and loving woman who, quoting Theodore Roosevelt's words, 'lived in the arena.'

In the words of group leader Muzi Sikhakhane: 'The naming of our Group after Victoria Mxenge is an expression of our commitment to the principles and values for which, as a lawyer, she lived and died. At the centre of all human struggles and struggles for justice in particular, must be the people, especially those on the margins of the human condition. In our daily practice as advocates we hope to be guided by the values for which Victoria Mxenge and her husband, Griffiths Mxenge, were brutally murdered by the apartheid state.'

The key commitment the Victoria Mxenge group has made is to transformation. But this is not a reference merely to briefing patterns. Muzi Sikhakhane explains: 'Access to justice is as important. Our group is committed to ensuring, through individual and group initiatives the facilitation of access to justice for those whose material conditions still reflect the dehumanising conditions of poverty engraved on our

society by apartheid and colonialism. 'In honour of this selfless lawyer who paid the ultimate price, we hope to make our humble contribution to the creation of a new society, and to practice our noble trade with excellence and utmost professionalism.'

In short, the group is seeking to create a place where its members live the values they believe in and to lead by example. They want to create a form of advocacy where law is accessible and at the centre of struggles for justice.

The launch was a memorable evening both of reflection and celebration. It provided an opportunity to reflect on the legacy of a great South African and to remember the suffering she and her family endured while playing their part to make South Africa what it is today. It was also an opportunity to remind ourselves that good can come from struggle if we work with determination, compassion and courage. It was indeed a privilege to celebrate with our colleagues the start of the journey that they have embarked upon. One can only applaud our colleagues' initiative and wish them well.

As a fellow counsel, however, it was impossible to leave the event without reflecting personally about the challenges presented by Chief Justice Langa and Namhla Mxenge to the members of the new group. For those of us practising as ad-

vocates in Johannesburg, our groups are a central part of our professional identities. Of course, the Bar plays both a foundational and defining role in how we are organized and how we practise. But we tend to work closely with colleagues in our groups, we rely on our fellow group members to create the professional ethos we observe and to engender a suitable working environment. And perhaps most importantly, our groups can provide a crucial mechanism through which we are able to forge change within the profession at a micro-level.

It is thus no surprise that a group is largely defined by the values to which it subscribes whether stated expressly or infused in its practices.

Whether we are organised in groups or buildings or some combination, we all set an example by the values we adopt when we practise, which in turn will determine how well we serve. There are, of course, many ways in which we might choose to articulate our values and there are many amongst us who have led and inspired and continue to do so in a range of important ways. But perhaps the establishment of the Victoria Mxenge group may provide an apt moment for us all to reflect, and re-evaluate whether the values that we embrace will leave a legacy of which we can be proud. **A**