

APARTHEID LAWS & REGULATIONS: INTRODUCED AND RESCINDED

A Short Summary

The absurdity of apartheid legislation, which incorporated legislation passed by the (minority) white governments prior to 1948, is reflected in the following list. Although the legislation was seemingly passed in the interest of the white minority, to maintain both political and social hegemony, it is obvious that most of the measures carried little or no economic benefit for the ruling class and that its scrapping would be in the interests of the capitalist class as well as the majority of blacks.

For blacks the end of apartheid laws meant that the hated pass system was abolished, that the legality of residential apartheid was removed from the statute book and that Bantu education was formally ended. Nonetheless there was little freedom for the poor to move from their squatter camps or township houses and most children still went to third rate schools with few amenities to assist them. It was only a section of the wealthier blacks and those who ran the political machine that benefited most fully from the changes. The vast majority saw no improvements in their way of life, a matter that is dealt with in this issue of *Searchlight South Africa*.

It is also not insignificant that many measures were repealed before the unbanning of opposition political movements and before negotiations got under way. The pressure for change came partly from the activities of the internal resistance movement and the trade unions, from covert discussions between movements that supported the government and the ANC, from the demographic pressure that led to a mass migration to the urban areas and also from the altered relations between the USSR and the west — a change which was interpreted by the government as removing the communist threat from the region.

One of the most dramatic changes took place at the end of the 1970s when, in the aftermath of a nation-wide strike wave, black trade unions were recognised and required to register with the state registrar. Although this was opposed by many African based trade unions for tactical reasons, this effectively ended the racial discrimination clause in the Industrial Conciliation Act of 1924 in which Africans, not recognised as employees, were denied the right to belong to, or to form, registered trade unions. Bantu education was also modified in the 1970s to provide more facilities for secondary education. It was these changes that led to the Soweto revolt of 1976/77 and signaled the beginning of the end of apartheid. Other changes included the reform in 1983 which offered

Indians and Coloureds the right to vote for members of newly created (and segregated) parliamentary chambers — a move which inflamed the resistance movement and helped trigger off the revolt of 1984-1986.

The Apartheid laws and their removal

1949: Prohibition of Mixed Marriages Act: Ban on marriages between whites and other races. *Repealed 1986.*

1950: The Immorality Amendment Act: Extends 1927 Immorality Act, illegalising all sexual relations between whites and other races. *Repealed 1986.*

1950: Population Registration Act. A central register divided the entire population into White, Native or Coloured (subdivided into Indian, Griqua, Cape Malay and Chinese). *Repealed 1991.* The definition of a white person in the Act stated:

A White person is a person who in appearance obviously is a white person and who is not generally accepted as a coloured person, or is generally accepted as a white person and is not in appearance generally accepted as a white person and is not in appearance obviously not a white person (*sic*).

This mumbo-jumbo fell away when the Act was repealed, but the memory of its provision will live on for a long time to come

1950: Suppression of Communism Act. *Repealed 1990.*

1950: The Group Areas Act. The entire population was to be segregated and allocated separate residential areas. *Repealed 1991.*

1952: Natives (Abolition of Passes and Co-ordination of Documents) Act. All Africans over 16 to carry passbooks which contained information on employment, poll tax, etc. *Repealed 1986.*

1953: Separate Amenities Act. Separation of whites and non-whites in all public places and vehicles — which need not be equal. *Repealed 1990.*

1953: Bantu Education Act. Which prohibited any education other than that provided by the state. *Repealed 1991.*

1959: Extension of University Act. Which segregated tertiary education. *Repealed 1988.*

1970: Bantu Homelands Citizenship Act. All Africans to become citizens of their tribal homelands. They were to be regarded as aliens in South Africa. *Repealed 1994.*