

# "THY LAND MY LAND"

## THE WORK OF THE ATHLONE ADVICE OFFICE

(Now run jointly by the Black Sash and the S.A. Institute of Race Relations)

By Barbara Wilks

(A member of Cape Western Region of the Black Sash)

**S**INCE January, 1959, twenty-six thousand Africans (26,000) have been "endorsed out" of the Western Cape under the Bantu Urban Areas Act—that is, an endorsement has been stamped in their Reference Books stating that they have no permit to remain in the area.

In 1958, in an effort to give advice and assistance to some of these unfortunate people, the Black Sash established the Athlone Advice Office, which was originally opened for three days a week, and is now kept open every day. Since the office was first opened, there has never been a working day when there was no African waiting to be seen; its value, therefore, cannot be questioned. During March and April this year, well over 500 "cases" were interviewed. Of these 151 men and 92 women, with their children, were "endorsed out."

### Pitiful Victims

Every day there are from ten to thirty Africans waiting to be seen by three or four voluntary workers. The work of the interviewer is hard, and usually depressing and heart-breaking, for there is so little that can be done to help these pitiful victims of the pitiless and inhuman Pass Laws. Each is closely questioned:—"When did you first come to the Cape?"; "Who is your present employer?"; "When were you last in the Transkei?" Gradually the story is unravelled.

The men are mostly migrant labourers. All too often they have lost their jobs, do not qualify to remain in the area, and have been endorsed out to remote villages in the Transkei where they swear—and who should know better?—that there is no work. They have no money for the fare of about R14—where can they get the money from? The Black Sash has no funds for this and the Bantu Administration officials at Langa and Nyanga East tell them that they can go back the way they came. There is nothing the Black Sash can do but offer them the empty advice and cold comfort that they must obey the laws of the land.

The women's stories are always tragic. So many of them come down from the Transkei to be with their husbands for a few months to try to become pregnant. Living apart for so long makes it difficult for them to conceive—too often their permits expire before they can achieve this. A medical certificate from Somerset or Groote Schuur Hospital can extend their permits perhaps for another two months; then they must go back. Questioned closely, the B.A.D. officials at Langa have admitted that this is *not* their idea of marriage, but they, too, are seemingly helpless before the juggernaut of the Government's restrictive legislation.

Little can be done in more than half the cases investigated. The only comfort gained by the helpers is that the Africans *still* keep on coming back to the Advice Office as a last desperate resort. Sometimes, however, something is achieved, and then the feeling of joy and relief is almost overwhelming.

### George

For example, there was the case of George. George, who came to the Cape in 1942 and married a Cape-born African woman in 1945, returned to the Transkei on his doctor's advice, to recuperate from an illness and resultant chest trouble. During his absence, his wife, Emily, supported their five children and sent him money for food. She also saved up for his return fare. In 1959 he returned to the Cape, ascertained that his old job was still open to him, and applied to the authorities for permission to return to it. This was refused on the grounds that he had been away for more than 12 months, and thus no longer "qualified" to reside in the Cape. He was "endorsed" out, arrested for not obeying the endorsement, and served a two-month sentence.

On release from gaol he begged the Bantu Administration Department to be allowed to return to his job, and was rearrested on the spot and escorted to his home in the Transkei. His wife only learned what had happened to him when she received a letter from him from the Transkei. A few months later, Emily sent him more money and begged him to return as his youngest child was dying. This he did, only to find that the child was already dead. He was naturally afraid to ask the authorities for permission to remain in the area, so he hid by day and returned to his lawfully married wife, home and children by night.

Emily eventually went to the Athlone Advice Office, and after three months of hard work, permission was obtained for him to remain in the Cape and take up employment.

### Walter

Then there was the case of Walter. Walter also came to the Cape in 1942 and worked in the Municipal Council area. In 1958 he took a job in Phillipi, which comes under the Divisional Council. He was dismissed early in 1962, and was endorsed out. He refused to leave the area, as he felt he was qualified to remain in the Cape owing to length of residence, and was arrested. Fortunately, through the Advice Office, he obtained the services of a good lawyer, and in April of this year his case was dismissed, the Magistrate ruling that by law he could remain in the Cape.

*Continued overleaf*

## "THY LAND MY LAND"— (Contd.)

His troubles were not yet over, however. He had been offered his old job in Phillipi, but the authorities in Nyanga East, who deal with Africans working in the Divisional Council area, refused to stamp his book, until he had been "cleared" by Langa, which deals with Africans working in the Municipal Council area. The authorities at Langa at first refused flatly to have anything to do with him—he was a Nyanga East responsibility.

At length, a reasonably minded official "cleared" him, at the same time advising the Black Sash worker who had accompanied him to go with him to Nyanga East in case there was any difficulty. There was. The authority at Nyanga East at first refused to give him permission to take up work, in spite of the Court's decision; but after some argument (and protected by the very fine lawyer's letter), Walter was allowed to take up his job. He has been warned, however, that the minute he loses it he will be endorsed out, on the grounds that when an African transfers from the Municipal to the Divisional Council area his previous years of residence no longer obtain.

(As the law stands to-day, an African can "qualify" to be in the Cape only if he was born there and has lived there continuously ever since, or if he has had ten years' continuous service with one employer, or 15 years' continuous lawful residence in the Cape.)

### Angelina

There is also Angelina. An unmarried African woman, she maintains that she came to live in Kraaifontein in the Municipal Council area, "the year after the sun went down," i.e., in 1942. She obtained her passbook when they were first issued, in 1955. Now she has lost it, and her job. When she reported for a new book, she was handed a temporary pink permit, and endorsed out, although she had with her an offer of new employment—this time with an employer who lives in the Divisional Council area.

The case was referred to the authorities at Nyanga East, who told her to go to Langa to obtain proof that she had been in the Cape since 1942, when her permanent residence might be considered. When Langa was telephoned, the officials maintained that it was the duty of the officials at Nyanga East to check for proof of her statement—they would do nothing for her. The mild reproof that Africans were batted between the two offices, which are about ten miles apart, like tennis balls, and with about as much consideration, was dismissed with the all-too-familiar remark, "That's none of my business!"

The outcome of Angelina's case, at the time of writing, is still in the balance. The officials at Nyanga East have been informed of the ruling at Langa, but the lack of co-operation between the two offices adds to the difficulties of Africans in their hopeless trudge from office to office, from hospital to hospital, in their endless quest

for official proof that what they say is indeed true.

### Sympathy and Help

These, of course, represent only a fraction of the cases dealt with. Only by patience, persistence and politeness to the authorities, who, in their turn, are in the main courteous and helpful to the workers, has a small measure of success been achieved. Those fortunate few "clients" who have won their cases would never have done so without the help of the Advice Office. For it is there, as they have so often trustingly said, that they know they will be listened to sympathetically and patiently, helped, and advised how best to present their case to the authorities.

### "I am a Man"

Long after one has left the office, the imagination is haunted by the memory of the wives trudging back to their leaky pondoks, which they have been told to leave; of the men in their broken shoes and torn jackets, saying, "I am a man. I must support my wife and children. How can I do that when we are sent back to the Transkei where there are no jobs?" But however much a morning at the Advice Office may sear the heart and destroy peace of the mind, there is always consolation in the actual presence of the patient Africans waiting there every morning. *They need the office—no more can be said.*

### Mrs. Malindi

No account of the Advice Office can be given without paying a tribute to Mrs. Malindi, the Black Sash paid interpreter, who has worked there since its inception. Blessed with an invigorating command of English, indomitable courage, a deep and possibly unique knowledge of the Bantu Urban Areas Act, an active and serpentine brain, and an unconquerable sense of humour, Mrs. Malindi has guided, advised and helped every one of the workers of the office.

### PENSIONS FOR AFRICANS

IN reply to a question from Mr. G. N. Oldfield, M.P. for Durban-Umbilo, the Deputy Minister of Bantu Administration and Development gave the following figures in respect of the monthly maximum amounts paid to Africans for old age, war veterans', blind persons' and disability benefits:

In respect of all schemes, with effect from April 1st, 1962,

(a) City areas ... ..	R3.52½
(b) Town areas ... ..	R3.02½
(c) Rural areas ... ..	R2.52½

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