

J.P.

REPORT OF AN INTERVIEW KINDLY GRANTED BY DR. DE WET NEL TO MRS. STOTT AND MRS. STOY TO WHICH MR. SMUTS, MR. FRANKEN, MR. PANSEGROUW, MR. ROGERS AND MR. BRENT HAD BEEN SPECIALLY INVITED. (Held on 13th. February, 1961.)

Mrs. Stott thanked the Minister for arranging the interview and said that she believed that the Minister's intention that people should not be made to leave an area unless there was a place to which they might go and that those seeking work should not be told to leave an area without being told where they could go to obtain work, was not being carried out.

It was not her intention to be destructive in criticism of any official; the object was to try to get constructive action to improve the system so as to reduce the hardships suffered by Africans.

She submitted that if officials were not complying with what she had understood to be the Minister's intention, it was because they were unable to do so because of the enormity of the task involved in sorting out the countless "displaced" persons, through being unable to cope because of pressure of work or through not having or not being able to obtain the information needed.

While we were opposed to the existing system in principle, we recognised that there was no purpose served in arguing on this basis.

Details were then given of the case of Gilbert Nompuzolo, and Mr. Smuts undertook personally to go into this case to see what could be done to assist Gilbert.

From this we noted that there were families who had no "right" to be anywhere. That there was lack of assistance offered by the authorities. They seemed to think that their responsibility ended when they said "you cannot stay here". Mr. Smuts said there was a Statutory Obligation under which homeless Bantu had to be assisted by the State to obtain residential rights within the Bantu territories.

Then the case of 38 Africans who had to move from the Divisional Council area of Grassy Park was mentioned in detail.

From this it was shown that there was lack of co-ordination between the various authorities responsible for Africans. That the people who suffered as a result were the Africans who were pushed from pillar to post.

Mr. Smuts said that he recognised that it was difficult for any administrative system to be perfect and that cases of hardship did occasionally occur. It was, however, the duty of the officials of the Department of Bantu Administration and Development to give a sympathetic hearing and to render whatever assistance possible to Bantu persons who were confronted with problems arising from the application of the laws affecting them. Certain Bantu, however, ignored the laws of the country and in such cases had to pay the penalty for their actions. He said that during the next five months whilst he was in Cape Town, he would be pleased to see us and would be glad to deal with any problems that came to our notice.

We suggested that Africans should not be told that they must leave an area without it first being established that there was an area to which they might legally go where provisions for them existed and that people should not be expected to vacate comparatively decent brick houses and be expected to take their families (with young children) into the sand at Nyanga West or East while they erected some kind of miserable temporary dwelling.

Further, in view of the fact that several of those arrested at Grassy Park could not get permission to transfer their families to Nyanga West or East, the Minister was once again implored to allow African women the "Right" to live with their husbands if they wished to do so. The Minister said this could not be considered. It would result in thousands of people flocking to the Cape. Mrs. Stott said she begged the Minister to allow it and assured him that she would do everything possible to see that enough money for permanent houses was forthcoming. She believed that if the Minister /would

would have a secret ballot among senior officials on this subject, he would find that the vast majority of them were in favour of allowing the Africans to have their families with them, and of allowing them to own their own homes.

Mr. Smuts then explained the labour bureau and influx control systems and said that without influx control there would be large scale unemployment and a general lowering of living standards. He continued by saying that Bantu from all over the African Continent were attracted to the Union by the comparatively high wages offering here. They could not make a living in their own undeveloped countries and, without influx control, the Union would be completely inundated with Bantu looking for work. The resultant evils should be obvious to anyone.

Mrs. Stott said that in the view of the Black Sash there was a great deal of unemployment amongst Africans and that this problem did not appear to be being tackled adequately. That you could not solve unemployment by endorsing people out.

Mr. Smuts pointed out that as far as the Bantu who were lawfully in the Cape were concerned there was no unemployment and this was due to the fact that influx control was applied. Without such control thousands would pour into the Cape Peninsula, depress wage levels, create a further housing shortage, cause the dismissal of large numbers of Coloured persons from their jobs and would within a very short period create a situation of complete chaos. He stated further that it served no purpose to allow Bantu to come to the Cape unless employment was offering. If there was unemployment in the Bantu territories, owing to the fact that there was a surplus of labour throughout the Union, then the Department would have to deal with the problem there and provide the necessary relief there. It would be futile to allow unemployed Bantu to travel from one place to another where they would still be unemployed.

Mrs. Stoy said this was quite understandable and that the way to solve that difficulty was to lay down a national minimum wage which would ensure an adequate living for an African family.

Mrs. Stott said that the Black Sash was willing to do all it could to help to obtain a decent living wage for African workers. The national minimum wage should be designed to make work in an agricultural area as attractive as work in a large city. We were also anxious to do anything we could to find a realistic solution to the unemployment problem.

Mrs. Stott asked that when Africans were told that they could not stay in an area, that they should be asked if they knew where they could go. If it appeared that they did not know where to go, enquiries should be made to assist them. That it was desirable that if these enquiries had to be made by a different department, viz. Bantu Affairs, that this department should have an office in the same place as the Local Authority so as to avoid inconvenience to the Africans. Africans should be given written instructions showing where they must go for help.

Mrs. Stoy asked that the Africans should be given temporary permits which covered the period when their case was being investigated and they should have in writing where they must go.

The Divisional Council officials said that these enquiries were made and that Bantu sent to the Native Affairs Department at Salt River were given a note. Also that Bantu were told by Junior Clerks that if they did not get satisfaction from the junior clerks, they could ask to see Mr. Brent or Mr. Panscrouw.

Mrs. Stott referred to Mr. Rogers' letter from which it appeared that the "City Council does not notify the authorities in the areas to which people who are endorsed out from Cape Town are sent as they DO NOT KNOW WHERE THEY GO. THEY ARE MERELY WARNED TO LEAVE HERE. Only where a person is removed by an Order of the Court, is he or she escorted back to his or her home in the reserves and handed over to the local Bantu Affairs Commissioner there. In the majority of cases, however, we do not know their destinations." Further on in the letter it appears again that African women whose husbands reside in an area under a local authority, must nevertheless be expected to know that when they are trying to get maintenance from their husbands, that this must be done /through

through the Bantu-Affairs Department.

Africans with difficulties knew that they must go to the Native Commissioner for help. We maintained that they did not all know this. Mr. Pansegrouw said that some of them did not want to go to the Native Commissioner. We submitted that if Africans felt they would obtain real help in doing what they considered reasonable, they would be only too willing to go to the Native Commissioners.

Mr. Smuts said that the suggestion that there was lack of co-ordination should be met by the fact that the Government had appointed a Mr. Kellerman on the Staff of the Chief Bantu Affairs Commissioner whose special duty it was to deal with problems experienced by the Urban Bantu of the Western Cape, to see to their needs and to give them advice and guidance where necessary.

The Bantu Affairs Commissioner of the Cape Peninsula would be holding monthly meetings at which Mr. Rogers, Mr. Pansegrouw as well as Mr. Kellerman and senior officials of the South African Police would be present. The object of these meetings would be to co-ordinate the activities of the various authorities so as to ensure the general welfare of the Bantu of the Cape.

Mrs. Stott asked Mr. Rogers to tell the Minister about the difficulties he was having in obtaining sites and houses, in the hope that he would get speedy assistance. Mr. Rogers said there was no real problem now and that he now had sites available and would soon have 642 houses.

Mrs. Stott asked him how many houses he needed. He said about 6,000. Whereupon Mrs. Stott asked why something could not be done to provide the 6,000 houses. Mr. Smuts said that arrangements were being made for the immediate development of the whole of Nyanga West and the provision of houses for all the Bantu entitled thereto. The Council has been requested to do everything within its power to erect at least 2500 houses by the end of 1962 and has been given the assurance that the required funds will be forthcoming from the National Housing Office. Mrs. Stott said she was delighted to hear this.

Mr. Smuts said that it appeared from what Mrs. Stott had said that the Black Sash were opposed to the development of the Bantu homelands. We said that we were not opposed to the development of any area which urgently needed improvement, but we considered it quite wrong to send people from urban areas back to where they came from until these areas were sufficiently developed to provide them with employment, homes, etc., etc.

Mrs. Stott then asked the Minister whether, in view of his statement that he intended to remove some of the "pinpricks" of the Pass Laws, it was not possible to put people in the permit offices at the location gates, who were capable of issuing permits to visitors, without the visitors first having to proceed to the administrative offices to obtain a proper permit. This was a serious inconvenience to Africans and the public generally.

She also asked why the Nyanga Station had been sited so far from the nearest African houses. Could a siding not be built as a matter of urgency nearer to Nyanga West residents and nearer to Nyanga East? She also asked that there be at least one train late at night to take home hotel waiters, garage attendants, etc.

Mrs. Stoy asked that Africans should be allowed to find their own jobs.

Mr. Pansegrouw drew attention to the instruction which required that an employer satisfy the authorities that no coloured man was available for the job he had vacant before he was allowed to employ a Bantu.

Mrs. Stoy asked whether the policy of job reservation had anything to do with unemployment among the coloured community.

This ended the interview. Mrs. Stott and Mrs. Stoy thanked the Minister for arranging the meeting and the officials for coming.

Mr. Franken asked for information about Gilbert in order that he might make a thorough investigation of his case.

C O P Y.

B.A. 456.

UNIE VAN SUID-AFRIKA. - UNION OF SOUTH AFRICA.

Kantoor van die Minister van Bantoe-administrasie
en-ontwikkeling.Office of the Minister of Bantu Administration
and Development.

Tcl. 24988

D. 1/2

Room 50,
Marks Building,
CAPE TOWN.

10-5-1961.

The National President,
4, Oakdale,
Main Street,
NEULANDS....C.P.

Dear Madam,

With reference to your letter dated 3rd. March, 1961, the Honourable the Minister has directed me to return herewith the resume - amended and amplified where necessary - of the main points dealt with at the meeting on the 13th. February, 1961, and to inform you as follows:-

1. It is well-established practice for all Bantu to regard their local Bantu Affairs Commissioners as their "advisers" and to approach them with their difficulties where representations to Headmen and Chiefs (in the Bantu Territories) and local authority officials (in urban areas) have proved unsuccessful. This practice is common knowledge among the Bantu public and they are constantly reminded at meetings and interviews that they should, when necessary, avail themselves of every opportunity to present their difficulties to these officials. Extensive enquiries in this connection were carried out in the field in the Western Cape recently and all the Bantu interrogated testified that they knew they had to approach their Bantu Affairs Commissioners with their difficulties, and also that they knew where to find them.

2. Furthermore, all the officials employed in the Bantu Administration Branches of local authorities are aware of this procedure and whenever necessary advise complainants where to go with their difficulties, should they not be in a position to solve them.

3. Sometimes, however, Bantu for reasons best known to themselves, fail to avail themselves of this facility and approach organizations such as the Black Sash or the Institute of Race Relations and others, as well as private individuals, to take up their grievances whether real, or imaginary, with the appropriate authorities. There should, however, be no need for this and it is felt that should such Bantu approach the proper authorities direct, in the first instance, it would contribute considerably towards the speedy solution of their problems.

4. Definite codified instructions have been issued by the Department to all district officers (Bantu Administration as well as Justice) so as to ensure that Bantu making representations or seeking advice are not treated in a perfunctory or unsympathetic manner. These instructions are embodied in paragraph 3 of the Department's Code "Native Commissioners" and in the Code "Interview Work" and are intended to ensure that Bantu who approach Bantu Affairs Commissioners or Magistrates with their problems receive the necessary assistance with due regard to existing legislation, departmental instructions and policy. I am satisfied that Magistrates and Bantu Affairs Commissioners in the Western Cape afford complainants sympathetic treatment and that they do their utmost to give satisfaction.

5. Regarding the repatriation of illegal entrants, it must be pointed out that primarily it is not the function of local authority officials to find homes for them in their districts of origin. Such officials may grant them visiting permits only when the Bantu are bona fide visitors and where approved accommodation is available. The Bantu in the territories have been advised repeatedly not to proceed to urban

/areas

5. (Contd.) areas for the purpose of taking up or seeking employment or for the purpose of visiting, unless the issue of visiting or employment documents have been arranged beforehand. If they ignore this procedure and find that local authority officials warn them to leave an urban area which they have just entered and to return to their homes, such action is based on information supplied by the Bantu themselves, who, of course, know where they have come from, how to get there, and what accommodation exists at the other end.

6. Should a Bantu be a displaced person - i.e. one that has been in an urban area for some time but does not qualify in terms of section 10 (1) (a) (b) and (c) of Act Nr. 25 of 1945 to remain there indefinitely, and may, for some reason or other, not remain there, then local authority officials by arrangement with local Magistrates and Bantu Affairs Commissioners, write to the original home district of such Bantu to establish whether arrangements can be made for his return. The settlement of such individual families is a daily occurrence and every case is dealt with on its merits regarding costs, etc.

7. In some urban areas there are displaced families who are being temporarily accommodated there with their working husbands pending the completion of large townships in the Bantu Territories where accommodation and opportunity for employment will be available. As soon as these townships are ready to receive them instructions will be circulated timeously and the necessary arrangements made so as to ensure that the transfer of the families to their new homes where they will be permitted to acquire freehold properties on a permanent basis will be a happy event in their lives. In accordance with existing practice free transport will be provided in deserving cases.

8. If Bantu should find themselves in the position where they have no home to which they can return, then there is a legal obligation under which the Department must arrange for them to be settled in the appropriate Bantu territory or else arrange for them to take up employment in some other urban area where employment and accommodation is available.

Yours faithfully,

(Sgd.) P. W. HANSMeyer.

PRIVATE SECRETARY.

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DONE