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Urban Native Administration

A review of the first quarter century, and its second in being

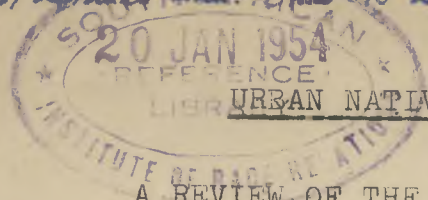
DR. W.W.H. EISELEN,

1953

1953

Principles in Order - before them can be freedom (of movement)
2) Urban Areas Act: 1950 to be imposed by community itself

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A REVIEW OF THE FIRST QUARTER CENTURY
AND THE SECOND IN BEING.

PAPER TO BE READ ON THE 15TH JULY, 1953, AT EAST LONDON AT THE CONFERENCE OF THE INSTITUTE OF ADMINISTRATORS OF NON-EUROPEAN AFFAIRS BY DR. W. W. M. EISELEN, SECRETARY FOR NATIVE AFFAIRS.

1. THE FIRST QUARTER CENTURY.

The natives Urban Areas Consolidation Act as enforced by you to-day first appeared on the Statute Book in 1923. As it is accepted practice and a convenient method to compare the life of people to-day with that of past generations we will, for the purposes of this review, in the first instance make a brief survey of the tendencies which characterised the first quarter century (1923-1948) and then proceed to indicate the likely trends for the second 25 years, of which five have already passed.

(a) Development without Planning.

In 1911 the Urban Areas of the Union accommodated 508,142 Bantu and up till 1921 the increase was comparatively small, barely 80,000. In 1936 the million mark was reached, i.e. 1,141,643 and in 1946 we were well on the road to the 2 million mark, i.e. 1,689,053 while in 1948 we had already reached this mark.

In spite of the increase in the Bantu population, almost eightfold in 37 years and ^{more than} ~~nearly~~ sevenfold in the first quarter century under review, the planning of residential areas for the urban Bantu population and the provision of services did not keep pace with this tremendous increase in the population. In addition this increase as such received little or no attention.

In retrospect we find then on the perimeter of the proclaimed municipal areas of most cities of the Union a ring or outer circle of unplanned, uncontrolled and without exception illegal concentrations of Bantu who tend towards the cities; occasionally an over populated Freehold Township with poor services and slum areas with its attendant abominable conditions; in municipal areas, stands were initially made available or houses built but in both cases on such a small scale as to have little or no effect on the problem as a whole. Where municipal housing schemes were embarked upon they were almost without exception doomed to failure because the sub-economic basis of finance proved too heavy a burden for most local authorities to shoulder.

Owing to the uncontrollability of this chaotic residential development, the urban Bantu population not only increased without valid reasons for this increase but the surplus population rapidly deteriorated and subsequently passed on the germs of this social deterioration to the rest of their fellows.

(b)/.....

(b) ILL PLANNED UTILISATION OF LABOUR.

Owing to the apparent unlimited reserves of labour forces, employers tended to discharge their workers very easily with replacement and in this manner over population of the cities and under population of the rural areas were aggravated without fulfilling the demand for labour as the available labour forces were rendered unsuitable for the future labour market. We know the old method of employers who gave preference to rural labourers as the urban labourers were supposedly not efficient. Unfortunately previous urban labour forces lost their attraction to the labour market for this very reason and the rural market is not inexhaustible.

The actual number of idlers, won't works, and unemployed are not known. During May, 1953, the South African Police in Pretoria arrested 526 unemployed Bantu whilst the municipal labour bureau refused over 200 unemployed entry into the urban area. In Johannesburg 1313 were arrested the same month and 1105 refused entry.

If it is borne in mind that only a portion of the unemployed are detected in such manner, the figures quoted above reflect only a small proportion of the actual position. Considered on this basis Pretoria should have 8,400 and Johannesburg 24,000 unemployed Bantu only. In every urban area the position causes the same concern.

The question of Bantu youths growing up in the city is far more serious. According to the Viljoen Report there are approximately 80% of the age group 15 to 20 years of the urban Bantu youth unemployed. The Tsotsie problem considered against this background, is not difficult to understand as thousands of urban Native youths are idle, without work and a continual stream is allowed into the urban areas from the rural areas. This lack of order has caused such a degree of indifference that the Bantu labour turnover reached the alarming proportions of between 200% and 400% as was ascertained by an investigation by one of your members in Germiston.

This unbalanced distribution of labour, the concentration in the cities, the improper utilisation of urban labour, the social erosion of the urban youth and the rural Bantu population had a detrimental effect on agriculture which provides food production for the country and caused a serious shortage of labour.

To crown everything many of our cities have become so fastidious, especially the hotel industry, boarding houses and private dwellings that only foreign Natives can satisfy their needs and comforts. Now that the rural areas of South Africa cannot supply any more "grain" for the city mills, the urban labour market looks to the hinterland of Africa for its labour requirements. The effects on the social life of the Union Bantu and of the whole South African community, is of less importance to them than the needs of the labour market or the comfort of the employer.

Urban/.....

(c) URBAN CONTROL:

In order to meet this uncontrolled position, the registration of service contracts and influx control measures were introduced and for many years past an open invitation has been extended to municipalities to undertake the administration of these measures in their own interests. Progressive urban local authorities reacted most favourably but unfortunately there were those, who, for reasons with their origin outside the functions of a local authority, for many years refused to administer these essential control measures and at the same time increase their income.

For many years too the administration of municipal Non-European affairs was a section of another Department or a most subsidiary sub-section with the result that also in the administrative field the same lack of forethought and appreciation of the position, so noticeable in other spheres, became apparent.

Since 1923 it was felt that the Bantu should take a more active part in his own administration, and the system of Advisory Boards was accordingly inaugurated. Unfortunately the part these Boards played did not conform with the purpose for which they were created, except perhaps where the block system was introduced in such a manner as to impose responsibility in connection with administrative matters peculiar to the location inhabitants on their shoulders. In general, these Boards were not advisory but agitating in character.

2. THE SECOND QUARTER CENTURY:

Your Association has amongst its ranks officials who took an active part in affairs during the past quarter century but most of you are young officials with the greater portion of your career still to be developed in the next decade and it is therefore fitting that we review the manner in which the second twenty-five year period has been initiated, follow on the trail of measures adopted in the first five years of this period i.e. from 1948, to date, and see what the future might hold in store for us.

In the main we indicated events of the first quarter century from 1923 to 1948 and the resultant problems. It is now necessary to indicate in what manner these problems can be met or are to be brought under control.

(a) Planning : Residential Areas:

When the various municipalities noticed that their urban Bantu populations were in most cases exceeding that of the urban European population, ad-hoc applications for the approval of location sites, without regard to regional planning or the common interests of neighbouring municipalities, became the order of the day.

In order to control this unsystematic development various official channels were created for the purpose of making orderly planning possible, and here I want to say that some municipalities have made the fullest use of these channels and that you too can assist in promoting such orderly planning.

The Hon. the Minister of Native Affairs, for example, in December, 1951, in the case of Pretoria, extended an open invitation to all interested parties to attend a conference for the discussion of suggestions for area planning with a view to establishing Bantu residential areas. Municipalities

of the Pretoria area organised business and industry, farmers interests, party interests, etc., were represented. A representative Committee was appointed by the Minister and they in turn evolved a plan which was subsequently approved by both the Minister and all interested parties. A city such as Pretoria can now proceed in a systematic manner to plan and develop the approved Bantu areas.

The Mentz Committee, appointed to investigate the position on the Reef, in the same way co-opted representatives of interested groups, and has already made considerable progress with a regional plan for that Area.

On the Free State gold fields, where the Council for the Development of Natural Resources controls the area through the medium of Reference and Planning Committees, with the Department of Native Affairs represented thereon, planned development of Bantu residential areas was undertaken at the outset.

In terms of the provisions of the Group Areas Act and the Development of Natural Resources Act, similar planning was undertaken in the Vereeniging-Sasol area and on the Far West Rand.

Apart from the legal machinery at your disposal, your municipalities can co-operate on a communal basis and assist the Government who will place such machinery readily at your disposal in order that in your own interests, this very essential long term planning can be achieved.

(b) Housing:

(1) Native Building Workers:

In the past most houses for Natives were built by Europeans with the resultant building costs beyond the means of the prospective tenants. In order to give the Native an opportunity to serve his own community in this connection, the Native Building Workers' Act No. 27 of 1951 was introduced and in cities such as Springs and Pretoria large teams of Bantu building workers are to-day building houses for the Bantu in urban areas and earning an income in proportion to the capacity to pay of the future tenants, which income at the same time is so favourable that their own living standard is raised considerably.

(2) Housing Section:

In order to facilitate co-operation between my Department and other Government Departments and Institutions such as the National Housing and Planning Commission, the National Building Research Institute and local authorities, a housing section was established in my Department. In addition this section, in collaboration with these Institutions does research work which is placed at your disposal. Already two valuable manuals -

"A Guide to the Planning of Native Townships" and

"Minimum standards for houses for Non-Europeans "

have been issued.

Economic/.....

(3) Economic Housing:

In the past it was too readily assumed that all houses for Natives should be sub-economic and therefore subsidised by the Government and local authorities. The direct result was that both the Government and local authorities felt the pinch as these subsidies were such a heavy burden in relation to the extent of the need that only a very small number of houses could be built. Careful study of Bantu incomes proved that a considerable percentage of the urban Natives could afford economic housing, especially if housing was the main purpose and not unrealistic luxuries. In the past rich and poor alike were housed sub-economically and local authorities just could not continue to carry the burden.

As a fixed policy it is now accepted that the main purpose should be provision of economic housing and to ease the burden of the past, municipalities are now advised and encouraged to embark upon the conversion of existing sub-economic schemes to economic selling or letting schemes as soon as possible. It is pleasing to note that some local authorities have already reacted to this.

(4) Stand and Service Scheme:

The extent of the housing problem is such that even if the aforementioned steps were taken, the problem would still not be fully solved. The Hon. the Minister of Native Affairs has accordingly decided as a general policy that service connections be supplied in approved planned areas. Stands will be let at rentals, inclusive of the costs of these services, to Bantu who are legally employed in the Area while the actual building of houses will be left to the Bantu himself.

In the uncontrolled squatter camps, the urban Bantu has no security of tenure. They have no healthy supply of water, no night soil or refuse removal services. In addition local authorities cannot control these camps. The stand and services scheme ensures the necessary services with control and with possibilities for gradual and systematic development of housing in a planned residential area; it is actually a full township in embryo.

(5) Services Levy Act No. 64 of 1952:

The Government did, however, not allow the matter to rest there. Local authorities always offered the objection that as Native areas were rather distant from town boundaries or not in proximity to public services, they did not have the necessary funds to provide these services. The Levy funds which in the case of our bigger cities will contribute more than £100,000 annually, provide sufficient capital for this purpose. This complaint has now been met once and for all.

Another provision in terms of Section 19(3)(bis)(f) of the Urban Areas Act provides that these funds may be utilised, through loans or grants to the Native Revenue Account for the establishment of water, sanitation and lighting or road services within a Native residential area.

In so far as housing is concerned you now have the Native building worker at your disposal. You are relieved of the larger portion of the sub-economic burden if you so desire.

You/.....

You can plan permanent residential areas, you have funds for services, you have a policy for the housing of all sections of the urban Bantu community.

(c) Labour Control:

A net of labour bureaux was inaugurated in terms of Government Notice 2495 of 31st October, 1952. The terms thereof provide for the following types of labour bureaux:

- (a) District Bureaux in the offices of Native Commissioners and Magistrates as the case may be,
- (b) local bureaux under the control of local authorities,
- (c) regional bureaux in the offices of the Chief Native Commissioners, and
- (d) a central bureau in the office of the Secretary for Native Affairs.

The main purpose of the Labour Bureaux serves to canalise labour forces, that is, all workseekers taken into employment must be employed through the medium of labour bureaux. By this method the bureau system is enabled to transfer labour forces from areas of surpluses to areas of shortages.

The Labour Bureau regulations make it obligatory for a workseeker to register at his bureau for work and he may not be employed in an urban area unless he is so registered. In practice it may at a later stage be possible to have a ready record of labour forces available in a given area.

In terms of the Labour Bureau Regulations, every employer must notify his labour bureau of his vacancies. This enables the Labour bureau to have a record of his demand for labour.

The registration of workseekers and vacancies enables every local authority in turn to refuse further housing in an urban area to surplus workers who are not protected by Section 10(1) (a) and (b) of Act No. 25 of 1945, or to apply for additional labour at the district labour bureau in the case of a shortage of labour in the respective areas.

(d) Registration of Service Contracts:

The registration of service contracts is desirable if not essential in order to use valuable manpower economically. In this manner it is ensured that the Bantu employee is always properly identified and that no arbitrary action is taken against him which otherwise would have been the case. Wage disputes or service disputes are avoided to a great extent in this manner and it facilitates legal steps against a Bantu deserter and last but not least against employers exploiting Bantu employees. Determination of the type of service of a particular labourer and whether he is an idler, is also facilitated. In addition housing of such labourers can be controlled. The particular measures to be applied in terms of the registration system to achieve this purpose, i.e., that all manpower is utilised properly, are contained in paragraphs (a) to (h) inclusive (with the exception of (d) which only applies to females) of Section 23 (1) of the Native Urban Areas Consolidation Act, 1945 and the registration regulations

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promulgated under Government Notice 1032 of 1949 as amended and which is applicable in every proclaimed area.

(e) The Reference Book:

The inauguration of this system of identification which was welcomed by the Bantu population as indicated by the support on the Reef and in Pretoria since the beginning of this year, facilitates the recording of matters where identification is a deciding factor for the Bantu as well as the administration.

Any Bantu who has a reference book in his possession enjoys automatic exemption from the provisions of the pass laws (i.e. the laws governing his movements from the one place to the other) but he is not automatically exempted from curfew in urban areas and he may not reside more than three days in any town or city without the prior permission of the local authority concerned.

The multitude of documents and identification media were in the past a burden for both the workseeker and employer, was never a deciding factor which could lead to identification and is now replaced by a neat and compact reference book which the Bantu is inclined to regard with a certain amount of pride.

The reference book does not exempt any Bantu from the duty to register at the nearest labour bureau if he is seeking employment.

The Union Labour Bureaux will, as soon as the reference book system has been introduced in the whole country, with your co-operation, and much more efficiently, apply efflux control in the cities by canalising labour to areas where sufficient demand exists and at the same time, as the rural areas are brought under control, will apply effective influx control. In the latter instance Tribal authorities now gradually being established in the Native areas would then also know who their children are and where they are. The adoption by the Bantu of the reference book might be a potent factor in restoring relationships disrupted indifferently in the past; might assist in the rehabilitation of the Bantu and in this way assist in preventing further social decline.

(f) Influx Control:

Influx control instituted in terms of Section 10 of the Urban Areas Act and also administered in terms of the most recent amendment by Act No. 54 of 1952, is still subject to loopholes and all manner of defects. Further amendments will be effected but it will remain an interim measure. Influx control can best be achieved by strong action in connection with housing, in accordance with the principles put to you, fullest support of labour control by the bureaux and the effective use of the reference book. In addition to the above you can apply measures against surplus population with all its detrimental effects in your area by application of location permits, service contracts and housing licences.

/(g).....

(g) Foreign Natives:

I would like to make an earnest appeal to you all for your full co-operation with the Government in its determined efforts to keep the urban problem within reasonable limits, to apply permits for the employment of foreign Natives in such a way that urban employers will concentrate on the labour potential already existing in your urban area. In the past it has come to my knowledge that some local authorities with praiseworthy co-operation, objected on those lines, i.e. that officials of my Department advised members of the public that if the local authority extends permission, the Department would consider granting any such applications. I can give you the assurance that if officials of my Department adopted such an attitude it would be against express instructions from my Department. On the other hand I would appeal to you to appreciate the responsibility placed upon you by Section 12 of the Urban Areas Act and to accept that you may by strong action regarding the recommendations for permits create a great measure of stability in the urban areas. Foreign Natives were up to now largely taken in service as domestic servants. The Department has however accepted as its policy, which it then endeavours to apply at all times, that no further foreign Natives be permitted in urban areas. Existing permits are still renewed, but when a Native leaves his employment, he is considered as a new applicant and permission is always refused where he finds other employment in the area.

(h) Combined Measures to be effected by local authorities and the Government.

(l) Employment of Local Labour Forces Before Influx is allowed.

Labour Bureau Regulation 9(3) prohibits the registration of a workseeker for a prescribed area who does not comply with the provisions of Section 10(1) (a) and (b) of Act No.25 of 1945 whilst there are other workseekers complying with these provisions. In addition no employer in a prescribed area may employ a Native if he is not registered at the respective labour bureau (see Labour Bureau Regulation 11(5)).

A workseeker is also not allowed in a prescribed area to seek work if he has no permission from the labour bureau in the area he wishes to leave.

It should therefore be stressed that if a local authority permits a workseeker without the necessary authority to enter the prescribed area in terms of Section 10(1)(d) such workseeker is subject to prosecution. The converse would have the same effect on the Native. The one approval without the other is therefore insufficient. It should therefore be stressed that if a local authority desires supplementary labour forces it should apply to the relevant district bureau in order that compliance with the Labour Bureau regulations is ensured.

The crux of the whole matter is therefore:

(i) Workseekers who enter an area on their own initiative must be refused entry without exception and in the place thereof local bureaux with a shortage of labour forces should apply to the District Bureau.

Workers/.....

- (ii) Workers' permits should be unnecessary as the Labour Distribution officer should know his daily vacancies.
- (iii) All workseekers entering prescribed areas contrary to the regulations and all workseekers becoming surplus in the prescribed area must be referred to the relevant District Bureau for employment in non-prescribed areas.

In passing I would like to state that amendments are being considered at present in order to eliminate existing anomalies in the law governing Influx Control in urban areas, the Labour Bureau Regulations and the Regulations for the Registration of Service Contracts.

2. Employment of Juveniles:

As the definition of the word workseeker in the Native Labour Regulation Act No.15 of 1911 includes Natives between the ages of 15 and 65 it seems to indicate that Native youths are included under the provisions of Labour Bureaux. Although in view of the costs involved, it is not suggested that separate bureaux for Natives between the ages of 15 and 18 years be established, it is nonetheless desirable that registration cards of such Natives be kept separately.

It is the Department's considered policy that all steps should be taken to place in service all Native youth who have grown up in the cities. The Department of Labour has approved the non-application of Wage Determinations in respect of Native youths in accordance with recommendations of the Viljoen Report in the following areas: Witwatersrand, Pretoria, Port Elizabeth, Durban, East London, Bloemfontein, Vereeniging and Witbank.

The first stumbling block has therefore been removed. Soliciting the co-operation of employers is the following step. This should not prove difficult because if results in Germiston and the experiments of the United Tobacco Factory in Durban are taken as examples, there should be no reason to despair.

It needs to be stressed that this task is essentially that of local bureaux as this phenomenon is peculiar to urban areas only.

3. Establishment of Youth Camps.

Some schools of thought contend that all youths should be placed in camps. If the foregoing steps are taken only a minor percentage would qualify. It is considered that some Bantu youths have been spoilt by idle habits in such a manner that they have become work shy and they should receive treatment in order to impress upon them the value of industry and discipline. In fact it is anticipated that commitments in terms of Section 29 of the Natives Urban Areas Consolidation Act may be essential in some cases. With this end in view the necessary steps are being taken in connection with the establishment of the first youth camp. The purpose is to establish these youth camps in Bantu areas where the inhabitants could be employed on reclamation works in their own area in a useful manner. If the Bantu community desires to establish and maintain such youth camps on a voluntary basis, this Department will give the necessary guidance and monetary

assistance/.....

within reasonable limits.

4. Replacement of Male Domestic servants.

It is an accepted fact that domestic work has become more unpopular with Native males and where they can still be employed in this sphere they invariably come from rural areas and regard domestic work merely as a useful loophole or step towards entry into the city proper. Such a worker does not do domestic work for any length of time as he soon changes his employment. In this manner influx to the cities is maintained as there is always a "shortage" of male domestic servants.

Local labour bureaux can contribute directly to the employment of local female domestic servants and to discourage the influx of male domestic servants.

(i) Assistance employers can extend in their own interests:

Selection of Labour Forces (Aptitude testing) with resultant reduction of labour forces and higher Productivity.

Application of aptitude tests in respect of Natives have up to now been very successful and could be extended with good results. It is extremely desirable that local bureaux use these tests on a limited scale and with a view to certain vocations. In addition large employers could be encouraged to appoint personnel managers who should be responsible for the application of such tests. It is unquestionably a medium through which correct selection of labour and resultant encouragement of production can be achieved.

(j) The Urban Native Advisory Boards have given you as Urban Managers no real support:

On the other hand the members of these Boards also found no satisfaction in their work. The defects in this system are too well known to discuss them at your conference.

To promote self administration by the urban Bantu and impress upon him his responsibilities, the Urban Bantu Authorities Bill was presented to you. On the manner of its application there is a diversity of opinion. The principle contained therein, i.e. extension of local government to all institutions governed in the traditional manner by the Bantu, the responsibility to collect taxes, in order to finance services, the responsibility to take decisions in connection with allocation of houses, etc., can only be advantageous in so far as it might assist in correcting the "ask" complex now in vogue into a "do" complex, out of which responsibility can be born.

The draft bill was delayed in order to achieve better co-operation through a revision thereof in collaboration with local authorities. You must, however, remember that Bantu authorities are being established in Bantu areas and that the traditional form of government is the only sound basis upon which to build your urban adaptation.

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