

| NYAMEKO BARNEY PITYANA |



TOP THREE AWARDS

- The Order of the Grand Counsellor of the Baobab (Silver), 2006
- Honorary degrees and fellowships from institutions including the Commonwealth of Learning, King's College London, Athabasca University in Canada and Rhodes University
- Honourable mention in the UNESCO Prize for Human Rights Education, 2002

DEFINING MOMENT

When he was not granted a passport to study at Durham University.

WHAT PEOPLE DO NOT KNOW

He loves to travel, and especially to discover new parts of South Africa.

IN PURSUIT OF JUSTICE

The certificate acknowledging his admission as an attorney has pride of place in the office of Prof Nyameko Barney Pityana, former Unisa Vice-Chancellor, former Human Rights Commission Head, Co-founder of the South African Students' Organisation (SASO) and Anglican priest.

He received it 18 years after his plans to apply for admission were thwarted by the banning orders he received in 1978 because of his political activities.

Pityana was therefore quite touched when the then Deputy Judge President of the Cape High Court, JJ Fagan, stood him up in court on 2 February 1996 before authorising that his name be enrolled in the register of attorneys: "Fagan said that a lot of injustice was done against me, but that he hoped that in a small way, my admission to practise law would provide some justice. He did not have to say that."

"An interest in politics and the challenge of law has always been one and the same for me," says the man whose life took many turns before he could officially practise law. This included being a leader in the Black Consciousness Movement and the African National Congress (ANC) Youth League, going into exile and studying theology and philosophy in the United Kingdom (UK) and serving the World Council of Churches.

FORMATIVE YEARS

Pityana was born on 7 August 1945 in Uitenhage. Pityana started school in Uitenhage and attended the Lovedale Institution's secondary boys' boarding school thanks to an Andrew Smith Bursary. He developed into a politically conscious young man who as a 15-year old joined the ANC Youth League.

During his Form 4 year in 1963, Pityana and many other learners were expelled from the school near Alice. By then he had already met classmate Bantu Stephen Biko. Their strong and compelling bond of friendship and comradeship was to lead to the establishment of SASO and their championing of the Black Consciousness philosophy.

Schooling after Lovedale was not easy. At Newell High School in New Brighton in Port Elizabeth, Pityana and others struggled without qualified mathematics and science teachers. When a poor result in these subjects after his 1964 matric exams put paid to any ambition to study medicine, he resolved to study BA (Law) at the University of Fort Hare in 1966. He was to major in law, English and political science.

Pityana reads anything from the classics, biographies, novels to philosophy. Such was his interest in English literature as an undergraduate that a lecturer almost swayed him to consider advanced studies in English literature.

Then came the student unrests of 1968, and Pityana as member of the then banned ANC Youth League and many of his peers were expelled. He subsequently received an opportunity to pursue his studies at Durham University in the UK – but was refused a passport. This decision by the powers that be was a definitive turning point in Pityana's life.

"My studies effectively came to an end, and I committed my life to the Struggle. One can only wonder what would have happened if I did receive that passport," he muses.

In 1970, he succeeded Biko as SASO President, and later served as Secretary-General based in Durban. He coined the slogan "Black man, you are on your own!" that became a rallying cry of students and activists in the 1970s.

Together with various black and white student activists he was banned in 1973 and restricted to Port Elizabeth. He was closely monitored by the security police, detained and tortured and spent much time in prison – at one time a full year.

The banning orders had one positive spin-off: he resumed his studies. In 1974, Pityana enrolled as a candidate attorney at the firm of D Kondile and Somyalo in Port Elizabeth and by 1976 he had completed the BA (Law) and the BProc degrees through Unisa. He however never had the opportunity to apply for subsequent admission.

After Pityana was released from detention without trial between August 1977 and August 1978, he was served with a renewal of a banning order.

"It stated that I could not be admitted as an attorney, practise as such, be on the premises of a law firm or even attend court except as an accused or a litigant," he remembers.

According to legal advice the order could not be challenged. "I was declared a communist and not fit and proper to practise law by the Minister of Justice, PC Pelser," comes the grim memory.

The final straw was a huge confrontation at the security police headquarters at Sanlam House in Port Elizabeth shortly after his release from jail: "I walked out of that place and just knew that I was out of here [South Africa]."

INTO EXILE

Pityana, his wife Dimza and his then 7-year old daughter, Loyiso, fled to Lesotho. As Bishop Desmond Tutu had organised a scholarship at King's College London, the family then further escaped from Lesotho together with student activist Peter Bruce on an aeroplane that the journalist's family chartered.

An intellectual curiosity about religion and apartheid led him to the study of theology and philosophy. It was only in his final year that Pityana decided to offer himself for ordination as a priest in the Church of England. He was trained at the Anglican theological seminary, Ripon College Cuddesdon in Oxford. Ordination and curacy in Milton Keynes followed. He also served as vicar of Immanuel Church at Highters Heath in Birmingham. In 1988, he was recruited to the World Council of Churches in Geneva as Director of the Programme to Combat Racism. "I was drawn more directly to many of the causes for social justice that I was passionate about," he reflects on his family's move to Switzerland at a critical time in the apartheid struggle. "I enthusiastically accepted it, because I realised that it was a much more direct way of being involved in South Africa than just being a parish priest."

BACK TO SOUTH AFRICA

When he was asked by the General Secretary of the South African Council for Churches, Reverend Frank Chikane, to serve as co-convenor of the his-

toric November 1990 Rustenburg National Conference of Church Leaders, Pityana for the first time could step on South African soil again.

During this three months' stay Pityana realised he did not understand the country he had left, or even many of the people he thought he knew. On the positive side, he discovered many others who previously had not been part of his sphere of reference. He found many like-minded people among the Baptists, Pentecostal and Dutch Reformed ministers with whom he came into contact.

"They were all also exercised with the same questions that we had," he says.

The three months gave him time to reflect on a role for himself in his motherland.

"I realised the reasons why we had left did not prevail any more, and that I did not have any moral reason to remain overseas. I also realised that if I chose to stay, I would have no moral right to speak on the South African situation ever again," says this active voice about the direction that the country is currently taking.

In 1993, theologian-activist Prof John de Gruchy invited him to take up an academic position as senior lecturer and senior research officer at the University of Cape Town's Centre for Christian Studies in the Department of Religious Studies. It allowed him to complete his PhD in Religious Studies in 1995 with a thesis titled *Beyond Transition: The Evolution of Theological Method in South Africa – A Cultural Approach*.

That same year, Parliament elected him to the inaugural Human Rights Commission (HRC), which together with the Office of the Public Protector were among the first Chapter 9 state institutions established to strengthen constitutional democracy.

"By and large my law background came into play for the first time since I had finished my degree many years before," says Pityana, who was elected as HRC Chair at its first meeting.

From 1997 to 2003, Pityana served as a member of the African Commission on Human and Peoples' Rights. He also contributed to the United Nations

human rights and development programmes as an expert and consultant. He still feels privileged to have been part of the formative yet often tumultuous first years of the HRC. "In fact, it would have been heart-wrenching for me had I not been part of such exciting times," says this strong believer in the need for the Commission to be an independent institution.

His job as Chair gave him the opportunity to work closely with former President Nelson Mandela at a time when it felt to Pityana "as if the country was coming together".

Nine often tumultuous years as Principal and Vice-Chancellor of Unisa followed. His mandate to transform the higher education institution away from its "unintellectual, non-academic, almost civil service-like" roots often made headlines because of the racial tension this caused.

Pityana is the first to recognise that his appointment was something of a surprise. He did not have much of an academic footprint at the time and never was a career academic. His inaugural address set the tone for his life at Unisa:

"After a life of rather detached association with the academe, I find myself at Unisa to have my prejudices challenged or confirmed. I came as an activist and an organic intellectual whose theatre of engagement and laboratory was the world out there. I came also to challenge by my presence here some of the stuffy arrogance that, rightly or wrongly, I have come to associate with academics."

Pityana, who completed an LLM in Labour Law while serving the institution, used his own growing publication record to show his academic staff that it was possible to fit academic writing into the day-to-day challenges of academia. These days he is widely published on issues such as human rights law and theology.

In 2007, he was among the unsuccessful candidates for election as the Anglican Archbishop of Cape Town. He regularly spoke on the world stage, and was invited as a keynote speaker at the UNESCO World Conference on Higher Education in 2009. He became an exponent of Open and Distance Learning in Africa, served two terms as founding Chairman of the African Council of Open and Distance Education (ACDE), and on the ex-

ecutive of both the ACDE and the International Council for Open and Distance Education (ICDE).

Looking back at his life's work, Pityana realises he was often called on to "rescue situations and places". After he had retired from Unisa in December 2010, the Anglican Church asked him to regenerate the College of the Transfiguration in Grahamstown where its clergy are trained.

SECOND RETIREMENT

Upon his second retirement in 2015, he set his sights on writing, spending more time with his three grandchildren and enjoying his farm in Addo. His current academic ties include being an Honorary Visiting Professor of Rhodes University's Allan Gray Centre for Leadership Ethics, being an emeritus Professor in Unisa's School of Law, and serving on the Council of Wits University.

He led UCT's Convocation as President for one term from 2015, and in the same year was elected as Fellow of the Stellenbosch University Institute for Advanced Studies (STIAS), and worked on The Effects of Race research project with Profs Nina Jablonsky and Gerhard Mare. In 2016, he was a guest researcher at the Nordic Africa Institute of the University of Uppsala in Sweden.

This founding Member of the ASSAf serves as one of its Vice-Presidents and represents the Academy in the Network of African Academies of Science, of which he was elected Secretary-General in 2015.

The human rights activist in him is also not yet retired. Pityana, who is programme advisor to the Thabo Mbeki Foundation, frequently writes in the media or lectures about ethics and public morality.

"I believe that the best possible kind of activism for our country is one that seeks to help us to re-imagine a better future that combines both our social and intellectual activism for our world. Autocrats, even today, will that we may never will for the different or transcendent, or desire better than what is dished out to us. Even today, we are told that it is good for us to remain as we are. I beg to differ. My imagination and idealism tell me so."