

Advice Office

An extract from the Athlone Advice Office report for the year October, 1973 to September, 1974.

By the dawn of the era of Bantu Administration Boards, so little room was left for personal considerations that the only remaining question was, could the law possibly be applied more rigidly? The answer which has become apparent during the year is yes, and it is.

Centralisation was hailed by its designers as a streamlining process which would make life easier for Africans and their employers alike, by enlarging the areas within which the free movement was to be permissible and by smoothing paths in general. But it is Government policy which streams the line, directing it straight into a tramline. From the Western Cape it heads East, to the Transkei and Ciskei.

Mr Janson has likened the streamlining of Bantu Administration to the improving of a mountain road, when obstacles are eliminated but the direction remains the same. But he fails to recognise that the road could be going the wrong way, in which case it will reach the wrong destination faster.

It may well transpire, through legal casework which is still incomplete, that the application is sometimes outstripping the law itself in rigidity. Certainly the authorities are abstaining from using discretionary powers which the law accords them, in favour of technical conformity with the strictest interpretation of laws which are themselves based on "policy."

Behind "policy" is of course the cherished ideology of "separateness", a word now preferred to the internationally unpopular "apartheid." Separateness is seen as the first prerequisite for "dialogue".

The Athlone Advice Office has rare facilities for hearing both sides and cannot fail to be aware of the fact that any so-called dialogue is on separate (indeed) planes which do not meet at any point. While Africans want to get on with living decent human lives, the dispensers of laws are concerned about what

they experience as a threat to their White identity. So, very politely, they say "Go away and stay away, except that you may come back to work for us as unskilled labourers. Do your developing in your own areas and keep your families and any skills you may care to acquire there."

Under the new system of Bantu Administration Boards, all officials are responsible to the central authority, whether their offices are in Langa, Nyanga, Observatory, Goodwood or anywhere else. When an individual has a problem and wants special consideration of his circumstances, he will be passed from office to office and in each the responsibility for the refusal of his request will be laid at the door of another.

The request may be from a residentially qualified man who wants his wife to join him on a permanent basis from a rural or from another prescribed area, having been under the impression that this was the object of marriage: 122 couples with this problem have consulted the Advice Office during the past 12 months. Two hundred and forty-four people who knew Section 10 of the relevant Act, and that it appears to make provision for normal married life when the husband is a "qualified" resident of the area.

The Advice Office sees a mere fringe of the real total.

When a man is refused occupancy of a township house, the housing official will often explain that he takes orders from higher up. The "higher up" authorities then pass the responsibility straight back by insisting that only the housing officials are in a position to allocate houses. These are in truth too few and too small for the people already in them and there are apparently very scanty plans for more to be built, and none for the enlargement of the group areas in which such building is possible.

Finance is mentioned as being a major difficulty, as the Boards are expected to be self-

supporting and even with sadly raised rentals it is proving hard to maintain present buildings, without considering new houses, which would not be subsidised as they were by the Municipality and Divisional Council. But the intention is clearly that no new entrants to the area be allowed, other than yearly migrants. Not even the wives of residentially qualified men.

The man with a special plea may turn to a member of the Bantu Administration Board. Short of the Minister, this would seem to be going to the top. But Bantu Administration Board members themselves are powerless even to recommend leniency or compassion or to point out special circumstances which entitle some individual to consideration within the strictest letter of the law. It would seem that Board members have the least power of all within the set-up. There are no Black people on the Boards and there are not going to be any, according to Deputy Minister Janson, because the Boards operate within White areas and separateness comes first.

If there were Black members appointed, they would find themselves in the most unhappy position of having to seem to accept a totally unacceptable framework and ratify decisions which they would be powerless to veto. It is the township officials whose word is incontrovertible, and their word is spoken under orders from the Chief Bantu Affairs Commissioner, whose main consideration is policy.

Some of the couples struggling to establish homes together have come to the Athlone Advice Office from Paarl, Bonnievale, Elandsbaai or Stellenbosch. In Kayamandi township at Stellenbosch there are only 61 family houses since the demolition of temporary structures in 1971 and the rescinding of plans for their replacement with brick houses.

It was the Stellenbosch Municipality which both made and cancelled the plans, falling backwards in its eagerness to please the Government. Many qualified families were displaced as a result. There is ample accommodation for "single" working men. In some country districts, such as Bonnievale and Elandsbaai, there is no family housing for Africans at all.

This deliberately undercuts Section 10 of the Bantu (Urban Areas) Act, as it is no use having a right to live in an area when there is no place in it where one can in fact live. "Resettlement" is offered to people dislodged in this "voluntary" fashion, and removals to ru-

ral settlement areas, which were halted during 1973, are getting under way again.

Nobody likes adverse criticism, and officials employed by Bantu Administration Boards want praise and approval like other people. But it is the policy they have to apply which the Advice Office is criticising. It is simply not acceptable to the people concerned. This makes favourable comment hard to devise.

Certainly the officials are usually very civil. In the old days, under local authorities, some were civil and some were not. Rough words do damage and the gentler approach is to be welcomed. It is a pity that the velvet glove does not enclose a human hand which can be grasped in fellowship.

Wages have improved. Most Africans are earning much more than they did five years ago. The cost of living is also very much higher and the rise in real terms is not in proportion to that of the rest of the community, nor to the amount of effort, such as sacrifices for education, made to achieve it.

The authorities merit appreciation for encouraging employers to pay proper wages and to allow workers reasonable time off. Officials of the Labour Department, in Cape Town, conscientiously investigate all wage complaints brought to them and take trouble to help workers get money due to them.

It is interesting to note that the Bantu Administration Board itself employs labourers on contract in the Peninsula, nine hours a day for a five-day week. The man who came to the Advice Office with a problem (for which he was himself to blame) was earning R12,23 in cash per week, after normal deductions.

Presumably that is the Board's minimum wage. It is better than the standard terms which agricultural workers accept when signing contracts to work on, for example, poultry or dairy farms. It seems that the normal working week here is seven days, 11 hours a day, often worked in three shifts. Free accommodation is given and some contribution towards rations such as skim milk and mealie-meal. Wages are often as low as R22 a month for unskilled labour. These conditions should be prohibited by law, especially the inhuman hours. Contract workers are still not issued with copies of their contracts.

Welfare officials give dedicated service but are seriously hampered and surely frustrated by only being able to do their welfare work among people who are legally in the area. No pass, no aid.