

STUDENT HANDOUT: KEY APARTHEID LAWS

Below is a descriptive list of pivotal laws established in South Africa to support the government's apartheid policies. Many of these laws were subsequently amended after the 1950s up until the end of apartheid in 1994, often times with greater restrictions. Review the laws below and be prepared to discuss the questions at the end.

1913 ACT NO. 27 NATIVES LAND ACT :

The first major piece of segregation legislation passed by the newly formed Union of South Africa. The law decreed that only certain areas of the country could be owned by natives. These areas totaled 13% of the country.

1927- ACT NO 38, NATIVE ADMINISTRATION ACT:

The law established a separate legal system for administering African law and proclaimed Native areas subject to a separate political regime.

1927-ACT NO 8, IMMORALITY ACT:

Prohibited sexual relations between white people and people of other races outside of marriage. The penalty was up to five years for males and four years for females. Women who were allegedly provoking white males into a sexual relationship could be sentenced to six years in prison.

1949-ACT NO 55, PROHIBITION OF MIXED MARRIAGES ACT:

Prohibited marriages between white and non-white people. Though statistically there were few mixed marriages in the three years prior to the law (only one-third of one percent), this was one of the first pieces of legislation passed by the ruling National Party after their rise to power in 1948.

1950- ACT NO 30, POPULATION REGISTRATION ACT:

Required every South African to be classified in accordance to their racial characteristics: black, white, and mixed (referred to in the law as "coloureds"). Indians (people from South Asia) and their descendants were added later as a separate classification. Social and political rights as well as educational opportunities were largely determined by group. The closer one was to being white, the more rights were provided.

1950-ACT NO 41, GROUP AREAS ACT:

Forced separation between races through the creation of residential areas designated for certain races in urban areas. An effect of the law was to exclude non-whites from living in the most developed areas. Many non-whites were forcibly removed for living in the wrong areas. In addition, the non-white majority was given a much smaller area of the country. Subsequently, the white minority owned most of the nation's land. The law also caused many non-whites to have to commute large distances from their homes on order to be able to work.

1950-ACT NO 44, SUPPRESSION OF COMMUNISM ACT:

Outlawed communism and the Community Party in South Africa. The definition of "Communism" was very basic; it included anything that called for a radical change in how the government worked or encouraged feelings of hostility between the European and non-European races. The Minister of Justice had the power to severely restrict the freedoms of anyone deemed a "Communist" including running for public office, attending public meetings, or travel within or out of the country. The Minister also had the authority to imprison anyone deemed to be a "Communist."

1951-ACT NO 68, BANTU AUTHORITIES ACT:

One of the pillars of apartheid in South Africa. This legislation created a legal basis for the deportation of black Africans into designated homelands. These homelands were independent states to which each black African was assigned by the government according to the record of origin—where they were born—which was frequently inaccurate. Black Africans could live only in their designated homeland and needed a pass to enter other areas of South Africa.

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1952-ACT NO 67, NATIVES (ABOLITION OF PASSES AND CO-ORDINATION OF DOCUMENTS) ACT:

The law compelled every black African over the age of 16 to carry identification (which included a photograph, place of origin, employment record, tax payments, and encounters with the police) at all times. The law stipulated when, where, and for how long a black could remain in an area. A passbook without a valid entry allowed officials to arrest and imprison the bearer of the pass.

1953-ACT NO 47, BANTU EDUCATION ACT:

Established a Black Education Department and developed a curriculum suited to the "nature and requirements of black people." The unstated aim of this law was to prevent black Africans from receiving an education and restrict non-white youth to the unskilled or low-skilled labor market.

1953-ACT NO 49, RESERVATION OF SEPARATE AMENITIES ACT:

Enacted segregation in all public areas including buildings and public transport. Only public roads and streets were excluded from the act. Section 3a made it legal to exclude people from public places based on their race and section 3b of the act stated that the facilities for the different races did not need to be equal.

DISCUSSION QUESTIONS:

- What seems to be the overall purpose of these laws?
- Which laws seem aimed at regulating people's private lives?
- Which laws seem aimed at regulating the political power of whites and blacks in South Africa?
- Which law do you find the most repressing to black Africans and why?
- Which laws are similar to Jim Crow segregation laws enacted in the United States in the 19th and 20th centuries to enforce separating blacks and whites?