

Black wives can't buy their homes

women CH 13.8.83

THE legal status of black married women, which is presently under investigation by the South African Law Commission, assumes a new sense of urgency in view of the Government move to sell houses to blacks.

About 99 percent of married black women are legal minors. Whether they are married under civil law or under tribal law, their husbands have marital power over them and are their legal guardians. Only the few who are married with an ante-nuptial contract are not subject to the marital power.

The Department of Community Development is allowing black women to buy Government houses — but they will not be eligible for building society loans.

Building society and Government officials admit this will affect many black families for, in many of them, the woman is the head of the household.

"The Government is sympathetic to the situation and aware of the problems. But it is not easy to find a solution that will satisfy all parties," said Mr Johan Kruger, sales co-ordinator of the housing scheme for the Department of Community Development.

OCCUPANTS

According to the department, only the present occupants of Government houses will be able to buy them.

To determine the prices of the houses the original price of the house has been added to its replacement value and the total halved. This means that old houses in particular will be sold cheaply.

The department is offering special discounts

as a further incentive to potential buyers — including one of between 25 and 30 percent for cash.

If the occupant chooses not to buy his house, it can still be rented — but rentals are likely to go up substantially next year, said Mr Kruger.

SECURE

In the past the United Building Society had allowed some black women to take out housing loans to secure houses under the 99-year leasehold system, said Mr Piet Kruger, the society's assistant general manager.

"But we cannot continue making exceptions because now there will be so many of them," he said.

Mr Kruger added that building societies had been pressing for a long time for the tribal law to be amended because "we consider black women good customers and safe borrowers."

It is even difficult for single black women to get housing loans. Tribal marriages are not registered so there is no way of checking on a black woman's marital status.

CHANCE

Building societies who gave self-declared single women a loan were taking a chance, Mr Kruger said.

Mrs Deborah Mabiletsa, a director of the

Urban Foundation, said she believed financial merit alone should decide whether a black woman could buy a house.

"For many years we black women have asked to be recognised as legal adults. Many of us are heads of households and, in certain cases, the sole breadwinners. Why is our majority not legally recognised when we are acting as adults in every other way?" she asked.