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# CHANGE FROM WITHIN NEEDED TO FIGHT DISCRIMINATION

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There was a period in our history when people could not choose an area and dwelling to live in. Durban became the centre of turmoil as the police swooped into neighbourhoods, acting as they did on the complaints received from “law abiding” citizens and pressure groups.

Dwellings were searched by the police to identify so-called mixed couples to establish if they were living together. Jimmy James made international headlines because he was not allowed to live with his wife in a flat he bought on the beach front. Bongzi Kuzwayo together with ten families were “booted” out of flats in Albert Park and from Russell and Broad Streets because of the notorious Group Areas Act. Durban took centre stage. This period was 1987 to 1992.

What has changed? In post apartheid, the Constitution does not allow discrimination. The provisions of the Rental Housing Act, 50 of 1999 makes prejudice and discrimination unlawful. Sadly though, religious and ethnic (“racial”) prejudice still persists but is more subtle. Add to the list of the bigots, age, gender and sexual orientation is used by some landlords and bodies corporate as criteria to permit tenancies and occupation.

A family who arranged to move into an outbuilding in Laudium, Pretoria, were turned away because they were Hindus. They were informed politely that Hindus were not allowed on the premises. The couple with a seven year old daughter were stranded.

Two families in Durban who were tenants of 20 years had their monthly tenancies terminated. Attorneys for the landlord would arrogantly argue that the landlord has the right to cancel a lease and does not have to provide a reason. The landlord did not cancel the lease of the other tenants who are all Muslims. Coincidence? Or, were the evictees being paranoid; after 20 years?

With certain bodies corporate, in spite of a written lease entered into between the owner of a unit and tenant, tenants are denied occupation. Last week a tenant was distraught because the body corporate refused him, his wife and two young children entry into the building. The tenant was informed that while he had signed a lease agreement with the owner of a unit, the house rules did not allow more than three persons.

Then there is economic discrimination. A building leased to a tenant was converted into “sweat shops” in central Durban. The building is owned by a prominent individual who is a high profile religious leader and is well connected politically. When informed about his building turned into a myriad of cubicles in which poor self-employed women and men worked and lived in appalling conditions, his response was horrendous.

Gatekeepers are still to be found in South Africa. Unlike the old days when horse drawn wagons at the toll had to secure permission at the entrance to the city from a man with a lantern in his hands, tolls are sophisticatedly managed today. Discrimination, greed and disregard for human dignity cannot be changed by the Constitution. The change must come from within.