

SUPPLEMENTARY REPORT NO. 1.

1.

MANAGEMENT COMMITTEE. (11.4.67)
NON-EUROPEAN AFFAIRS COMMITTEE. (5.4.67)

COMMITTEE

NON-EUROPEAN AFFAIRS DEPARTMENT.**CONFIDENTIAL**
NOT FOR PUBLICATIONHOUSING OF BANTU IN SOWETO

On the 30th August 1955 (Minutes page 742) the Council adopted the following resolutions as a housing policy :

"Union Natives :

- (a) Natives legally resident in the area prior to the 1st January 1953, should be accepted as Section 10(1)(a), (b) and (c) residents and allowed to take up any type of accommodation and employment offered.
- (b) All male Natives who entered the area as from the 1st January 1953, and who have wives and families in the area, should be accommodated on a letting basis only and should be warned that once they are discharged from their present jobs they will only be allowed to remain in the area - as allowed for by the Labour Bureau Regulations - if they are prepared to take up employment in categories of labour where workers are in short supply.
- (c) All male Natives who entered the area as from the 1st January 1953, and who are single or have left their families in their home areas should be housed in single accommodation and warned that they may not bring their wives and families into the area unless authority is obtained from the Council in terms of Section 10(1)(d) and that authority should be given only on the clear understanding that as soon as the Native is discharged and becomes surplus to requirements he and his family will be required to leave the area.
- (d) No Native, male or female, should be allowed to enter and remain in the area without obtaining authority in terms of Section 10(1)(d) of the Act.
- (e) Houses should be sold only to Union Natives who have been legally resident and employed in the Urban Area for not less than five years.

Foreign Natives.

- (f) Foreign Natives should only be housed in single accommodation if accommodation is not supplied by the employer, but if they are exempted from the disabilities applicable to Section 12 of the Act and have their families in the area they should be accommodated in letting schemes only.

Protectorate Natives.

- (g) Protectorate Natives who are new entrants into the area should only be housed in single or hostel accommodation where no accommodation is supplied by the employer. In other respects they should be treated on the same basis as is suggested for Union Natives."

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MANAGEMENT COMMITTEE. (11.4.67)
 NON-EUROPEAN AFFAIRS COMMITTEE (5.4.67)

COMMITTEE

NON-EUROPEAN AFFAIRS DEPARTMENT.

Although this policy was not formally approved by the Department of Bantu Administration and Development, discussions were held from time to time with senior officials of that department who indicated that the Council was not out of order in applying the policy to enable it to categorize Bantu who were entitled in law to be and remain in Johannesburg for one purpose or another.

However, since 1955 numerous legislative amendments have affected the entry of Bantu into urban areas as a result of which directives have been received from the Department of Bantu Administration and Development which make it necessary to alter the abovementioned resolution.

A circular recently received from that Department sets out a new housing policy and is one which could have far-reaching and serious implications for Bantu in Johannesburg.

This circular states : "The following should be the basis for considering applications by Bantu for accommodation on a family basis in urban Bantu residential areas :

- (a) Only names should be placed on the waiting list of persons who are males and who fall in the categories mentioned in paragraphs (a) and (b) of sub-section 1 of section 10 of Act No. 25 of 1945, provided that -
 - (i) the (b) qualification should be permitted to be acquired not only before but also after 1952, and
 - (ii) such males are lawfully married (i.e. by civil or Christian rites or Bantu custom) to women who are ordinarily residing with them in the proclaimed area at the time when they apply for houses.
- (b) The names of females should not be placed on the waiting list, even if they have section 10(1)(a) or (b) qualifications.
- (c) Where a man with section 10(1)(a) or (b) qualifications marries a girl from outside the prescribed area, he should be permitted to introduce her into that prescribed area if she is domiciled in a prescribed area; if domiciled outside a prescribed area, the prior approval of the Department is to be obtained.
- (d) These rules should be applied in the revision of existing waiting lists, and that where women were ordinarily residing with their husbands in the proclaimed area at the date of revision, their husbands' names should be retained on the revised waiting list."

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MANAGEMENT COMMITTEE. (11.4.67)
NON-EUROPEAN AFFAIRS COMMITTEE. (5.4.67)

COMMITTEE.

NON-EUROPEAN AFFAIRS DEPARTMENT.

The circular refers at random to "proclaimed area" and "prescribed area", but appears to mean a "prescribed area" throughout, which in Johannesburg is the urban Bantu residential area of Soweto.

The implications and effect of this circular were raised by the Manager, Non-European Affairs Department, at the meeting of the Departmental Committee for Johannesburg on the 3rd November 1965, but on the suggestion of the Chairman (Deputy Minister M.C. Botha) it was agreed that the matter would be submitted for consideration in writing.

Since then the matter has been discussed with the Chief Bantu Affairs Commissioner, Witwatersrand, and by the Institute of Administrators of Non-European Affairs. Model regulations embodying the terms of the abovementioned circular have been drawn up by the Department of Bantu Administration and Development and will appear in the Government Gazette for information and comment. In the meantime the Department of Bantu Administration and Development will not agree to withdrawal of the circular so far as the Witwatersrand is concerned.

The Manager, Non-European Affairs Department desires to draw the Council's attention to his views on the effect of this directive on the Bantu population of Johannesburg.

In considering this issue, State policy regarding Bantu in the Republic must be borne in mind. This policy is to give permanent rights only to those Bantu who wish to reside in the homelands, while recognising, within defined limits, those who are part of the industrial and commercial economy of the urban areas. With this policy as a background, the directives from the central Government are mainly concerned with those Bantu who from necessity or desire have made the urban areas their home, at least for the time being. It is in regard to the living conditions of such Bantu that the effect of the circular must be considered.

MALES.

Bantu who have, through long service or residence, become permanent members of Johannesburg's urban community will not be affected, but the submission is made that a man should be considered part of the urban community if the length of his employment and residence warrants it. Even if he has tribal affiliations in the Bantu homelands, he will want to establish a home for himself and his family where he works.

The implications of the circular are that any Bantu male, who has not had 10 years' continuous employment with one employer or 15 years' continuous residence in Johannesburg (Section 10(1)(b) of the Act), must, although lawfully employed in Johannesburg, or perhaps because his employer transfers his business from another Reef town to Johannesburg, not be placed on a waiting list for a house, or be removed from his place on an existing waiting list, until he fulfils the 10 or 15 years' qualification. When he marries, he and his wife and family may have to live for many years as lodgers with relations or friends before he can be put onto a waiting list for a house. This may lead to bad overcrowding of existing houses, but, even without overcrowding, is undesirable. Alternatively the man and his wife may have to continue to live apart.

:- FEMALES

MANAGEMENT COMMITTEE. (11.4.67)
 NON-EUROPEAN AFFAIRS COMMITTEE. (5.4.67)

COMMITTEE

NON-EUROPEAN AFFAIRS DEPARTMENT.

FEMALES.

The circular directs that the names of females may not be placed on the waiting list at all, or may have to be removed from existing lists. It is not easy for a woman to find lodgings and the larger her family the more difficult it is for her to find permanent lodgings.

It is not clear what is meant by paragraph (d) of the directive, but the position arises that a woman may be widowed, when she was living with her late husband as lodger in a house and may later with a growing family need a house of her own.

WAITING LIST.

The Non-European Affairs Department is inundated with applications for housing which have merit but cannot be considered favourably as the applicants fall outside the provisions of the Council's resolution or the latest directives. The waiting list includes the names of more than 9,000 heads of families, including women with dependent children, whether or not such woman are married. The list is categorized as follows :-

Bantu Men	:	10(1)(a) or (b)	2,500
Bantu Men	:	10(1)(d)	5,800
Bantu Women	:	10(1)(a), (b) or (d)	700

5,800 Men and 700 women who are family heads would now not be entitled to be on the waiting list. The men would not be entitled to a house until they qualify in terms of Section 10(1)(b), i.e. 10 years' continuous employment with one employer or 15 years' continuous residence in Johannesburg, as the case may be. The women would not qualify at all.

This policy gives the local authority no discretion in dealing with individual cases, and men and women who do not qualify would have to continue to live as lodgers, or leave the urban area. The latter prospect must be viewed in relation to the employment position of Bantu in the local economy.

The stringent effects of the directive have been somewhat eased by another from the Chief Bantu Affairs Commissioner in which it is stated that although normally it is contrary to policy that non-qualified Bantu should be housed on a family basis there is no objection, in respect of Bantu who are subject to transfer from one urban area to another, being so housed, provided -

- (a) the local authority is prepared in terms of the necessary legal provisions, to permit such a Bantu to enter the urban area and to house him;
- (b) his family normally lives with him and does not intend to come specially from the Bantu homelands to join him in the urban area.

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MANAGEMENT COMMITTEE. (11.4.67)
 NON-EUROPEAN AFFAIRS COMMITTEE. (5.4.67)

COMMITTEE

NON-EUROPEAN AFFAIRS DEPARTMENT.

It is necessary to formulate a housing policy in the form of a simple set of rules, to be submitted for the approval of the Minister of Bantu Administration and Development. The Manager's proposals, which would entail the keeping of more than one waiting list, are contained in the recommendations.

IT IS RECOMMENDED :

That, subject to the approval of the Hon. the Minister of Bantu Administration and Development, a Bantu housing policy in terms of the following rules be adopted by the Council :

1. BANTU BORN IN THE REPUBLIC AND SOUTH-WEST AFRICA.

(a) Married Bantu.

(1) A married Bantu male who complies with the provisions of Section 10(1)(a) or (b) of Act No. 25 of 1945 shall be permitted to obtain accommodation for himself and his family either on a purchasing or hiring basis, providing his wife qualifies in terms of Section 10(1)(c) of the Act or has been permitted to enter the urban area in terms of Section 10(1)(d).

(2) Any other married Bantu male who is lawfully employed ~~or~~ resident in the urban area shall be permitted to obtain family accommodation on a hiring basis only, provided his wife and children are lawfully in a prescribed area.

(b) Widows and Widowers.

A Bantu widow or widower shall be permitted to obtain family accommodation on -

- (i) a purchasing basis if he or she qualifies in terms of Section 10(1)(a) or (b) of Act No. 25 of 1945; or
- (ii) a hiring basis if he or she does not qualify in terms of sub-paragraph (1) above, but is lawfully employed ~~or~~ resident in the urban area and lives with a family unit and can satisfy the authorities in regard to guardianship and lawful entry of all members of the family unit into the urban area.

:- (c)

MANAGEMENT COMMITTEE. (11.4.67)
NON-EUROPEAN AFFAIRS COMMITTEE. (5.4.67)

COMMITTEE

NON-EUROPEAN AFFAIRS DEPARTMENT.

(c) Female Divorcees.

Female Bantu divorcees who are lawfully employed ~~or~~ resident in the urban area shall be permitted to obtain family accommodation on a letting basis only, provided she lives with a family unit, produces the order of court granting a divorce and awarding custody of the ~~union~~ *minor* children, and can satisfy the authorities in regard to the lawful entry of all members of the family unit into the urban area.

(d) Unmarried Bantu - Male and Female.

Unmarried Bantu males or females not falling under subparagraph (b) or (c) above, and having custody of a family unit, shall be permitted to obtain family accommodation provided he or she qualifies in terms of Section 10(1)(a) or (b) of Act No. 25 of 1945, and can satisfy the authorities in regard to guardianship and in regard to the lawful entry of all members of the family unit into the urban area.

2. BANTU NOT BORN IN THE REPUBLIC OR SOUTH-WEST AFRICA.

(1) ~~(a)~~ Bantu from Lesotho, Botswana and Swaziland.

A married Bantu male from any of these countries who has been lawfully employed and resident in the urban area prior to, and continuously since, the 8th May 1958, shall be permitted to obtain family accommodation on a hiring basis only, provided his wife complies -

- (i) in the same manner, or
- (ii) being a Bantu born in the Republic or South-West Africa, qualifies to be in the urban area.

(b) Foreign Bantu.

(1) A foreign Bantu lawfully in the urban area shall only be permitted to obtain single accommodation on his employer's premises or in hostels.

- (2) A Foreign Bantu already housed in a Municipal Township but moved when resettlement schemes are carried out be permitted to occupy a house in a new Bantu residential area, but on a letting basis only provided and for so long as he remains lawfully in the area.
- (3) Foreign Bantu males who entered Johannesburg prior to 1st January 1955 and who are lawfully married to S.A. Bantu women who qualify to be in Johannesburg should be permitted to take up letting accommodation during the validity of their employment.

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