

# The laws which humiliate

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*This article is a summary of the points made by Mrs. Motlana when she addressed a meeting organised by the Black Sash in Johannesburg. She is a trained teacher and a business woman, married to a doctor who practises in Soweto.*

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**H**ow fortunate is an African child at birth? Quite a number of our children are born out of wedlock. Their mothers are fortunate if their names appear in the permit in the superintendent's office. They are also fortunate if they have been to school and can read and write. They will go to the local clinic for antenatal care. On the day of delivery the nurse fills a form which the mother takes to the superintendent's office. If the mother's name does not appear in the permit the child's name cannot be entered in the permit. If the mother is still illiterate, as many mothers are, the form shall lie on the table, then on the floor and finally the rubbish bin. This child, whose mother did not take the form to the clinic, can be said to be unfortunate from birth because of the mother's lack of education. When the child turns sixteen years he shall be thrown out of Johannesburg or any other urban area because he has no proof that he was born in an urban area. Some parents do not even attend ante-natal clinics so there is no proof that the child was born in the area. The statements from women who helped the mother to deliver the baby are not acceptable to the authorities. Thus this child can be said to be doomed for ever. The mother is lucky to find a sympathetic official who shall listen to her troubles and try to help. If she fails the child will be thrown out of Johannesburg the day he turns sixteen years and tries to obtain a reference book.

If a mother is unmarried and perhaps has no father who can help bring up his grandchild she shall be forced to go out and work. The difficulty she now encounters is that of having a pre-school child. The Government does not provide schools for children under the age of seven years. Some lucky children are left with their grannies and some in creches

run by the City Council of Johannesburg; there are very few of these and they can only take a very small number of children. The majority of children have nowhere to go. They are left with neighbours or hired, illiterate old women who do not obey the simple rules of hygiene. Some eat the child's food because they themselves have no food to eat. Mothers in different part of Soweto have clubbed together to raise funds to build creches. Despite all these efforts the creches are still not sufficient for our growing population.

## **Our widowed mothers**

It is a sin for any mother to lose a husband in our urban areas. Some officials demand that the widow must come to their offices a day after the funeral of their husband to discuss the question of the house. According to our custom this is regarded with shame and disgust. The widow is not entitled to the tenancy of the house. She must report the death of her husband to the superintendent who shall decide whether the house can be registered in her name or not. Some widows and widowers are instructed to marry within a certain period in order to retain a house tenancy. If it is not registered in her name because she has not qualified to be in the area she is ordered to leave the area and go to her homeland. What happens to her children and their future? This does not worry the officials. There is therefore no security for the African woman in urban areas.

Parliament is at the moment considering the status of the African woman to be that of a child. She must get permission from her father or guardian in order to marry. What if her father is illiterate and still believes in the old custom? The woman shall not be able to marry the man of her choice.

## **What happens to school-going children?**

Our children are allowed to begin school at the age of seven years. The mother must have proof that the child was born in Johannesburg and has had all the inoculations. The child must go to the right ethnic group school. If there is none nearby the child must travel to the right school and this means added expenditure to the already overburdened mother. The child is required to have all the necessary school books and school uniform. Some children are forced to leave school and stay at home because they cannot afford to pay for all these requirements. The mother now faces a boy or girl who stays at home and learns all the evils one finds in the streets of a location. Some children are lucky to get a bursary from kindhearted people, bodies like the Rand Bursary Fund and the Institute of Race Relations. Some find it difficult to find a space in school for their children and are forced to keep them at home for a year or two to wait. I wish to take this opportunity to thank all those who contributed to the Star's "Teach". This scheme has enabled many children to be in school this year.

In all the civilised countries in the world the State is responsible for the education of its people. In our country the European, Coloureds and Indians get free education. It is compulsory for the European child to be in school up to the age of sixteen. Not so with us. The problem of delinquency is on the increase amongst my people because of the points I have mentioned. Our cry for free and compulsory education has always fallen on deaf ears. We are always advised to pay more tax in order to get the Government to educate our children. The people we work for will not listen to our demands for equal pay for equal work. Because of our numbers we do pay more than Europeans in indirect tax. Industry today demands educated employees yet our education still lags behind that of other races.

## **Hostels in our locations**

It is difficult for the urban mother to control and educate her teenage daughter in an environment such as we find in Soweto. The inhabitants of the hostels are largely men who have had to leave their families in the homelands. They are tempted to fall in love with the girls in the location and the result is increased illegitimacy. These illegitimate

children add hardship to the families and untold misery to the grandparents. They also turn our girls to be prostitutes. The authorities should encourage families to be together rather than separate. Men should be allowed to bring their wives to their place of work as long as they can maintain them. Endorsement to the homelands is not acceptable to us. Those who want to live in urban areas should be allowed to do so and sell their labour to the highest bidder.

## **Endorsements out**

A child who cannot prove that he was born in an urban area is usually endorsed out of the area without investigation. If you want to send your child to a boarding school you must report to the local superintendent who will give his consent to that. If the child is born in an urban area and is sent to a relative in the homeland to attend school there, she or he shall not be permitted to re-enter the urban area even if the other members of the family are qualified to be in that area, thus separating that child from the rest of the family.

Some African men still marry more than one wife. One of these women becomes the legal wife because she is married in the civil or Christian way and the others through customary union. If the man did not enter all his wives in the municipal permit the children of the other women will suffer. They will be raided at the dead of night, taken to the superintendent's office, who will only start duties at 8 a.m. There they will be told that they have no right to be in Johannesburg.

## **Pass raids**

Mothers are harassed and embarrassed by the perpetual pass raids that take place in our locations. Mothers are never sure of finding their husbands at home because if they forget their passes they are never given the chance to produce them within a certain period. They are locked up and it usually takes days to trace them. Boys and men are usually grabbed at their own gates and refused permission to fetch their pass in the house. Men are handcuffed and marched to a police station for such minor offences. This lowers the dignity of the man and humiliates him. He loses part of his pay because of the number of days spent in jail.

These and many other laws which humiliate us, are the cause of tension in our country.