

The gender politics of ‘Native Child Welfare’ in Durban, 1930-1939

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Abstract

This paper examines how the Durban Bantu Child Welfare Society (DBCWS) came to be established as part of a wider context of burgeoning public activities by African women in Durban. I consider kholwa women’s interaction with the local state and with white liberals who were participating in a national turn towards the establishment of ‘Non-European’ child welfare societies in South Africa. Isabel Sililo and Bertha Mkhize – prominent amongst those who started African women’s welfare societies during the 1930s – also vocally opposed the Durban Town Council’s efforts to enforce and to extend urban segregation. The DBCWS began its work in this context of fierce opposition to the promulgation of new pass law regulations aimed at controlling African women’s movements into Durban and that sought to stipulate application for certificates of exemption as the only alternative to a stringent process of seeking permission for every visit to the city. In inter-war Durban ‘Native Welfare’ first referred to control of African male leisure time and focused primarily on migrant labour. By the end of the 1930s the presence of a the DBCWS signified reluctant concession to the fast-growing number of African families and to the fact of urban African poverty.

The Gender Politics of ‘Native Child Welfare’ in Durban, 1930-1939

Introduction

In 1932, wives and widows were the subject of prolonged and often heated discussion in the Durban Municipality’s Native Advisory Board (NAB). Economic depression was adding to the daily struggle for survival of families living in the Native Married Quarters in Somtseu Road. Some of the hardest worst affected were the widows of city council employees. According to the municipality’s rules, they had no right to remain in residence and they depended on the goodwill of municipal managers for permission to extend their lease. Arthur J Sililo, representative for residents of the Married Quarters who brought the plight of a few widows to the Board’s attention, made a personal example to emphasise his feelings as a loyal Corporation employee.¹ He “felt very strongly on this matter for fear that perhaps his own wife should be treated in a similar manner should he pass away while in the service of the Department”.² The structure of the NAB reflected race and gender hierarchies: The chairman and his deputy were city councillors (and therefore white) and all members but one were male, the lone exception being the representative for the Native Women’s Hostel in Grey Street. NAB members intermittently articulated patriarchal concerns. As one example, Reverend Abner Mtimkulu, minister in the Wesleyan Methodist Church and representative for the Natal Native Congress on the NAB, chose to greet mention in 1935 that Durban Corporation officials had met with African women interested to start a child welfare society by confirming Town Councillors’ ample expectations of Native patriarchal values:

Rev Mtimkulu pointed out that it had been drawn to his notice that certain European and Indian gentlemen were present at this meeting but no Native male had been invited and that he would like to have some explanation as with Natives it was the custom that their womenfolk should not be permitted to do anything without the consent of their husbands.³

Somewhat ironically for Arthur Sililo’s sketch of vulnerable womanhood in 1932, his wife Isabel was present at that meeting and would shortly become secretary of the newly constituted Durban Bantu Child Welfare Society (DBCWS), a body also concerned for the welfare of vulnerable women. Expectations of local patriarchs were presumably satisfied by the fact that the Reverend was an honorary

¹ In this paper I am occasionally calling the Durban Town Council the Durban Corporation, one of its official names for most of the 20th century, or indeed the Kopoletsheni, as it was locally known in isiZulu. I would like to thank Mwelela Cele for correcting and improving my efforts at translation from isiZulu to English. All mistakes that remain are mine.

² Durban Archives Repository (TBD), 3DBN, 1/2/12/1/1. Native Advisory Board Minutes, 9 November 1932. Sililo had recently been appointed as clerk in the Native Welfare Office. By ‘Department’ he could have meant this office but more likely referred to the NAD. Either way Sililo was reminding the DTC of its duties towards a loyal employee.

³ TBD, 3DBN, , 1/2/12/1/3, Native Advisory Board Minutes, 19 June 1935.

member of the executive. By 1936 already, Isabel Sililo's appointment as representative on the NAB also reflected her public status and claim to speak for African women.⁴ Africans lacked any real power in this narrow space. But Sililo's voice was also heard in various newspapers, as President of *Amadodakazi aseAfrika* (also known as Daughters of Africa), as Honourary Secretary of the DBCWS and as an executive member of the Durban National Council of Bantu Women – its express interest in matters of social welfare included 'child welfare' and a 'widow's fund'.⁵

In this paper, I examine how the DBCWS came to be established as part of a wider context of burgeoning public activities by kholwa women in Durban.⁶ Today, documentary evidence of the DBCWS' activities occupy several boxes of the quite substantial "Bantu Welfare Department" section in the Durban Archival Repository's collection of Town Clerk's Correspondence. It also comprises the majority of documents in the collection donated by Mildred Lavoipierre (who became a leading figure in DBCWS from the early 1940s) to the Killie Campbell Collections. I consider the Society's location as part of municipal bureaucracy and its relationship with local 'white', liberal child welfare initiatives that were part of a national turn towards the establishment of 'Non-European' child welfare societies. I also discuss how this Child Welfare Society was established in the context of fierce local opposition to the promulgation of new regulations aimed at controlling African women's movements between the Borough, outlying districts and the reserves. Isabel Sililo was a founding member of the Durban Bantu Women's Society in 1930. Two years later she helped establish the DOA.⁷ She was part of a network of women who combined their effort to extract assistance for impoverished Africans from the Durban Corporation with participation in the leadership of the DOA and (particularly in the mid-1930s) an assertive defense of African women's rights to reside in the city.

Historians such as Paul Maylham have argued that African politics in Durban of the 1930s "lacked the militancy, vibrancy and mass participation that characterised popular protest in 1929 and

⁴ Ibid. Another member appointed at that time was Bertha Mkhize of the Bantu Girls' Friendly Society. Mkhize was not involved with the DBWS but as will become apparent in this paper Sililo and Mkhize both belonged to the same African women's welfare societies and were both prominent in the protests against the municipality's efforts to regulate African women's movement in and out of Durban.

⁵ The Durban Bantu Women's Society was renamed the Durban National Council Bantu Women sometime after 1935. Mabel Palmer Collection File 24, KCM 17674, 'Bantu Child Welfare Society Correspondence' Constitution of the Durban National Council of Bantu Women'. Sililo's name is penciled onto this undated document, sent to Mabel Palmer.

⁶ In colonial Natal, Africans who converted to Christianity came to be known as 'amakholwa' (believers). See for example Hlonipha Mokoena for a discussion of articulations of this identity in her book *Makema Fuze: The Making of a Kholwa Intellectual* (University of KwaZulu-Natal Press, 2011).

⁷ Meghan Healy-Clancy, 'The Self, the Nation, and the World: The Scale of Clubwomen's Work, 1912-1943', Southern African Historical Society Conference, June 2013. M. D. Koffie, Mrs I Sililo's Crowded Life. Mrs Isabel Arthur Sililo', *Bantu World*, 7 November 1936. I would like to thank Meghan Healy-Clancy for alerting me to this article and *Bantu World*'s series on African women and social welfare.

1930”.⁸ As Meghan Healy-Clancy has recently argued, South African historians of African nationalism have often employed a definition of politics that made for myopia towards the civic and social assistance efforts of African women who were in fact intent on building a sisterhood for their ‘race’ and for ‘the nation’.⁹ Analysis of kholwa women’s increasingly militant protest actions may well support the argument that Durban’s kholwa of the 1930s pursued a more narrowly class-based agenda, in spite of the articulation of a discourse of racial sisterhood. However the simultaneous involvement by ‘elite’ women in projects of poverty relief and efforts to secure social assistance from the local state – this as they also waged their own struggle for economic survival, also complicates efforts to understand issues of class-based identity and political action. On the one hand, the DBCWS’ efforts added to, or interfaced with local practices of municipal ‘Native’ welfare and efforts by kholwa to exact assistance from the municipality, established during the years of Great Depression. On the other, the DBCWS also meshed its efforts to assist orphaned or neglected children and impoverished families with the activities of mutual assistance practised by Amadodakazi aseAfrika as they worked for ‘indlu emnyama’¹⁰.

Social Welfare and Durban’s African population of the early 1930s

In South Africa of the inter-war period, the meaning of ‘social welfare’ and particularly ideas of ‘Native’ welfare were in transition. The 1920s saw the rapid growth of initiatives for child welfare in civil society, often closely tied in with anxieties to counter ‘white’ poverty. By 1921 already, the creation of a state social grant popularly known as the ‘mother’s pension’ reflected the growing conviction that impoverished and troubled children should only be removed from their families as a last resort, thus providing an alternative to the options of institutionalised care that had been enshrined in the Children’s Protection Act of 1913. Officials immediately proceeded to administer the grant in line with the prevalent practice that ‘European’ and ‘Non-European’ (specifically meaning persons of mixed racial descent) merited state social assistance.¹¹

⁸ Paul Maylham, Introduction, Paul Maylham and Iain Edwards (eds) *The People’s City. African Life in twentieth Century Durban* (University of Natal Press, 1996), p. 12.

⁹ Meghan Healy-Clancy, ‘Women and the Problem of Family in Early African Nationalist History and Historiography’, *South African Historical Journal*, Vol. 64, No. 3, September 2012, pp. 450- 471.

¹⁰ *Ilanga lase Natal*, ‘Umhlangano Wamadodakazi AseAfrica’, 2 January 1937. Indlu Emnyama (also sometimes Indlu Entsundu) could be said to mean ‘Black House’, but as with many direct translations that ignore metaphorical play, this falls too awkwardly on the ear. The phrase was used at least from the 1890s in *Imvo Zabantsundu*, and in *Ilanga lase Natal*, from 1909. Both newspapers also referred to Umuzi Omnyama on occasion, invoking the African/isiZulu/isiXhosa homestead as metaphor.

¹¹ The Children’s Act of 1913 and the Mother’s Pension amendment of 1921 made no mention whatsoever of race. Seemingly, officials of the Labour, Education and Justice departments who administered various aspects of the Act proceeded to apply the Act and to write regulations, according to shared assumptions that disqualified Africans but not persons regarded as ‘coloured’. The racial discourses involved in the implementation of this legislation and the challenges that were mounted from about the middle 1930s are subjects of work in progress on the early history of state child maintenance grants in South Africa.

By the early 1930s, ideas already implemented for some time on the Rand were given administrative shape in Durban – that ‘native welfare’ primarily conceptualised as organised leisure for migrant, African men should also be accepted as part of municipal responsibility. Worker strikes on the Rand was the main impetus behind the the Joint Council Movement’s establishment in the early 1920s – prominent figures of Johannesburg’s Joint Council were involved in the establishment of urban, municipal welfare projects and efforts to encourage a moderate politics amongst members of the urban African elite.¹² A Durban branch held its first meeting in 1922.¹³ An early report attributed its founding to the “Native Affairs Reform Association, one of the earliest of the Native Welfare Societies in South Africa” and explained the system of electing an approximately equal number of ‘Europeans’ and ‘Natives’ to the Council.¹⁴ Few records seem to exist of its earliest years although Durban’s Joint Council did make recommendations to the Urban Areas Act of 1923, in line with the general thrust of this legislation, and apparently without any consultation of black members.¹⁵ By the early 1930s, reports and meetings focused on problems regarding “Housing of natives in Durban and the peri-urban areas”. The executive included liberal sociologist Mabel Palmer, who was critical of migrant labour policies and Stallardist hostility against the growth of a permanent, urbanised African community.¹⁶

In the aftermath of popular protest fueled by the Industrial and Commercial Workers’ Union in the late 1920s and particularly the municipal beer hall boycotts of 1929, the DTC established a Native Advisory Board, aimed at drawing African political leaders away from perceived radicalism into structures of accommodation.¹⁷ The DTC’s disinterest in any strategy of substantial political inclusivity

¹² Paul Rich, *White Power and the Liberal Conscience, Racial Segregation and South African Liberalism, 1921-1961*. Manchester University Press, 1984, pp. 10-20.

¹³ Historical Papers Research Archives (HP), William Cullen Library, University of the Witwatersrand, South African Institute of Race Relations Collection, AD 1433 Cd 3.2, Durban Joint Council Annual Reports, 1925-1949. *Ilanga Lase Natal*, “The NARA criticised”, letter to the editors from Lawrence Kanyile. Kanyile criticised the Native Affairs Reform Association for announcing that a debate about the Native Urban Areas Act would take place in the new Joint Council, when it had in fact already written the report.

¹⁴ HP, AD 1433 (Records of the Joint Council of Europeans and Africans), Cd 3.2 (Annual Reports of the Durban Joint Council for Europeans and Natives, 1925-1949), ‘ Report of the Durban Joint Council of Europeans and Natives, from its foundation to November 3, 1925’.

¹⁵ More diligent newspaper research will probably reveal more about Joint Council activities in Durban. The Annual reports seem to have been sporadically written in the 1930s and also the early 1930s.

¹⁶ HP, William Cullen Library, University of the Witwatersrand, AD1433 Cd 3.2, Joint Council of Europeans and Natives Report on the Housing of natives in Durban and the Peri-urban areas”, 4 September 1930. Henry Cotton was Chairman in 1930, and Mabel Palmer Honorary Secretary. For a biography of Mabel Palmer, see Vanessa Noble, ‘Ruffled feathers: : the lives of five difficult women in Durban in the 20th century : a study of the lives and contributions of Mabel Palmer, Killie Campbell, Sibusisiwe Makanya, Dr Goonam and Phyllis Naidoo’, unpublished MA thesis, University of Natal, 1997.

¹⁷ Goolam Vahed, ‘Control of African Leisure Time in Durban of the 1930s’, *Journal of Natal and Zulu History* 18, 1998, 67-123. See the detailed account of politics in Durban of the late 1920s by Paul La Hausse, ‘The message of warriors: the ICU, the labouring poor and the making of a popular political culture in Durban 1925-30. In *Collected Seminar Papers. Institute of Commonwealth Studies* (No. 38, pp. 105-127). Institute of Commonwealth Studies, 1990. The paper includes discussion of the ICU’s militant ‘Women’s Auxiliary’s role

was all too clear to participating 'Natives' who intermittently conveyed their dissatisfaction with the Board's ad hoc status and its lack of decision-making powers which (so they explained) prompted fellow Africans to question their legitimacy and trustworthiness as elected representatives.¹⁸ However, if they reported such matters to the 'European' chair and vice-chair they also continued to participate. The Native Advisory Board's activities provided some structure and coherence to the public political activities of the city's African elite, on the periphery of Corporation politics and centres of power and at first, with some hope for meaningful political incorporation.¹⁹

A municipal Native Welfare Office was also established in 1930, first as a separate unit from the NAD. Urban 'Native' welfare was largely defined as the regulation of migrant men's leisure time through such organised activities as Ngoma dancing and soccer.²⁰ Arthur Sililo had joined Durban's Native Administration in 1928. He soon accepted a transfer to the office of the newly established Native Welfare Officer J. T. Rawlings, who argued that only Sililo answered his need for "a competent and intelligent Native clerk... very interested and good in all kinds of sport".²¹ As the first Chief Native Clerk of the Native Welfare Office, Mr Arthur Sililo was also involved in the establishment of the Bantu Men's Social Centre, which opened in 1933.²² In 1932 he became representative on the NAB for the Native Married Quarters. It was particularly in this role but also to an extent through his work as clerk in the Native Welfare Office that Sililo, together with various entrepreneurs and ministers of religion, became involved in efforts to assist Africans struggling to survive tough economic times.

The Somtseu Road Eastern Vlei Native Married Quarters had been built in 1916-1919 and extended in the late 1920s (other nearby accommodation were barracks for African migrant labourers, in Somtseu Road itself and at the Point right next to Durban's harbour) and comprised 120 two bedroom

in 1929 and is interesting to compare to Helen Bradford's analysis of rural protests by women, "We Are Now the Men: Women's Beer Protests in the Natal Countryside, 1929." *Class, Community and Conflict: South African Perspectives* (1987): 292-298.

¹⁸ The 'Natives' were repeatedly reminded that they had no real decision making power. As one example, according to the minutes, on 29 October 1930 Rev. Msimang enquired about a delay in Mr Sililo's appointment as clerk in the Welfare office. "...Further discussion ensued, during the course of which the Chairman ruled that the Board was not entitled to discuss any question of appointment". The Chair would even insist on apologies if African board members expressed their sense of frustration and betrayal when they discovered that important policy matters had been decided without any consultation.

¹⁹ Goolam Vahed discusses the initial optimism from Champion and others which waned by the late 1930s in his paper 'Control of African leisure time in Durban of the 1930s', *Journal of Natal and Zulu History*, 1998, 18 (98), pp. 71 and 122. Also, TBD, 3DBN, 4/1/2/1147 (Native Advisory Board correspondence), A.W.G. Champion to the Town Clerk, 27 December 1929.

²⁰ Goolam Vahed, 'Control of African leisure time in Durban of the 1930s'. *Journal of Natal and Zulu History*, 1998, 18 (98), pp. 67-123.

²¹ TBD, 3DBN, 4/1/2/1147, Volume 1, letter from J.T. Rawlings to Town Clerk, dated 29 October 1930. See also Rawling's letter of 11 December 1930, in which he confirms that Sililo had been transferred to his office. He was recommended to Rawlings by Rev Msimang.

²² TBD, 3DBN, W40 YMCA, Volume 1. Minutes of the executive, 20 March 1933.

cottages.²³ Lists of rent defaulters drawn up by the location manager in the early 1930s show that if some men who had managed to secure a cottage were municipal clerks, those particularly vulnerable to tough economic times worked at local factories and businesses.²⁴ The opportunity to work in the Native Welfare Office must in fact have held particular interest or prospect of prestige for Sililo, who was transferred at 5/- less than the £5.5.0 per month that he had previously received. In May 1931, Rawlins approached the municipality's Native Administration Committee about this problem, explaining that Arthur Sililo had "been also engaged as a night teacher at the American Zulu mission Native School by which means he has been able to support his family". However, long hours as organizer of "Native Sports" were now preventing him from continuing his part-time employment. The NAC did not respond favourably.²⁵ Two years later it also refused Sililo's application to "attend" the newly established Bantu Men's Social Centre during lunch times and in the evenings, stipulating that municipal employees could not take outside employment. Sililo was on the executive of the Centre which was in fact a municipal venture, and his salary would have doubled had this been granted.²⁶

The Sililos' economic circumstances and social position of respectability and public visibility, as part of the local circles of the literate African elite, of white liberals and the narrow confines of the Durban Town Council's NAB, probably reflected typical pressures in a decade of narrowing opportunities. Racist job reservation and other segregationist legislation continued to shut doors of opportunity to the African educated class. Isabel and probably Arthur had attended John Dube's Ohlange Institute. Born Isabel Pewa, she went on to graduate with distinction from Inanda Seminary in 1909 and taught in her home district of Ndwendwe until she married Arthur in 1916.²⁷ As young people (Arthur's father was Reverend Matheus Sililo) their activities merited several mentions in the social pages of *Ilanga lase Natal* that detailed the comings and goings of the Natal African elite (Arthur was also distributor for *Ilanga lase Natal* in Pietermaritzburg). For example, readers knew that the bachelor Arthur played several games of mixed double tennis (Rosebuds vs. New Scotland) in Pietermaritzburg shortly before his engagement with Isabel was announced. Her shopping expeditions to Durban were also worth mentioning.²⁸ Arthur Sililo also became prominent as part of the Natal Native Teacher's Union.²⁹ After

²³ TBD, 3DBN, 4/1/2/232 File: Native Locations 1930-1932, Volume 6. Report, 15 August 1932.

²⁴ Ibid, List of Rent Defaulters, 5 January 1934.

²⁵ TBD, 3DBN, 4/1/2/1147, letter from J. T. Rawlins, 5 May 1931.

²⁶ TBD, 3DBN, W40, YMCA, Volume 1. Extract from the minutes of the Native Administration Committee, 8 September 1933.

²⁷ *Ilanga lase Natal*, 'Abapumelele kuTeachers Examinations', 5 February 1909. She may have grown up in Inanda, if not in nearby Ndwendwe. Isabel's mother was from Bishop Colenso's Ekukhanyeni mission station (*Bantu World*, 7 November 1936). For a history of Inanda Seminary, see Meghan Healy-Clancy, *A World of their Own: A History of South African Women's Education* (University of KwaZulu-Natal Press, 2013).

²⁸ *Ilanga lase Natal*, 'Izindatyana ngezinto nabantu', 25 February and 19 May 1916.

²⁹ *Ilanga lase Natal*, 'Umdhlalo weTennis', 16 July 1915, 'EzaseMgun'dhlovu', 7 January 1916, 'Izindatyana ngezinto nabantu' (mention that Rev Sililo had gone to visit the Pewa family in Inanda "Sike Sabona enyatela

teaching for several years in his hometown (during which time Isabel still merited sporadic mention in *Ilanga lase Natal*, not only at the birth of a daughter but also when she participated in a competition of competence in isiZulu orthography³⁰) the couple moved to a country district in northern Natal in 1925.³¹

Three years later, apparently in order to secure better educational opportunities for their children, Arthur Sililo left his successful career as a teacher and probably accepted a somewhat lower salary. His meagre earnings as municipal ‘Native’ clerk must have made the Sililos’ elite status precarious and appearances difficult to maintain. Indeed, as a Durban Joint Council Report explained in 1930, “(e)xempted natives” within the borough were “persons of some education anxious to live in civilised fashion. Their usual wage is from £5 to £7 per month, the lower figure being probably more frequent”.³²

It was likely in the milieu of Durban Joint Council meetings that Isabel Sililo first came to the attention of liberal and municipal politics in Durban. This was certainly one of the few spaces for public discussion of political and social issues open to African women. In 1932, the Town Clerk insisted that its present system with “one native woman appointed by the residents of the Native Woman’s Hostel” represented the “interests of Native women” fully. He was replying to a letter from Mabel Palmer who wrote as as Honorary Secretary of the National Council of Women and urged “in view of the large number of native women and children in Durban, that a European Woman should be appointed to serve on the municipal native administration board”.³³ If Palmer did not consider that African women should represent themselves, they had in fact already launched the Durban Bantu Women’s Society (DBWS). The municipal files recording the establishment of the Durban Bantu Men’s Social Club – which explicitly excluded women from its membership – contain a newspaper cutting reporting on a speech by Isabel Sililo on “the position of native women in towns”. It is likely that her role in the DBWS had prompted the invitation to address the Durban Joint Council on this topic. In fact, Isabel Sililo also became ‘research secretary’ to Palmer’s sub-committee on African wage levels at this time and presented oral evidence to the Native Economics Commission in 1931, in support of a council resolution that

eNanda –Mzinyati. “uRev m Sililo izwa songathi ubezekuhlanganisa isihlobo nakwaPewa”. Announcement of the couple’s engagement followed shortly after, on January 14. AJ Sililo is listed as Ilanga’s Pietermaritzburg distributor, for example, on 29 October 1918. There are a number of references to his evidently successful public career as head teacher. For example ‘Natal United Teacher’s Conference’, 11 October 1918, ‘The Educated Native. Viscount Buxton Receives Native Teachers’, 2 August 1918; ‘Natal Education Committee. Evidence of Native Teachers’, 16 December 1921.

³⁰ *Ilanga lase Natal*, ‘Ngempikisano yeZulu Orthography’, 2 March 1917. This was a letter signed ‘The Zulu Orthography’. It reported competition results that listed ‘Mrs Isabel Sililo (Pietermaritzburg)’ as third, having achieved 73 per cent for her ‘umsebenzi omuhle’.

³¹ M. D. Koffie, Mrs I Sililo’s Crowded Life. Mrs Isabel Arthur Sililo’, *Bantu World*, 7 November 1936.

³² Historical Papers Research Archives, William Cullen Library, University of the Witwatersrand, South African Institute of Race Relations Collection, AD 1433 Cd 3.2, Durban Joint Council Annual Reports, 1925-1949. 4 September 1930, ‘Report on the Housing of natives in Durban and the Peri-urban areas’. Arthur Sililo applied for exemption from the Natal Native Code in 1910 and Isabel Pewa is also listed as applying for exemption in 1912. NAB, CNC, vol 1/1/457, ref. 694/1910, v 117; vol. 94, ref 2028/1912.

³³ TBD, 3DBN, 4/1/2/1147 Native Advisory Board Correspondence.

“educated Natives in Durban” earned inadequate wages. Evidently, the DJC referred specifically to male heads of households, as its resolution mentioned that wages “had to be supplemented by the work of the wife, by liquor brewing and selling...”³⁴ Sililo spoke as one who herself belonged to “(t)he class of native” who had “no other means of livelihood except what they get as wages, as they have made their homes in Durban”. In her explanation, families had two breadwinners and she pre-empted her husband’s worries, soon to be expressed to the NAB, as to dire circumstances that could result from a partner’s death:

the budget that we have collected shews that, at the end of every month, our families are in debt ... It is very difficult to pay for the needs of the homes and the education of the children... You will note, honourable gentlemen, that no mention is made in the budgets of saving anything for the future, as the present conditions do not allow. As the mother of five children, the future seems dark and I shudder to think of a day when one of the breadwinners will be taken away.³⁵

Sililo commented that “(o)ur parents were able to bring us up better men and women, but on account of economic pressure, we are unable to do the same for our children”. Her submission focused strongly on the cost of education. “A Native” of her “class” was not considered for scholarships and bursaries. Her own monthly family budget included £1.2.6 in school fees for each of her five children.³⁶

Selby Ngcobo’s case studies of the household budgets and expenditure of a number of African families resident in Durban likely involved Isabel Sililo’s help for at least the Married Quarter, given her formal involvement in this project.³⁷ The budgets provide vivid specifics about the living circumstances of residents at the Married Quarters and perspective on the straightened circumstances of African municipal clerks. Ngcobo’s first example was of a family who lived at the Somtseu Road Married Quarters. The husband was a garage attendant who earned £4.10 per month and whose wife added perhaps £1.10 with irregular laundry work. Food cost £3.15 a month municipal rent of £1 included ‘lights’ and a further eight shillings a month was spent on firewood. Clothing, dressing materials and shoe repairs, furniture, school and church expenditures cost £15.2/- per year. Two teenage boys and a younger girl slept in the kitchen/living room of the cottage. The family stretched their budget by way of some home sewing and by buying second-hand clothing, sometimes at jumble sales. The husband’s suits, which

³⁴ South Africa. Native Economic Commission Verbal Evidence, Volume 9 Submission by the Durban Joint Council, 4 April 1931, p. 6372.

³⁵ Ibid.

³⁶ Ibid, p. 6373.

³⁷ Selby Ngcobo’s work and politics during the 1930s and 40s merit more research. He was teacher at Adams College at this time, and is also referred to as principal of the Loral Secondary School (where many of the children of Married Quarter residents were educated) in the 1940s. He would become professor at the University of Botswana and at the Institute of Commonwealth Studies. J. Cabrita, *Journal of Religion in Africa*, 40 (1), 2010, p.74.

cost £1-2, had to last at least three years. Ngcobo concluded that the family was at least £10 in debt every year. A second family included four girls and one boy living at home. The husband was managed a hotel kitchen, earning £10 per month. The eldest son was studying at Fort Hare, and had a bursary that did not cover full expenses or the railway fare. A teenage daughter also studied “at Amazimtoti” – her annual school fees came to £10. The family’s annual expenses were calculated at £138.³⁸

Other heads of household earned as much as £16 per month.³⁹ A head teacher earned £8.50, supplemented by half-yearly allowances of £10.5. His monthly expenditure came to £7.6.9.⁴⁰ Arthur Sililo’s income was only marginally better than those of garage attendants and were lower than that of some semi-skilled labourers. As J. T. Campbell has argued, the African ‘elite’ of the early twentieth century was “in a simultaneous process of creation and collapse”.⁴¹ In Durban, those of the kholwa who lived in town and did not have access to privately owned homes or land in Inanda were particularly vulnerable to economic hardship, not least because of the race-differentiated salary scales, urban segregation, exclusionary property laws and colour-bar legislation.

Economic depression brought new hardships to the community at the Married Quarters in the early 1930s. At NAB meetings Arthur Sililo called attention to growing unemployment amongst residents and criticized the Town Treasurer for not taking “the economic position of the Natives” into account, when reporting on the revenue and expenditure at the Location. “Mr Sililo mentioned that the Natives looked upon the Council as their guardians and that the Council was not out to make a profit on these quarters but to provide accommodation suitable for Natives...”.⁴² The Council insisted that rentals were already subsidised by the municipality, but undertook to investigate necessitous cases through the Native Administration Department. In subsequent months Arthur Sililo continued to appeal for leniency towards unemployed tenants – in April 1933 he reported that “a considerable number had been out of work and were experiencing very hard times”. This was also the context for calling attention to the plight of the widows who lived at the Married Quarters such as “the wife of the late J.N. Khumalo”. Mrs Khumalo, whose husband had worked for nine years at the NAD, was trying to survive by “undertaking washing”. (No doubt, she knew that the other option often followed by city-living women – to sell home-brewed beer – was extremely risky at the Married Quarters – a previous representative to the Native Affairs

³⁸ HP, AD1433, Cd3.5, ‘Durban Joint Council of Europeans and Natives, Budgets collected by Mr Selby Ngcobo, with notes by Mrs Mabel Palmer’.

³⁹ It was only later that this accommodation was given the name of Baumanville, and at this time, even in the course of one document, a variety of descriptives were often used. The new township that came to be known as Lamontville but was first referred to as Umlazi Native Village was not yet planned or approved at this time. It would be built in 1934.

⁴⁰ HP, University of the Witwatersrand, AD1433, Cd3.5, ‘Durban Joint Council of Europeans and Natives, Budgets collected by Mr Selby Ngcobo, with notes by Mrs Mabel Palmer’.

⁴¹ J. T. Campbell, ‘T.D. Mveli Skota and the Making and Unmaking of a Black elite’, University of the Witwatersrand History Workshop Series, 1987, p. 2.

⁴² TBD, 3DBN, 1/2/12/1/1. Minutes of the Native Advisory Board, 14 September 1932.

Board was forced to resign and expelled from the Quarters when a small amount of beer was discovered in the pantry.) Mr Chester, acting manager of NAD, “pointed out that it had been the policy of the Department not to allow Native widows to reside in the Married Quarters” This “Native woman had been told that the rebate of 10/- on the rent of her cottage, allowed in the case of employees of the Department would no longer be made to her”.⁴³ Arthur Sililo then made the personal point that he feared for the future of his wife.

If Reverend Mtimkulu bolstered his appeal for reduced rentals by pointing out “that the Natives had no charitable institutions to which they could appeal for assistance”, the context of the depression did prompt some new charitable initiatives. Thus Mr Mr James M. Ngcobo, who represented the Industrial and Commercial Workers’ Union on the NAB and who often defended the interests of stall-holders at the Municipal Native Market in Victoria Street, started a soup kitchen for “indigent natives” in 1931. This prompted disagreement between Board members. Some thought that “natives... would prefer to receive meals at the hands of their own people” and others that given extent of taxes and revenue from beer collected, this should be a municipal responsibility. In 1933, James Ngcobo’s Natal Worker’s Club was still feeding some 200 “Natives, unemployed and destitute”.⁴⁴ In fact, a municipal soup kitchen had also been established. However, while Mr Ngcobo’s venture provided free meals for unemployed “natives”, the Corporation Soup Kitchen required recipients to work for their breakfast, doing tasks at municipal recreational grounds early in the morning and supervised by Arthur Sililo in his capacity as Native Clerk in the municipal welfare office. For Reverend Mtimkulu this meant that “Natives... unable to return to their homes... were being placed in the position of being told that their wages was porridge”.⁴⁵ Requests by Mtimkulu and Ngcobo that the “Corporation should open up relief works with a view to relieving the extent of unemployment among the Native Community”, given that relief works had been “opened up... for Europeans and also Indians” and which would mean that African would also be “paid an amount for their services” were in vain.⁴⁶

By 1934, The monthly report of the Native Welfare Officer, at first entirely focused on matters of sport and recreation, also included mentions of “indigent natives” and “native cripples”.⁴⁷ The municipality was also considering a scheme for a “native washhouse at the municipal quarters, although this idea was never realized and women continued their washing without facilities.⁴⁸ This was the terrain of uneasy incorporation into local government - of careful, determined appeals to Town Council as a father to its

⁴³ Ibid, 9 November 1932.

⁴⁴ Ibid, 12 April 1933.

⁴⁵ Ibid, 14 September 1932, 11 January 1933, 13 September 1933.

⁴⁶ Ibid, 8 November 1933.

⁴⁷ Ibid, 10 October 1934.

⁴⁸ Ibid.

Native wards made on behalf of the city's legitimate African households - that the women of the DBCWS would soon enter.

'Non-European' child welfare initiatives and the effort to curb 'native juvenile delinquency' in Durban

The Durban Bantu Women's Society was quick to use the Native Advisory Board as conduit for its concerns. Soon after its launch in 1930, African representatives on the Native Advisory Board, prompted by the DBWS, were calling on the Municipality to establish a clinic for African mothers and children. In August 1932 Reverend Mtinkulu reported that he had met with the DBWS who requested the provision of "a medical clinic for Native women and children".⁴⁹ He understood that the necessity for such an institution "had been urged by that Society for some time... they were anxious to know how far the scheme had progressed".⁵⁰ The matter of a "medical clinic for women and children where they could receive advice about child rearing" was again raised two months later, "more especially when it was realized that in practically all other large centres and even mission stations a nurse was available for this purpose, yet Durban had not yet made any arrangements in this direction". In February 1933 the DBWS "again enquired about the present position of the proposed Child Welfare and Maternity Clinic". By this time, the Municipality had arranged for medical advice, possibly from provincial government departments and in May 1933, the opening of a "Child Welfare Clinic for Natives", located "at the rear of the Native Meat Market" and providing services for "Native mothers" was announced.⁵¹ The Brook Street Clinic's success was mentioned in subsequent months.⁵²

The early 1930s was a time of continued articulation of *zenzele*, or self-help, although less so in the pages of *Ilanga lase Natal* than in *Bantu World*. In fact, a founding member of the DBWS was Sibusisiwe Makhanya, already well known for her social work initiatives.⁵³ The DBWS' constitution articulated 'welfare' as one explicit aim. Its focus at this time on the establishment of health facilities and educational programmes was not only in line with contemporary, widely circulating ideas of public health and *volksgeondheid*, but also cohered with a recent trend towards inclusion of African communities in projects and campaigns of what was popularly known as the Child Welfare Movement.

⁴⁹ Ibid, 15 July 1931.

⁵⁰ Ibid.

⁵¹ Ibid, 10 May 1933.

⁵² Ibid, 15 June 1933.

⁵³ Meghan Healy-Clancy, 'Women and the Problem of Family in Early African Nationalist History and Historiography', pp. 465-466., Shula Marks, *'Not Either an Experimental Doll': The Separate Worlds of Three South African Women* (University of Natal Press, 1987), pp. 30-42. Vanessa Noble, 'Ruffled feathers: : the lives of five difficult women in Durban in the 20th century : a study of the lives and contributions of Mabel Palmer, Killie Campbell, Sibusisiwe Makanya, Dr Goonam and Phyllis Naidoo', unpublished MA thesis, University of Natal, 1997.

In South Africa, the turn towards ‘Non-European’ or ‘Native’ child welfare was sporadically discernible from the 1920s and especially from around 1928. Countrywide, the establishment of a loose network of Child Welfare and Benevolent Societies with a lay membership of volunteers, dotted across South Africa had gathered momentum during the First World War. At this time, one impetus was anxiety about infant mortality precipitated by the huge death toll of young men in the war and the need for more ‘white babies’. By far the majority of Child Welfare Societies (they were often dominated by women but not constituted as women’s organisations) targeted ‘European’ poor – in many towns and villages they would have been regarded as the English equivalent of the fast-growing Afrikaner-nationalist women’s welfare societies focused on ‘rescuing’ *armblankes*. The decision by Grahamstown’s Benevolent society to also address high rates of infant mortality in the local African location by establishing a ‘baby clinic’ that employed an African midwife was certainly unusual.⁵⁴ Ideas of child public health and *volksgesondheid* gained popularity in the 1920s and particularly from 1924, increased acceptance by the state under the Pact government. It was also in 1924 that the South African National Council of Child Welfare was established. This non-governmental body aimed to co-ordinate the work of local societies and to improve liaison with state officials. Afrikaans women’s societies regarded it as English – dominated, and would long resent its relative success in gaining the ear of state bureaucrats, who soon attended SANCCW conferences and meetings as part of formalised procedure.⁵⁵

At its national conference in 1928, the SANCCW passed a resolution to “encourage the establishment of Non-European Child Welfare Societies”.⁵⁶ It is possible that explicit interest from African and Indian colleagues in the Joint Councils and other structures, such as the Durban’s Indo-European Council, and concerns about black poverty from white liberal members had precipitated this move.⁵⁷ Two years previously, Durban’s Indian community had brokered a relationship with the Durban Child Welfare Society, and was now officially a committee of the DCWS (which dealt with ‘European’ and also ‘Coloured’ families) whilst in practice independently administrated. In Bloemfontein the African community, at least some of whom belonged to the local Joint Council, established a crèche and would henceforth spend years exploring ways of affiliating with the SANCCW (they were faced down by racist

⁵⁴ Cory Library, Rhodes University, Grahamstown Child Welfare Society, Minute book, 1917-1926.

⁵⁵ M. Du Toit, ‘Women, welfare and the nurturing of Afrikaner Nationalism: A Social History of the Afrikaanse Christelike Vroue Vereniging, c. 1870-1939’, unpublished PhD thesis, pp232-233.

⁵⁶ These were proposals of a sub-committee put forward by Handel-Thompson, who was an inspector of Schools on the Rand in the late 1910s, and involved in initiatives to care for African elderly and destitute African children by the mid-1920s.

⁵⁷ The minutes of this organisation have not been donated to any archive and are not easily available to researchers but I hope to gain access in future.

Afrikaner nationalists and especially DRC dominees in Bloemfontein who blocked their efforts until the SANCCW forced them to concede in the early 1940s).⁵⁸

That the SANCCW resolution was intended to encourage child welfare assistance for African communities was evident from their decision to ask not only “the Non-European Community” but also “the Native Affairs Department, the Native Affairs Commission and the Transkei Central Council, etc”⁵⁹ for financial support. The SANCCW also resolved to communicate its recommendation to the Joint Councils of European and Non-Europeans. Indeed, conferences organised as part of the liberal Joint Council initiative (and aimed at encouraging a moderate approach in African politics) now began to discuss the need for child welfare initiatives focusing on ‘non-European’ children. At the “National European-Bantu Conference” of February 1929 which was opened by John D. Rheinallt-Jones (co-founder of the Joint Council Movement together with the Natal-based educationist Charles Loram) the SANCCW resolution was endorsed. Local Joint Councils were encouraged to assist in the formation of child welfare societies “concerned with non-European children”. The conference’s list of recommended projects followed contemporary ideas of child welfare that emphasised public health education rather than poverty relief, such as involving municipalities in public health campaigns, promoting hygiene instruction at schools and holding “baby shows”.⁶⁰

The immediate catalyst for the formation of the Durban Bantu Child Welfare Society was, however, white liberal anxiety about a specifically urban problem posed by the growing population of homeless African children who lived on Durban’s streets, particularly in the city centre. Already in the 1920s, Joint Councils based in South Africa’s larger cities had identified ‘native juvenile delinquency’ as an issue of some urgency.⁶¹ If such black participants as Charlotte Maxeke of the Bantu Women’s League articulated this as a problem of justice (‘native’ children were excluded from most juvenile courts), her white counterparts more often saw this as a problem of order and discipline and of how to efficiently manage the urban segregation. This was certainly central to public discussion in Durban during 1934, when the Juvenile Court Magistrate Mr M G Fannin started a public discussion about possible changes to the probationary system.

Fannin articulated ideas for reform widely popular in the 1930s - the conviction that first offenders were not necessarily “a danger to the community”, that owing to the social and economic

⁵⁸ Documents pertaining to the history of Bloemfontein’s ‘white’ Child Welfare Society are kept at the offices of the current Bloemfontein Child and Family Welfare Society in Bloemfontein. From the early 1930s a large percentage of members were Afrikaner nationalist.

⁵⁹ Ibid.

⁶⁰ *South African Outlook*, March 1, 1929, p .56.

⁶¹ See also Paul La Hausse, ‘The Cows of Nongoloza: Youth, Crime and Amalaita Gangs in Durban’, 1900-1936. *Journal of Southern African Studies*, Volume 16 (1) which suggests an interesting continuum of discourse about crime.

conditions under which certain classes of the community were forced to live” offences were “relative rather than absolute” and that “prison sentences should only be resorted to “under exceptional circumstances”. Speaking at a conference on Mental Hygiene held in Durban in 1934, he called called for volunteer probation officers to help supervise “first offenders” with suspended sentences. Soon, he also addressed specific anxieties about the need for organised intervention to take African juvenile offenders off the streets – he was “most worried over the lack of road camps or similar institutions in Durban where Native first offenders could be sent”. Fannin “stressed the needs of the Native, Indian, Coloured and European...”.⁶² The Natal Mercury soon reported on another meeting convened by Durban’s Senior Magistrate, W A Rowan, involving a range of local officials from Justice, police departments, Native Welfare Office and the municipality’s NAD. The topic was “the position of Native vagrants in the town, Native beggars who seemed to have drifted into Durban and were reported to have become public nuisances and the general question of Natives in Durban”.⁶³ According to the Natal Mercury, participants pointed to “slum” and “economic conditions” as causing vagrancy and a drifting population of “Native juveniles” in Durban who simply tended to “return after having been sent away”. Possible solutions that were discussed included “a place situated in or near Durban as a correctional home of some sort” and the formation of a “Native branch of the Probation Association”.⁶⁴

A change in national policy was partly responsible for the sudden attention to this “problem” in 1934, in line with current ideas as to how the state should interact with young offenders. The care of young persons who came in conflict with the law was no longer the responsibility of the Union Department of Justice but delegated to the Education Department. Apparently in response to this development, local police in Durban disclaimed responsibility for the detention of black children and youth, who had hitherto been kept in the cells of the Central City police station. One result of this temporary conundrum of where to detain African children and youth was a series of meetings between local judiciary, the SAIRR and municipal officers. Maurice Webb of the SAIRR also corresponded with Union government officials on behalf of the newly constituted Durban Native Juvenile Delinquency Committee, detailing the problem that some “four hundred Native boys” lived on the street, most of them without homes, employment or “tribal connections”.⁶⁵ Webb identified the ‘problem’ as one of poverty, lack of proper housing and loss of ‘tribal’ paternal control. Boys drifted in from their “breeding-ground”,

⁶² *The Natal Mercury*, July 14, 1934.

⁶³ *The Natal Mercury*, September 3, 1934.

⁶⁴ *Ibid.*

⁶⁵ HP, SAIRR collection, AD843, B23.3.1, Committee on Native Juvenile Delinquency, M Webb to Dr L van Schalkwyk, Secr of Ed, Union Department, 17 September 1934.

the newly incorporated peri-urban areas to the South of old Borough boundaries where thousands of city employees were forced to live “under the most distressing conditions”.⁶⁶ They then

wander[ed] about the streets of the town under no control whatsoever, living on the garbage of the markets and the streets and sleeping in the Corporation hayricks, and in the passages and alley-ways of the lower quarters of the town, or in such other places where they can hope to escape the surveillance and vigilance of the Police.⁶⁷

Fannin was the main speaker at the annual general meeting of the Durban Child Welfare Society in the Mayor’s Parlour at the City Hall, where he again emphasised that “the great problem of this town is the Native Juvenile Delinquent”. He exhorted his audience to accept that “the great problem of this town is the Native Juvenile delinquent”, providing case studies chosen for their poignancy that also provided details as to how contemporary practice to place African children on farms or suburban homes resulted in repeated efforts to abscond. Evidently, “kind treatment”, repeated arrests and “whippings” did not have the desired effect, and even efforts to compel extended family (under Native Law) to take in “orphans” failed to prevent children from running “wild”.

This is Durban’s business! These children cannot be sent back to their locations, because they have no locations. They have been born and bred in Durban. It is a huge question, involving not only Court work but slum clearance and Child Welfare work.⁶⁸

Durban’s Joint Council Committee believed that the presence of “active social agencies” in Durban would help resolve a situation largely caused by low wages and the municipality’s failure to provide proper housing. While Durban’s Child Welfare Society was not prepared to extend its own activities to include the local African community, it suggested the formation of a ‘Native’ child welfare society with organized African women.⁶⁹

⁶⁶ Van Schalkwyk, Secretary of the Union Department of Education, explained to Maurice Webb that the Children’s Act of 1913 could only be invoked to commit ‘juveniles under 16 years of age’, and that the Prisons and Reformatories Act differentiated between “Juveniles under 16 and Juvenile adults – 16-21”.

⁶⁷ HP, SAIRR collection, AD843, B23.3.1, Committee on Native Juvenile Delinquency, M Webb to Dr L van Schalkwyk, Sec of Ed, Union Department, 17 September 1934.

⁶⁸ The Natal Mercury, September 27, 1934.

⁶⁹None of the “possible methods available to the Magistrates to deal with the Native Juvenile... a suspended sentence, commitment to a reformatory outside Natal or “to inflict birchings” helped solve the problem – hence the formation of the Committee. Its recommendation to the Durban Municipality’s Native Affairs Committee included the formation of a Juvenile Court in Durban “for all races”, and that the Child Welfare Society “be asked and assisted financially to extend their activities to include Native Juveniles”.

The Committee was disappointed by the Corporation’s response, which seemed to deny that this was primarily a problem of permanent urbanization: the NAC resolved to tighten inspection of passes “in order to weed out the genuine workers from non-workers and to control Native Juveniles within the Borough”. Those “having no visible means of subsistence” would be detained in “a Municipal hostel or suitable Native Institution, pending enquiry into their mode of living or life history”. Once parents or near relatives had been located, “repatriation” would restore “parental control and responsibility”. The NAC even recommended the establishment of a Native Juvenile Court, an institution that already existed and that needed to be replaced by “a separate Juvenile court for all races on the model of Auckland Park”, according to the Committee. The NAC also recommended that

Isobel Sililo recalled that a large meeting was organised by the Durban National Council of African Women, at the Bantu Social Centre.⁷⁰ The Magistrate reported that he had convened a meeting attended by 350 women. *Ilanga lase Natal* certainly reported a “well attended meeting”, addressed by Child Welfare Society president and city councilor Mrs Edith Benson and by Fannin, at which the former spoke about plans to establish a women’s Bantu Social Centre where women could learn house-keeping skills, and the Magistrate “preached” (“wa shumayela”) about homeless and vagrant African youth. Besides Isabel Sililo (according to *Ilanga lase Natal* she represented Daughters of Africa) other “leading women of the town and suburbs” who attended included “Miss V.S. Makhanya of the Bantu Youth League, Imbumbulu, Mrs F. M. Caluza the translator of Amabutho ka Kristu”, Mrs J. L. Dube of Ohlange Institute; Mrs N. Lutuli Proprietess of the Prince Edward Bantu Tearoom... and Mrs R. Caluza teaching at Sydenham”.⁷¹

Large meetings of African women were in fact about to become a more frequent aspect of public politics in Durban – but these were not meetings called by Durban’s white elite. One response to the growth of an African urban presence was evidently to try deal with the ‘problem’ of homeless children on Durban’s streets and to turn to kholwa women for their help. At the very same time however, powerful officials in the national and local state were putting legislative strategy in place, aimed at closing the city precincts to a further influx of African women. Hostile to the presence of a growing population of African families living on the city’s periphery and especially to women who escaped the control of their legal guardians (as spelled out by customary law), Durban’s Town Council had opted to try control the movements of African women, regardless of their education. They were about to cause a serious rift with Durban’s African elite.

“Durban Council and Native Women” , 1935-1937

In 1933 already, the Union Secretary for Native Affairs had written to the Durban Corporation explaining that “(t)he department considers that it is more satisfactory to treat Native females as a class and to have a separate chapter in the Regulations dealing with their entry into the proclaimed area”. He also enclosed “a

government should provide “a suitable 'Farm Colony' in Natal for the accommodation of those Natives whose homes cannot be traced - to be taught useful employment there and reduce the tendency to become vagrants...” The NAC also recommended the establishment of a Native Juvenile Court. It also wanted industrial schools to be established, or otherwise “Farm Colonies of educative character, “where native juvenile vagrants or delinquents might be committed by the Magistrate, and where they might receive training of a character suited to their mode of life, and be saved from the influences of Reformatories and Gaols”. It also criticized “the handling of juveniles” in Durban. Until recently, those who had been arrested or convicted pending committal had been kept in municipal police cells in central Durban, often for considerable periods of time. At present, they were accommodated at the equally unsuitable Overport Police Camp. Maurice Webb and Colleagues established Brandon House, on the model of Lads Hostels.

⁷⁰ *Ilanga lase Natal*, Alex Maphalala, ‘iDurban Bantu Child Welfare, Umsebenzi Otusekayo’, August 28, 1965.

⁷¹ *Ilanga lase Natal*, 30 November 1934. Reports in English and also isiZulu sections of the newspaper.

set of regulations recently promulgated in respect of the proclaimed area of Bloemfontein, on these lines... for your information". A series of discussions followed between the Secretary of Native Affairs and Corporation officials, as the City Solicitors worked on draft regulations and plans for "a certificate of approval... when African women enter the borough".⁷² When amendments were adopted in March 1935, the only dissenting voice was Edith Benson of the Durban Child Welfare Society.⁷³

The Town Council's Native Affairs Committee followed its usual practice of failing to consult with or even to inform members of the Native Advisory Board about new developments in 'Native' policy. Early in 1935 an article in *Ilanga lase Natal* referred to discussions amongst 'abelungu' (whites) and an apparent hardening of attitudes about the issue of African women's presence in Durban. The newspaper also presented the increasing presence of badly behaved, unemployed African women as a tricky problem to resolve:

Udaba lwesifazana esingasebenziyo nesiziphethe kabi emadolopeni kubonakala luyindaba egudwini kulezizikhathi futhi lube lungolunqala njengoba kwaziwa ngoba lu nezimpambosi ezingelula. Baya b'anda abelungu abathi akusizi lutho ukuthi kunga qoqwa isilisa sabantu kube isifazana sakubo si ngumhlambi ka Z'alusile. Banxanele ukubeka kuso icala lokufa lokhu osekwandile kwamadolopha kanye nokudayisa ugologo.⁷⁴

(The issue of unemployed women who behave badly in the towns appears to be an issue that is much discussed and is hard to resolve. Whites are increasingly saying that it does not help to regulate African men while their women have no one to guide them. They are bent on taking serious action against the growth of the towns and the sale of liquor.)

It was via the proclamation of new regulations in the Government Gazette in March 1935 that the NAB and the general African population learnt about the policy. At the next meeting of the Board, Rev. Mtimkulu sought information about the "reported decision" regarding African women and "Regulations recently approved for the purpose of controlling the movements of Native women within the Borough". Mtimkulu did not object in principle to regulations requiring women to "secure a permit", but argued that it was more reasonable to require them to apply for permission from their local District Commissioner. He objected to the fact that the regulations required women to first obtain permission by writing to the NAD in Durban before entering the Borough. This also placed unreasonable prohibitions upon women who needed to enter the Borough "on grounds of death, sickness etc."⁷⁵

⁷² 3DBN, 4/1/3/1635, File 359c, V1 (Proposed Compulsory Registration of Women. January 1936 to May 1946). A report compiled by the legal advisors to the city, dated 24 June 1936, quotes extensively from a letter from the Secretary of Native Affairs, Pretoria' to the Town Clerk, written on 27 february 1933 and details subsequent correspondence.

⁷³ Ibid.

⁷⁴ *Ilanga lase Natal*, 'Isifazane Sabantu Namadolopa' 11 January 1935.

⁷⁵ TBD, 3DBN, 1/2/12/1/2, Native Advisory Board Minutes, 13 March 1935.

Two days later *Ilanga lase Natal* published details of the *kopoletsheni*'s⁷⁶ new regulation, explaining that women had to apply for permission by post. Girls under 18 would only be able to enter town with permission of their parent or guardian. Those with permits would have to stay at the Women's Hostel (for years already a very overcrowded establishment) or obtain explicit permission to stay elsewhere. They would have a week to find work and if unsuccessful, would have to return to the countryside for a year.⁷⁷ Rev Mtimkulu then notified the NAC that the Natal Native Congress wanted to deliver a petition and to discuss the new regulations. The NAB's chair had already told the Bantu Women's Society (in reply to its separate enquiry) that it should "get into touch with Rev Mtimkulu with a view to a combined deputation meeting at the NAC..." Mtimkulu's patriarchal ideas as to the impropriety of African women attending meetings without their men must have been satisfied by this arrangement. It was two months later that he would voice his disapproval at the NAB Chairman's report that Kholwa women had attended a meeting in order to discuss the formation of a Native Child Welfare Society.⁷⁸

An editorial in *Ilanga lase Natal* on 'Durban Town Council and Native Women' discussed a public meeting at the Durban Bantu Social Centre (held just before reception of the deputation by the NAC). The editor commented that "the women in attendance almost lost control of themselves and acted in a manner not conducive to a peaceful settlement".⁷⁹ The delegation to the NAC included representatives from the Natal Native Congress, Champion. The women included Sibusisiwe Makanya, "Miss B Mkhize", and "Miss Mabaso", all of whom likely attended as representatives of the Durban Bantu Women's Society. The delegation discussed not only the question of "movements of Native women" but also another simmering issue, "the medical examination of Native women" as well as "proclaimed areas". In other words, the delegates sought to discuss the broader policy of urban segregation and City Council plans – actual and under consideration – to control the persons and bodies of African women. The DTC's response was to task a committee to consider "Native Affairs generally and housing within the City" and to reconsider the exact formulation of the regulations, ostensibly in order to incorporate the objections of the city's black elite. At any rate, for several months it made no official public mention of the policy.

⁷⁶ In English, Durban's town council was most often referred to as the Durban Corporation – hence 'kopoletsheni' in isiZulu.

⁷⁷ *Ilanga lase Natal*, 'Umthetho Omusha Wesifazana sabantu eThekwini', 15 March 1935.

⁷⁸ TBD, 3DBN, 1/2/12/1/2, Native Advisory Board Minutes, 10 April 1935. The Chairman of the NAB presented Rev Mtimkulu's request for discussion at this meeting. 3DBN, 4/1/3/1635, File 359c, V1 (Proposed Compulsory Registration of Women. January 1936 to May 1946). The report compiled by the legal advisors to the city, dated 24 June 1936, indicates that Mtimkulu's letter of request was dated 30 March 1935.

⁷⁹ *Ilanga lase Natal*, "Durban Town Council and Native Women", 12 April 1935.

Local Justice officials and the Welfare Officer continued to make plans to work with Kholwa women. In August 1935 the Juvenile Court Magistrate, Mr Fannin, once again publicised the problem of homeless “native umfaans” and announced that “at last a Native Welfare Society had been started with a dozen Native women to assist” and commended Mrs Benson of the Child Welfare Society for her efforts in this regard. It would soon become clear that Isabel Sililo was central to this group.

Perhaps kholwa men and women thought that the Corporation’s attempts to control African women’s movement had been successfully opposed. In the vigorous local public debate about policies of urban segregation that also took place in August, this specific question did not feature. Sililo and her colleagues in the Durban Bantu Women’s Society presented a memorandum at the City Hall, to the visiting committee of the National Parliament that was investigating questions of urban ‘Native’ policy. According to *The Natal Mercury* the DBWS submitted “one of the most interesting memoranda”, claiming “to represent the opinion of the Bantu Women in the City of Durban, as it has interested itself in the Social Welfare of the Native community from its inception”.⁸⁰

The memorandum, signed by Sibusisiwe Makhanya, Isabel Sililo, Bertha Mkhize and Rev Mtimkulu’s wife Constance, opposed the rigid enforcement of the Urban Areas Act, stating that “Durban and other Natal towns had locations and reserves in their immediate neighbourhood and that there was an interdependence between them”. The DBWS also argued that “the Native townships which are springing up” had to provide for “normal family life for Natives”, offering houses at reasonable rentals (the DTC had recently bowed to pressure and conceded to build Lamontville). Problems of parental control and lack of supervision were caused by “the low wages paid to the Natives”, which forced wives as well as husbands to search for work. The Society also called for state social welfare policy more inclusive of Africans. The “duty of government” included not only provision of children’s education but also support for “indigent Natives who are too old or infirm to work” and efforts to combat “unemployment by relief works, as it does for the other sections of the community.”⁸¹

Perhaps the memorandum was “interesting” to the *Natal Mercury* because African women did the submission, as the viewpoints reported by the *Mercury* matched those articulated by Arthur Sililo, Rev Mtimkulu and Champion on behalf of the Native Advisory Board. Maurice Webb and D G Shepstone, giving evidence on behalf of the Durban Joint Council, likewise argued against “further restrictions on the movement of natives”. They rejected “alarmist views” of rapid urban migration and

⁸⁰ *The Natal Mercury*, August 30, ‘Native villages in Reserves. Yesterday’s evidence before urban areas committee’. The newspaper described this as a “Government Committee investigating Native conditions in urban areas... comprised of Mess J M Young (chairman) and A L Barrett”.

⁸¹ *The Natal Mercury*, 30 August 1935. Isabel Sililo apparently sent a copy of the memorandum to Killie Campbell “With Compliments”. KCAL Manuscripts Collection, File 51 (Killie Campbell. Further Correspondence), KCM8872. “Memorandum to Be Submitted to the Special Government Commission on Natives in Urban Areas,” August 30, 1935.

attempts at management by “compulsion and restriction”. Factors of “social and economic attraction” would ensure an appropriate balance between rural and urban populations. Congested living conditions in Durban were the “accumulated result of long neglect of adequate housing provision, and of social and health services.” But the one point of difference was the DBWS’s explicit emphasis on social welfare and that the state should also care for the African indigent and unemployed.

Durban’s Joint Council also articulated its opposition to Stallardist ideas of urban control, explicitly supporting the right of educated Africans to live in the city. In what may have been a veiled reference to the new plans to restrict the movement of African women, it expressed “alarm” at “the possibility of the Native Urban Areas Act being amended in such a way” as to compell “many of our members, teachers, ministers, clerks, social workers and others ... to leave town and to discontinue their valuable work in the interest of their own people upon which they are engaged...”. There was a strong degree of consensus and a conscious political alliance between leading kholwa and those of Durban’s white elite who shared a liberal framework of political ideas that included rejection of the colour bar and assertion that African families had a right to live in South Africa’s towns and cities.⁸² Isabel Sililo had already articulated key elements of this shared vision in a public address to Durban’s Joint Council in 1931, soon after she became a member of this organization, when she criticized the “socalled civilized labour policy” was “meant to drive the native out of urban areas” but would “never succeed in gaining that objective, as tribalism has been destroyed in many instances and can never be resuscitated”.⁸³ The DBWS memorandum of 1935 also set out conventional options for hostel accommodation of single African women, in line with prevalent ideas in different sectors of society as to the management of young women looking for work, newly arrived from the countryside.⁸⁴

In the months that followed, however, the implications of the new municipal policy that treated African women as an undifferentiated ‘class’ became increasingly apparent to organised kholwa women and their men. Exactly at the time that whites sympathetic to the idea of ‘Native’ child welfare approached them to assist with one of the repercussions of increased poverty amongst Africans and urbanisation (homeless children), Sililo and her colleagues were confronted with the belligerence of an amended proclamation aimed at preventing women from settling in the city on their own terms.

⁸² The Natal Mercury, August 31 and September 3, 1935.

⁸³ TBN, 3DBN, Durban Corporation Welfare Section, W40YMCA, V1. Newspaper clipping, ‘Views of Mrs Sililo’, inserted in between material detailing the establishment of the Durban Bantu Social Centre. The clipping does not indicate which newspaper it is from and is apparently dated 31 October 1931. It was definitely published before March 1933, as evidenced by references to E.G. Jansen as Minister of Native Affairs in an adjacent news item.

⁸⁴ The idea of hostels for young women and single working women more generally, and of domestic science schools as a solution for placing working-class or newly proletarianised women from the countryside into suitable work was also widely pursued by Afrikaner nationalists at this time, with regards to young Afrikaans women.

Early in 1936 the DTC once again set its plans in motion. In March the Manager of the city's NAD informed the Chief Constable of the new proclamation (No 63/1936) that would prohibit "any female Native" from entering the Borough after April 1. Two weeks after this date the NAB discussed this development. The Town Council had once again failed to consult with or even to inform the NAB about the plan which councillors explained was now a *fait accompli*, "approved by the Minister of Native Affairs and gazetted in the Union Government Gazette".⁸⁵ Apparently, the DTC had decided that it could appease permanent African residents of the city and its surrounds by specifying that women could apply for "exemption certificates" that they could then produce, upon demand, as proof of their right to be in the city.

In other words, the problem would be solved by making it compulsory for kholwa and other women who qualified to be in Durban on the Corporation's terms to carry passes. Less fortunate women from the countryside (this included Inanda and Natal mission stations) would have to apply for permission every time they wanted to visit within the confines of the Borough. Officials of the NAD claimed to be flummoxed to find that African men in the NAB did not comprehend that this plan was "intended to remove the disability placed on Native women by the original Regulations – passed March 1935 ... under which any Native Woman is liable to be prosecuted at any moment".⁸⁶ This in spite of implacable explanations by NAD members such as Rev Mpanza: "Native members were totally opposed to the principle of this Regulation" and were therefore not prepared to discuss it. They would again send a deputation to discuss the matter with the Town Council." As Champion commented, "even in Johannesburg such a Regulation had not been introduced".⁸⁷

The NAC hastened to fast track the mechanisms that would enable African women to apply for exemption certificates, claiming their intention to resolve the anxiety "in the minds of natives". Applications would involve provision of proof of residency, additional proof that fathers or husbands had lived and worked in the Borough for at least two years and the consent of male legal guardians.⁸⁸ NAC chairman Kemp continued to deny any "breach of faith" by the NAC and argued African men should appreciate other legislation already in place to control their wives and daughters, now further bolstered by this initiative. The City of Durban was taking leading in exemplary fashion:

⁸⁵ TBD, 3DBN, 1/2/12/1/3, Native Advisory Board Minutes, 20 May and 11 June 1936; 3DBN, 4/1/3/1635, File 359c, V1 (Proposed Compulsory Registration of Women. January 1936 to May 1946). Letter from Councillor Kemp to the Town Clerk, 12 June 1936. He was writing after the meeting with the Native Advisory Board, held the previous evening.

⁸⁶ 3DBN, 4/1/3/1635, File 359c, V1 (Proposed Compulsory Registration of Women. January 1936 to May 1946). Letter from Councillor Kemp to the Town Clerk, 12 June 1936. He was writing after the meeting with the Native Advisory Board, held the previous evening.

⁸⁷ TBD, 3DBN, 1/2/12/1/3, Native Advisory Board Minutes, 20 May.

⁸⁸ Ibid., Letter from the city solicitors Shepstone and Wiley, to the Town Clerk. 30 April 1936. Adopted as indicated in confidential letter/minutes, 20 May 1936. Approved by council 11 June 1936.

I make bold to ask both the European and Native community of Durban today, do you wish to make Durban an "Alsatia", and do any of us wish to allow the indiscriminate influx of female natives into Durban to their detriment and possible ruination? Their place is at home.⁸⁹

Ten days later the issue again flared into public protest. *Ilanga lase Natal* placed a detailed report from 'owabe khona' (one who was there) of 'Umhlangano Wabantu' (A meeting of the People) held at the Bantu Social Centre in order to object to the new regulations and attended by over 2000.⁹⁰ A W G Champion was chair:

Ngazwi linye abantu ababe lapho bengaphezu kwezi 2000 bathi mawususwe loMthetho phezu kwabesifazane namantombazana ethu. Maningi lamapasi athwelwe yithi, ngokuba loMthetho uhlose ukuthunaza abesifazana nabantwana bethu ukuba bayoqula namadoda ezinthangamini zakwa Kopoletsheni. Bathi loMthetho kawuzwakali ukuthi uthini kithina Ndl'emnyama. Lokho kubacunule kabi abantu abazwela uhlanga lwakubo, baze bathi labalungu abaphethe uMnyango weziNdaba zabantu sebeswele imithetho abayishayela abantu, sebehamba bebamba nezidindi nje ngokuba imithetho emibi miningi phezu kwabantu, manjeke seku khwelwa phezu kwesifazane sethu ngokuba bethi isifazane sakithi sibi. Sithi, konke lokho kakunjalo. Zonke izizwe zinemigewu yazo khona lapha eDurban, kepha akushiwo kubo lokho ukuthi mabasindezelwe ngamapasi. Pho, bavuka abantu baba zinhlanga baze bathi noma kudhlula abantwana beya ezikoleni nemihlangano yaoTisha abantwana bamantombazana bahambe behlohlokozwa amadoda amaBhunu efuna amapasi kubo?... Nginge balise abanumzane nabefundisi abakhuluma kulomhlangano ngokushisayo...⁹¹

(With one voice the crowd of more than 2000 that met at the Bantu Social Centre on June 22, 1936 said that this law that has been applied to our women and our girls must be thrown out. We are burdened by many passes, and now this Law intends to lower the dignity of our women and children, forcing them to account to from men of the Corporation. They are saying that this law did not address the views of the black people. This disgusts people who care for their race, they say that those whites in charge of the NAD have runout laws to make and how they are coming up with useless laws. Numerous laws are pressing down on the people and now our women are included as well because they say that our women are bad. We say that all this is not true. Loiterers from all races are to be found in Durban, yet no passes are imposed on them. Well, now the people are crazy with anger, saying that when their children go to school or the teachers to their meetings, the girls and young women will be provoked by Boers

⁸⁹ Ibid., Letter from Kemp to the Town Clerk, 12 June 1936. Kemp asked, rhetorically: "... do the Native Representatives of the Advisory Board appreciate the value of section 12/2/d/ii of the Act 25 of 1930 which gives any female native whose husband, or in the case of an unmarried female, her father, who has been resident and continuously employed in Durban for a period of not less than two years, has the absolute right to demand and will receive a certificate of approval to enter Durban to see her husband or her father as the case may be. This is expressly provided by law".

⁹⁰ *Ilanga lase Natal*, 11 July 1936. Umhlangano waBantu ethekwini. Wokukhuza Umhlolo Wamapasi kwabesifazana Uma Beza eThekwini.

⁹¹ Ibid.

demanding passes from them... I'm not even counting the gentlemen and ministers who spoke heatedly at the meeting.)

The delegation chosen for the next effort to protest and petition the Municipality was led by Rev N M Nduli - he was on the NAB and his wife was soon to be elected to the first Durban Bantu Child Welfare executive⁹². The delegation comprised six men and six women, including Isabel Sililo, Mrs Mtinkulu, and Bertha Mkhize.⁹³ A telegram from the Durban Town Clerk to the Harry Lugg, Chief Native Commissioner of Natal requested his presence, reporting the “strong feelings expressed at Native Mass meeting last evening”. Besides Lugg, other powerful local officials who who received the delegation included the Mayor of Durban, the city’s Native Commissionere Mr Arbuthnot, and Mr Kemp, chair of the NAC.

The outcome was that the Durban Town Council decided to suspend the regulations “pending further consideration by parliament”, as amendments to the Native Urban Areas Act of 1923 were expected to be announced in the near future.⁹⁴ However, the City Council was then told by the Union Department of Native Affairs that the Urban Areas Act of 1923 did not make any provision for the suspension of regulations and that the only option would be to repeal the proclamation regarding the movement of African women.⁹⁵ The council then proceeded to discuss how to modify the regulations, given that suspension was not an option and that it seems, they were not prepared to repeal the regulations. The Acting Town Clerk wrote to the Minister of Native Affairs informing him that “it is not the intention of the City Council to proceed further with this matter at this juncture”⁹⁶. The NAC concluded that the matter should “be kept in abeyance”. When the District Commandant of the South

⁹² KCM 17656, Durban Bantu Child Welfare Society, Officers and Members of the General Committee elected on August 24 1936.

⁹³ Others were Mrs N M Nduli, Mrs L J Ndhlovu (also a member of the DBCW executive in 1936), Mrs A Mbhele. The men included Revs Mtinkulu.

⁹⁴ TBD, 3DBN 4/1/1625 file 359c, v1, Report of the NAC, signed by Kemp, Chairman of NAC, ‘Native Registration Regulations: Restriction of Influx of Native Females into City Area’. 24 and 29 June, 1936. Harry Lugg strongly recommended suspension of the regulation, arguing that “enforcement... was impracticable”, not least because “about 9/10ths of those requiring these permits were illiterate” and because a permit once procured could be used by various people. Lugg argued that “(t)he Regulation itself created undoubted hardship and he felt that it was just as difficult to enforce as it was for the Police to enforce the requirements of Section 163 of the native Code which he read to the meeting”. This legislation was sufficient in order to “deal with Native women leading an immoral life “. Speaking to this point, Durban’s Native Commissioner mentioned that “about 8 applications for deportation were dealt with daily... section 17 of the Native Urban Areas Act gave certain powers of Deportation in respect of certain offences including the unlawful supply of liquor”. (report on meeting dated 24/6/1936)

⁹⁵ Letter, 26 August 1936. The only option was to “repeal Proclamation Number 63 of 1936, section 7 bis of the registration regulations”. Suggestion – that sections 6,7,8 be retained, “which enable the Registering Officer to bring about the removal from the proclaimed area of unemployed females”. (letter from the Secretary of Native Affairs).

⁹⁶ TBD, 3DBN 4/1/1625 file 359c, v1, Acting Town Clerk to Minister of Native Affairs, 23 Sept 1936.

African Police wrote to inquire about the status of the regulations, the reply was to ‘retain but not enforce’.⁹⁷

That ‘passes’ remained an issue is suggested by a report on *Ilanga lase Natal* on a meeting held by Amadodakazi ase Afrika (Daughters of Africa) in mid-December of 1936 at which “UMrs Ndlovu... wabika nenhlangano yaoMame nowukubhekel’izingane, nemithetho yamapasi, etc”(Mrs Ndlovu reported about the meetings of the women about child welfare, and about passes, etc”). Ndlovu’s report reflected the fact that she was on the executive of the Durban Bantu Women’s Society and also on the first executive of the Durban Bantu Child Welfare Society. The federal structure of Amadodakazi ase Afrika meant that a range of inter-linking women’s societies discussed their work at this meeting. Bertha Mkhize of the DBWS also reported on her work for the Bantu Girls’ Friendly Society. As outgoing president of the DOA, Mrs Sililo occupied the chair, asserting that “sesi fikile isikhathi sokuba indawo yesifazana ingabi sezimbizeni kuphela kepha naso si thukukise isizwe” (the time has arrived when the place of women is no longer only at the cooking pots, we are also working to build the nation.)⁹⁸. As a young teacher and graduate from the Ohlange Institute and Inanda Seminary, Isabel Pewa’s had already participated in networks of support associated with the Natal Native Congress. When *Ilanga lase Natal* reported that Mafukuzela (John L Dube) had returned from a tour which included countryside schools, she had been one of several young women listed amongst “imihlobo yetu” (our kinspeople/friends) and thanked for the kindness and support that they had provided to “our work for our race on our travels” (“ngomusa wazo nangokusekela kwazo okuhle emsebenzini wohlanga ebesihambe ngawo”).⁹⁹ As reported in *Bantu World*, Sililo’s Presidential Address now spelled out the scope of women’s work:

I fail to see how one who is passionately proud of her race can shut herself up and stop there while the world is moving on and women the world over are up and doing rendering service to their own country and their races.... it is true that women must devote their time as wives and mothers, to their unflagging work in the cultivation of the soil and provision of food for the family but there is a plea to the Daughters of Africa from the less fortunate members of the race and for the improvement of the country. There is to me, NO LIMIT TO THE GOOD FOR AFRICA that the Daughters of Africa can do as they

⁹⁷ Letter written on 5 November. See also correspondence , 9 Sept 1936, J Killeen, Sub-inspector for Acting Chief Constable to the Town Clerk: “on account of the views expressed by the Secretary of Native Affairs, Pretoria, in his reply to you dated 24 August 1936 there would appear to be no alternative (apart from retention) to the repeal of the Proclamation No 63/1936 with Section 7 bis of the Registration regulation”. Also recommended retention of the subsections 6,7,8 of section 7. Explanation sent to District Commandant of SA Police from Acting Town Clerk, 19 Nov 1936. Also 14 September 1936.

⁹⁸ *Ilanga lase Natal*, 2 January 1937, ‘Umhlangano wamadodakazi aseAfrika eThekwini’ report on meeting held by Daughters of Africa on December 17, 1936 at the Bantu Social Centre. *Bantu World*, 20 February 1937, ‘Mrs Sililo’s presidential address’.

⁹⁹ *Ilanga lase Natal*, 19 January 1915, Libuyile Ibandla likaMafukuzela. Note that this and other quotes from *Ilanga Lase Natal* reflect the original orthography. See also 8 January 1915, ‘Lapho Kuhamba Khona uMafukuzela neBandhla Lakhe’

gather themselves for that purpose. Already, you here have, in various places been able to do something for your community.¹⁰⁰

The leading item of the “programme of work for Bantu women” outlined by Sililo was “Infant and child welfare”, followed by “education, various health services, better housing and home conditions, better cooperation amongst our people, recreation for boys and girls...” While various kholwa men were emphasising that the new pass regulation offended patriarchal proprieties, women of the various welfare societies were claiming public spaces for themselves in the name of ‘race’ and *indlu emnyama*.

The issue of women’s passes – for this was now explicitly at issue – was flaring into vigorous public protest. The Natal Native Congress objected that women were being “prosecuted” for lacking documents and that “women staying with their husbands... have been threatened with prosecution and imprisonment if they fail to equip themselves with this document”, in spite of earlier promises by DTC.¹⁰¹ T.J. Chester, Acting Manager of the NAD, claimed that this was not due to any action by his department. His office had received various deputations and hundreds of applications for documents, as the South African Police were indeed insisting that African women provide “evidence for the necessity of their residence or presence” in the city. Chester claimed that the NAD was responding in good faith, simply issuing “complimentary documents... to all those who produce proof of bona fide employment”. Evidently, the NAC’s idea that a regulation could be kept “in abeyance” was moot to both the NAD and the SAP, who collaborated in their supposed helplessness before the force of bureaucratic fiat:

I have already interviewed the District Commandant, South African Police on this matter, and whilst he is sympathetic in the unfortunate position the Council finds itself as a result of the promulgation of the Regulations in regard to Native women... he is naturally unable to order a suspension of the law which apparently is being enforced by his officers.¹⁰²

Bertha Mkhize wrote to the Town Council on behalf of members of the previous deputation, asking for an interview “with regards to the carrying of passes by the Bantu women of this city.”¹⁰³ The Native Welfare Officer also wrote, explaining that homes were raided before dawn and women ordered to produce marriage certificates and other documents. Others had been “stopped in the street and their Passes demanded”. Police also refused to recognize proof of employment from their employers. “This has apparently reached such a pitch that a large section of the women are talking of calling out all the women of Durban and marching to the City Hall to seek redress.” The Town Council had made no

¹⁰⁰ *Bantu World*, ‘Mrs I Sililo’s Presidential Address’, 20 February 1937. I would like to thank Meghan Healy-Clancy for sending me this article.

¹⁰¹ TBD, 3DBN 4/1/1625 file 359c, v1. A P Sibankulu, Secretary of the Natal Native Congress to the Town Clerk, 25 February 1937.

¹⁰² Ibid., T.J. Chester to the Town Clerk, 4 March 1937.

¹⁰³ Ibid., Bertha Mkhize to the Town Clerk, 5 March 1937.

announcement “regarding Women’s Passes, so that Africans could not understand the actions of the SAP and “bitterly resented it”. Shepstone offered to broker attendance for Chester at a “meeting of women” to be held at the Bantu Social Centre.¹⁰⁴ NAB members also emphasised the extent of women’s anger:

the Natives were becoming restless in view of their women folk being chased by the Police for the production of permits. A meeting of women had been held at the Bantu Social Centre that afternoon and considerable difficulty had been experienced in handling the meeting.¹⁰⁵

Five days later the Town Clerk and NAC met with the deputation, led by Rev Mtimkulu and including his wife, Bertha Mkhize and Isabel Sililo amongst representatives of the DBWS. Mrs J L Dube represented the Daughters of Africa.¹⁰⁶ Rev Mtimkulu and Isabel Sililo presented the deputation’s case. Mtimkulu claimed that “thousands of native women were now carrying these passes”, in spite of the City Council’s undertaking in the previous year to not enforce the Regulation.” They both emphasised their frustration as African women now “felt that the deputation had been untruthful. As Mtimkulu explained, women were aware that “in Johannesburg and other centres, Native women were not required to carry these permits” and that instead, “the ordinary common law applied”. Mtimkulu reminded the NAC of previous anti-pass protests, when “this pass system had been strenuously opposed in other centres with the result that Native women flocked to gaol rather than carry these passes”.¹⁰⁷ For Mtimkulu, a pivotal issue remained that African men were being forced to cede control of their women to the state. While “Native women had no status under Native law” the women now applied “for these Certificates singly, without the authority of their husbands and guardians”. For Isabel Sililo women were often breadwinners who valued education for their children. “(T)hese women, many of whom were widows”, were determined to stay in the city and “were even prepared to starve in order to secure education for their children”. Both spokespersons emphasised the insult to women’s dignity by the requirement that they carry passes. Sililo mentioned pride in Zulu heritage and that “the regulation for their womenfolk to carry passes, was very humiliating.” In answer to a question as to whether “it was the feeling that Native women should be free to enter the city at will and whether there was anything to be ashamed of in carrying such passes”, Isabel Sililo stated unequivocally:

¹⁰⁴ Ibid., To the Town Clerk, from S W Shepstone, NWO, 9 March 1937.

¹⁰⁵ Ibid., extract from minutes of the NAB, 10 March 1937.

¹⁰⁶ Ibid., Extract from the minutes of the NAC, 15 March 1937. Others were Rev N M Nduli who was ‘Leader’ of the delegation, Rev m J Mpanza of the Native Church Council, Rev W M Mavundhla of the Bantu Ministers’ Association, Mrs A Mbele, (BWS), Mr T Gwala, Mrs K Ndhlovu “and several other Natives”.

¹⁰⁷ According to the minutes, Mtimkulu referred to anti-pass protests by women “some eighteen years ago”.

It was the unanimous wish that women should not be obliged to carry any such documents and and that it was considered to be beneath their dignity to have to produce documentary evidence to this effect.¹⁰⁸

The NAC agreed to inform Natal's Chief Native Commissioner of the protest and to request his assistance with effecting suspension of the regulation. Two days later African women met at the Bantu Social Centre to hear the delegates' report back. Bertha Mkhize sent the Town Clerk a copy of resolutions adopted at the meeting, which was "filled to capacity by women from Durban and Greater Durban". The women pointed out that "harassing of Bantu women" was continuing "with the full knowledge of the Chief Officers of Council" who were encouraging the SAP to "enforce Pass Laws" by providing women with documents. This was "directly in conflict" with the DTC's "definite promise" of the previous year, made "in the presence of the Chief Native Commissioner... that all Pass laws for WOMEN in Durban will be suspended pending legislation by Parliament."¹⁰⁹ The meeting objected to the SAP's continued efforts to enforce "the Pass Laws on the Zulu woman". Women were locked up at police stations, fined and "repatriated to nowhere as long as they are told to leave Durban. This, the meeting considers a form of slavery."¹¹⁰

The women's meeting also raised another issue – that Durban as a whole had recently been "Proclaimed" (in other words, as a 'European' area in terms of the Native Urban Areas Act of 1923), and that "wholesale ejection of Bantu families" had been announced. Much needed housing was not being provided and "Bantu families" would be thrown "into the streets". The final resolution respectfully urged the City Council "to carry out its long promise of providing proper housing before instructions are given for the wholesale evictions of families", thus discriminating against "the Native population".¹¹¹

On 18 March 1937, the women carried out their plan to march without prior notice and in order to demand an open meeting with Durban's Native Commissioner. As Bertha Mkhize later explained, about five hundred women "went to the Native Commissioner's Office in Stanger Street and "when we came there we just sat. We just sat down. I had never seen women so quiet." While men had not been asked to participate or even informed (according to Mkhize), the DTC noted ministers of religion and "prominent Natives" as also in attendance. Abner Mtimkulu was apparently not there.¹¹² The Native Commissioner Mr Arbuthrot asked eight women to enter his offices for discussion. The group insisted that all the women must be included, so that the magistrate came outside.¹¹³ Mkhize spoke, emphasising that women were

¹⁰⁸ Ibid.

¹⁰⁹ Ibid., 'Pass Laws for Native Women – Mass Meeting at the Bantu Social Centre, Durban'. A letter to the Town Clerk by Bertha Mkhize dated 18 March 1937 accompanied the resolutions.

¹¹⁰ Ibid.

¹¹¹ Ibid.

¹¹² J. Mpanza, W M. Mavundhla, Rev Nduli also attended. The other women were Alzina Ngidi, Henrietta Mpshe, Ena Mkwanzazi, Agnes Mbhele, Lea Ndhlovu and Nancy Luthuli.

¹¹³ Campbell Collection, KCAV 147, Transcript of interview with Bertha Mkhize by A. Manson, 14 August 1979.

being arrested on the street, fined and imprisoned. All this without any notice that from the Town Council and in breach of its promise. According to Mkhize:

We have not come here to say that wrong-doers should not be punished, but we do not understand why a person should, for no reason whatsoever, be attacked at the place where she sleeps and be asked to produce a pass and on failing to produce such, is arrested and punished.¹¹⁴

The Town Council was unjustly treating women who came to Durban as if they were wrong-doers. In fact, women were paying school fees and ensuring that children received an education in order to become good citizens. Like Sililo, Mkhize argued that women were settled and found work in town in order to send their children to school and to assist “our fathers and our husbands in educating their children because they cannot do so themselves on their small salaries.” This was also why the women were asking authorities “not to apply the pass laws to us”.¹¹⁵ Mkhize further explained that the police had mounted an extensive campaign to eject African occupants from any premises besides the municipality’s official hostels and locations.

We are now refusing to move from these premises because if we leave them we have nowhere to go, because the hostel is full, the location is full and the houses built by the Corporation for us are full. Have we to go into the streets and stay there?¹¹⁶

The Durban Corporation’s effort to control women’s movement and to impose passes was therefore seen to be part of its general intent to only tolerate a small settled population of Africans in Durban. The women’s demonstration comprised explicit insistence that they had the right to settle with their families and to bring their children up in Durban. By departing from the careful ritual of the deputation, always announced by way of firm but polite letters to DTC officials, by seating themselves in silent protest, and by refusing to separate representatives from the mass of women, the demonstrators also signaled a new female militancy of strength in numbers. The public face of action against women had been the NAC and the NAD offices in Ordinance Road (although the Magistrate’s Court was in fact involved in prosecuting women). The pointed gesture of appealing to the Native Commissioner of Durban in Stanger Street also communicated the extent of distrust and disappointment in Chester and Kemp as representatives of NAD.

Meghan Healy-Clancy has recently criticized extant research that tends to characterise inter-war African women’s organisation as apolitical, conservative and marginal. She argues against a narrative that conceives early African nationalism simply as “as a series of failed campaigns – against which the

¹¹⁴ Ibid.

¹¹⁵ Ibid.

¹¹⁶ Ibid.

African National Congress Youth League heroically rose”. Instead this was “a foundational period of building a body politic...”¹¹⁷ During years when male-led political organisations were disorganized and without effective leadership, “women’s discussions of home, family, race and nation attained prominence” in the public culture that they helped to construct. She argues that “women performed integral roles in the construction of an African nationalist body politic: a constituency that saw itself as a nation. They did so by promoting an empowering racial consciousness, predicated on what I term a ‘new African family’: a domestic unit that both sought to protect its *privacy* from the racist state and self-consciously modeled new forms of proudly racial *public life*.”¹¹⁸

Healy-Clancy reviews arguments between feminist historians about whether or how early 20th century African women’s valorisation of motherhood and family should be characterized as gender conservative. An earlier feminist literature presented African women as apparently accepting their exclusion from the early African National Congress, characterized the dynamic of not including women as a “natural extension” of “the broader patriarchal society in which they lived”. She also points out that more recent attempts to re-evaluate these claims fall short of re-examining how African women mobilized a discourse of ‘welfare’ and established new forms of public presence. Healy-Clancy argues that by focusing on the social welfare organisations in which women predominated, such as Amadodakazi aseAfrika, women’s “familial concerns” may be repositioned and recognised as “public and political matters”, thus allowing “a more complex gendered history of nationalism” to emerge.¹¹⁹

One interesting aspect about the the gender politics of opposition to urban segregation in Durban of the mid-1930s is indeed that this was a period when a small group of women leaders were fashioning a discourse of *indlu emnyama*, of African mothers and daughters working for their Race, that did not only place them at the cooking pots. Isabel Sililo and Bertha Mkhize also articulated explicitly gendered arguments against urban segregation from a space of womanhood that was being negotiated and contested. Healy-Clancy argues that as the state “categorically denied Africans control over their homes or families, struggles for domestic health and well-being were waged in a public culture in which ‘family’ and ‘home’ were powerful idioms that enabled women to talk about ‘race’ and ‘nation’...”.¹²⁰ This clearly applies to kholwa women’s statements against the Durban Corporation’s efforts to invade their bedrooms without cause and make them into ‘slaves’.

Bertha Mkhize’s account of the confrontation that took place on Stanger street also included an implicit, although also somewhat obscure, comparison between herself and Isabel Sililo. Interviewed

¹¹⁷ Meghan Healy-Clancy, ‘Women and the Problem of Family in early African Nationalist History and Historiography’, *South African Historical Journal*, 63 (3), 2012, p. 452.

¹¹⁸ *Ibid.*

¹¹⁹ *Ibid.*, p.455.

¹²⁰ *Ibid.*, p.467.

about her life experiences and recounting the women's march of 1937, she said that when the Native Commissioner made his appearance, she turned to Isabel Sililo who was the designated spokesperson and said "speak!". Mrs Sililo's purported answer was not clearly recorded in the interview, but Mkhize continues: "I said, but you were elected to speak! And ... said "no". I didn't want the other people to hear that. I thought 'mm!' I must speak. We cannot do this. So I spoke, although I wasn't chosen".¹²¹ Isabel Sililo was a evidently an experienced and confident speaker. But perhaps Bertha Mkhize's memories turned on a relative difference between the two, and divergent pathways of public activity in future decades. Street protests were not new to Bertha Mkhize who had been active in the ICU during the popular protests of the late 1920s. Also educated at Inanda, she disliked teaching and became a seamstress. By the mid-1930s she lived independently in Durban's city centre. She also never married. In 1956 she would be president of the ANC Women's League and involved the campaigns of passive resistance. Isabel Sililo often proved herself an assertive spokeswoman but was perhaps more firmly wedded to conventional respectability and the political role that involved intercession on behalf of others with less access to loci of power. She shared the liberal values of her colleagues in the Joint Council Movement, and this was her more usual milieu of political activity. But how was social welfare, as practised by the DBCWS, political?

The Durban Child Welfare Society and state social assistance by in the late 1930s

Unlike Daughters of Africa, this was a Society that formed part of a network of mostly white Child Welfare societies. An early meeting was presided over by Edith Benson of the Child Welfare Society who had been appointed President who "welcomed the Chief Magistrate of Durban, Mr Piers, and the new Juvenile Court Magistrate, Mr S Olivier".¹²² Most executive positions were occupied by African women – an early "Chairwoman" was Mrs Mpanza whose husband served on the NAB. Mildred Lavoipierre would later claim that Mrs Benson never visited the offices of the DBCWS at the Bantu Social Centre. "She swept into meetings, mumbled that no agenda had been forwarded to her nor any copy of minutes, but took no steps to do anything about it". The Society would lose its premises soon after the outbreak of World War Two and for several years it struggled to find suitable space. There was no functional executive and no definite committee structure. Lavoipierre also thought that as Secretary "Mrs Sililo established her own routine, conducted all the correspondence and reported to no one".¹²³

¹²¹ C KCAV Manuscripts Collection, Interview with Bertha Mkhize, Interview by A Manson, KCAV 147, 14 August 1979.

¹²² Ilanga lase Natal, 11 July 1936.

¹²³ Killie Campbel Archives, Mabel Palmer Collection, File 24 (Documents discussing reorganisation of DBCWS). KCM 17594. Mrs Lavoipierre to Mabel Palmer, 21 April 1944. The purpose of this document and account of the early history of the DBCWS was to strategise an overhaul of organisational structures. This has to be kept in mind as part of evaluating Lavoipierre's account.

Perhaps because of her position Secretary and therefore scribe for the Society, Isabel Sililo became the archived voice of the early DBCWS. In the absence of minutes annual reports sketch the Society's activities. In 1937 she referred to the injunction that "Child Welfare... is not purely a relief giving Society" but had an underlying principle, "to help people to help themselves". This principle had been followed "by our investigators". However, the Society could not ignore the needs of "the children of widows, and other parents who had been suffering untold hardships".¹²⁴ Sililo emphasised the extent of African poverty:

It must be remembered that the Bantu people are at the present time, the poorest section of the community and until the wage and housing problem, together with proper and regular employment in the City is solved, the children of the poorly paid Bantu worker will naturally seep lower into degeneracy and cry for the assistance of [such] a Society as this to approach the Government and authorities on their behalf.¹²⁵

Sililo described "investigation" as "the most important work of the Society, and explained that over six months the Investigation Committee had met weekly, whilst "Mrs Ndhlovu and myself, with some assistance from Mrs Ndimande" did the visiting work, mostly in the areas of Durban newly incorporated into the Borough. This committee did "very responsible" work, attending to "applications of relief, maintenance, care and custody of children, Government Grants, cases of neglect..." Sililo reported that twelve "Government Maintenance Grants" had now been secured for families via the Union Department of Education.¹²⁶ She also explained that the Chief Magistrate had assisted with "applications for Government Grants". Little precedent existed for allocation of these Mother's Pensions for the maintenance of African children and this involved a significant, if small, project of collaboration between sympathetic officials and Durban's kholwa.

That the DBCWS' efforts to procure rations of poor relief from the state on behalf of impoverished families also meshed with the voluntary social welfare work of Daughters of Africa is suggested by a letter to *Ilanga lase Natal* of 1939. The anonymous letter-writer praised the work of the DBCWS and especially of the DOA, whose Riverside Branch chair may have been the same Mrs Ndlovu who served on the investigative committee of the DBCWS.

Bangenzele isimanga, besengifile ngingenabani, ngingunina wempumpithe uRedcliff,
engasizwa abeChild Welfare bayithatha oNkk. I. A.J. Sililo noNkk. L. Ndlovu.
Ngingeqede konke okuhle abangenzela khona ngoba engiqonde ukukhuluma ngako okwe
D.O.A.

¹²⁴ Killie Campbell Archives, Mabel Palmer Collection, File 24, KCM17674, Secretary's second annual report for 1936-1937.

¹²⁵ Ibid.

¹²⁶ Ibid.

(They did a wonderful thing for me, I was down and out and had no one. I am the mother of a blind person by name of Redcliff, I was helped by the people of Child Welfare, Mrs I A J Sililo and Mrs L Ndlovu took him. It's not possible for me to mention all the beautiful things that they did for me, because my aim is to speak about the Daughters of Africa).

The writer proceeded to explain how exactly when assistance from the DBCWS had run out, three women from the DOA had appeared where she lay ill and told her that they would take her to the hospital.

Ngase ngithi: 'Anginayo ngisho indibilishi!' Ase ethi amaDodakazi aseAfrika: 'Yamkhela lokhu, uze uhambe uye kuDokotela, futhi udleni umntwana?' Ngaphendula ngathi: "Kuphelile okwaseBantu Social Centre, lapha ngithola khona usizo seleku!

(Then I said I don't have a penny. Then the Daughters of Africa said: "Take this, go to the doctor. Furthermore what did the child eat?" I answered and I said: "It is finished that which came from the Bantu Social Centre, there where I have found long found help...)

The DOA assisted with money for transport and food. "Ngesaba nokusho ukuthi amaDodakazi aseAfrika azimisele ukuba angithengele konke njengokusho kukaDokotela" (I'm even afraid to say that the Daughters of Africa are keen to buy me everything exactly as said by the doctor). This was assistance from fellow Christians in fellowship of community:

Futhi bazalwane beNkosi, ngicelile ukuba lesisenzo sabo esikhulu kangaka, sokugondla, ngisifake ezinhleni ze'Ilanga lase Natal... Ngiyakucela Mhleli ukuba ungibongela kakhulu impela kumaDodakazi aseAfrika nakuMongamelikazi wabo, uNkk. A.J.L. Dube. Futhi ngiyakucela nawe Baba ukuba uwuthandazele lomhlangano wamaDodakazi ethu. Akusiko loku kwami ngedwa asekwenzile amaDodakazi, kuningi okukhulu kunaloku! nalapho kufiwe khona, akhona, khona lapho amaDodakazi AseAfrika. ...

(So brethren of God, I asked if I could put this great deed of theirs, of feeding me in the columns of *Ilanga lase Natal*... Editor, I ask that you thank them very much on my behalf, the Daughters of Africa and their President Mrs A. J. L. Dube. And I ask also Father that you support this Society of ours, the Daughters of Africa. It isn't only me who has been assisted by the Daughters of Africa, very many have been helped.)

While the DBWS attempted to build close working relationship with the local children's court and the Native Welfare Officer, the poor relief assistance that Sililo and her colleagues procured from the local state was planned to work in tandem with the the assistance of kholwa sisters in the DOA.

Towards a conclusion and further writing

This paper is a first attempt to map out the emergence of practices of social welfare and mutual assistance in South Africa of the 1930s that aimed to alleviate poverty in African communities. A contribution to Durban's social history, it is also part of a nationally focused research project that will detail aspects of state social welfare policy from the early 1930s to the 1960s. My original intent was to write one paper about the DBCWS' work before and during apartheid. Clearly this did not happen and in fact, relevant archival documents from the 1930s that I gathered as part of the writing (particularly Children's Court documents that I located recently) have yet to be incorporated into a paper now entirely focused on this decade.

Isabel Sililo remained central to the DBCWS until 1944, when Mildred Lavoipierre – an energetic newcomer to child welfare – assumed a central role in the organisation. Lavoipierre engineered a major programme of restructuring and expansion of the Society's activities. In spite of a period of tension and complex negotiation, these changes were successfully brokered with kholwa members of the DBCWS. Sililo remained in charge of poor relief and involved with the maintenance grant system, but was relatively peripheral to other initiatives of the Society.

For at first several years of the DBCWS's existence however, Isabel Sililo combined her work for the DOA and for this new Society, attempting to secure at least some assistance for impoverished African families from local and central state departments. Kholwa women and men worked with their liberal colleagues in the Durban Joint Council to oppose the policies of segregation pursued by the DTC and to insist on that African women and their families had a right to freedom of movement and to settle in the city. African women's militant opposition effectively prevented the local state from implementing systematic policy that would keep African women – and their families – out of Durban. Significantly, this involved women's only meetings by 1937, at which time Ilanga lase Natal also responded to African women's vocal politics by introducing special pages for its women readers.

In the course of the 1930s, officials of the local state began to concede that urban-based 'Native welfare' could entail more than a focus on African, migrant men whose families remained in the reserves or elsewhere in the countryside. That kholwa women were invited to start a child welfare society entailed significant acceptance that African families were part of the city's social fabric. Through the DBCWS, kholwa women were able to begin work towards aspirations, articulated by the African women's welfare societies, that programmes of social assistance limited to other 'races' in South Africa should also be made available to the African poor. The political and social significance of this initiative, and the shape that Sililo and colleagues gave to the Durban Bantu Child Welfare Society in the years before – and during – apartheid have yet to be fully investigated.

