



**Submission**

**to the**

**Department of Justice and Constitutional  
Development**

**on**

**Proposed Amendments to the Recognition  
of Customary Marriages Act, 120 of 1998**

**15 June 2018**

## **1. Introduction**

The Catholic Parliamentary Liaison Office (CPLO) is an office of the Southern African Catholic Bishops' Conference, tasked with liaising between the Church and Parliament/Government, commenting on issues of public policy, and making submissions on legislation. The CPLO welcomes the opportunity to comment on the proposed amendments to the Recognition of Customary Marriages Act.

## **2. Comments**

Although the Catholic Church, along with most mainstream Christian denominations, does not embrace the practice of polygamous marriage, we fully recognize that it is a common form of marriage in our country. Furthermore, we have long been aware that aspects of polygamous marriages discriminate unfairly against women. This has now been highlighted by the judgment of the Constitutional Court which has prompted the current amendments.

Accordingly, we welcome the Department's draft amendments. We note that the proposed new wording of section 7 of the Act closely follows that laid down by the Constitutional Court for interim purposes while Parliament processes the necessary amendment. We are confident that this wording will provide an effective remedy to the marital property issues that gave rise to the Court's judgment; and that a much more just relationship between wives and husband in such marriages will be achieved.

For your information we have attached a copy of a recent paper that provides more background regarding the Catholic Church's approach to this issue.

For further information please contact:

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