

Apartheid Legislation in South Africa

Starting in 1948, the Nationalist Government in South Africa enacted laws to define and enforce segregation.

What makes South Africa's apartheid era different to segregation and racial hatred that have occurred in other countries is the systematic way in which the National Party, which came into power in 1948, formalised it through the law. The main laws are described below.

Prohibition of Mixed Marriages Act, Act No 55 of 1949

Prohibited marriages between white people and people of other races. Between 1946 and the enactment of this law, only 75 mixed marriages had been recorded, compared with some 28,000 white marriages.

Immorality Amendment Act, Act No 21 of 1950; amended in 1957 (Act 23)

Prohibited adultery, attempted adultery or related immoral acts (extra-marital sex) between white and black people.

Population Registration Act, Act No 30 of 1950

Led to the creation of a national register in which every person's race was recorded. A Race Classification Board took the final decision on what a person's race was in disputed cases.

Group Areas Act, Act No 41 of 1950

Forced physical separation between races by creating different residential areas for different races. Led to forced removals of people living in "wrong" areas, for example Coloureds living in District Six in Cape Town.

Suppression of Communism Act, Act No 44 of 1950

Outlawed communism and the Community Party in South Africa. Communism was defined so broadly that it covered any call for radical change. Communists could be banned from participating in a political organisation and restricted to a particular area.

Bantu Building Workers Act, Act No 27 of 1951

Allowed black people to be trained as artisans in the building trade, something previously reserved for whites only, but they had to work within an area designated for blacks. Made it a criminal offence for a

black person to perform any skilled work in urban areas except in those sections designated for black occupation.

Separate Representation of Voters Act, Act No 46 of 1951

Together with the 1956 amendment, this act led to the removal of Coloureds from the common voters' roll.

Prevention of Illegal Squatting Act, Act No 52 of 1951

Gave the Minister of Native Affairs the power to remove blacks from public or privately owned land and to establishment resettlement camps to house these displaced people.

Bantu Authorities Act, Act No 68 of 1951

Provided for the establishment of black homelands and regional authorities and, with the aim of creating greater self-government in the homelands, abolished the Native Representative Council.

Natives Laws Amendment Act of 1952

Narrowed the definition of the category of blacks who had the right of permanent residence in towns. Section 10 limited this to those who'd been born in a town and had lived there continuously for not less than 15 years, or who had been employed there continuously for at least 15 years, or who had worked continuously for the same employer for at least 10 years.

Natives (Abolition of Passes and Co-ordination of Documents) Act, Act No 67 of 1952

Commonly known as the Pass Laws, this ironically named act forced black people to carry identification with them at *all* times. A pass included a photograph, details of place of origin, employment record, tax payments, and encounters with the police. It was a criminal offence to be unable to produce a pass when required to do so by the police. No black person could leave a rural area for an urban one without a permit from the local authorities. On arrival in an urban area a permit to seek work had to be obtained within 72 hours.

Native Labour (Settlement of Disputes) Act of 1953

Prohibited strike action by blacks.

Bantu Education Act, Act No 47 of 1953

Established a Black Education Department in the Department of Native Affairs which would compile a curriculum that suited the "nature and

requirements of the black people". The author of the legislation, Dr Hendrik Verwoerd (then Minister of Native Affairs, later Prime Minister), stated that its aim was to prevent Africans receiving an education that would lead them to aspire to positions they wouldn't be allowed to hold in society. Instead Africans were to receive an education designed to provide them with skills to serve their own people in the homelands or to work in labouring jobs under whites.

Reservation of Separate Amenities Act, Act No 49 of 1953

Forced segregation in all public amenities, public buildings, and public transport with the aim of eliminating contact between whites and other races. "Europeans Only" and "Non-Europeans Only" signs were put up. The act stated that facilities provided for different races need not be equal.

Natives Resettlement Act, Act No 19 of 1954

Group Areas Development Act, Act No 69 of 1955

Natives (Prohibition of Interdicts) Act, Act No 64 of 1956

Denied black people the option of appealing to the courts against forced removals.

Bantu Investment Corporation Act, Act No 34 of 1959

Provided for the creation of financial, commercial, and industrial schemes in areas designated for black people.

Extension of University Education Act, Act 45 of 1959

Put an end to black students attending white universities (mainly the universities of Cape Town and Witwatersrand). Created separate tertiary institutions for whites, Coloured, blacks, and Asians.

Promotion of Bantu Self-Government Act, Act No 46 of 1959

Classified black people into eight ethnic groups. Each group had a Commissioner-General who was tasked to develop a homeland for each, which would be allowed to govern itself independently without white intervention.

Coloured Persons Communal Reserves Act, Act No 3 of 1961

Preservation of Coloured Areas Act, Act No 31 of 1961

Urban Bantu Councils Act, Act No 79 of 1961

Created black councils in urban areas that were supposed to be tied to the authorities running the related ethnic homeland.

Terrorism Act of 1967

Allowed for indefinite detention without trial and established BOSS, the Bureau of State Security, which was responsible for the internal security of South Africa.

Bantu Homelands Citizens Act of 1970

Compelled all black people to become a citizen of the homeland that responded to their ethnic group, regardless of whether they'd ever lived there or not, and removed their South African citizenship.

Various segregation laws were passed before the Nationalist Party took complete power in 1948. Probably the most significant were **The Natives Land Act, No 27 of 1913** and **The Natives (Urban Areas) Act of 1923**. The former made it illegal for blacks to purchase or lease land from whites except in reserves; this restricted black occupancy to less than eight per cent of South Africa's land. The latter laid the foundations for residential segregation in urban areas.

