

Dear Sir,

It has come to our Notice that in certain areas, marriages between native individuals has been allowed to take place despite the refusal of parents of both of the contracting parties (we refer to both Christian & non-Christian marriages).

(a) It takes away the rights of the girl's parents to claim "Lobola" - And therefore the relationship between the daughter and <sup>the</sup> parents remains indefinitely strained. The same apply with equal force between the boy & his parents. The result is enmity between the families concerned.

(b) The relaxation by the administration of some amount in this respect, to parental authority has resulted in demoralizing effects to the Native youth's moral standard.

(He is said by the administration to be beyond parental control.) "Mondag" <sup>of age</sup>

This is foreign to Native Opinion.

It creates in them the impression that they can marry & divorce at will. And has been proved.

(c) Should the marriage prove a failure - what happens? Naturally, a Native girl unlike a European girl, tries to go back to her parents for protection. If the girl is not <sup>W.M.V. M.V.</sup> welcomed by the parents, she naturally becomes a street-Queen.

with disastrous <sup>moral</sup> effects, not only to herself, but also to her children.

The boy becomes also a prey to street Ornaments.

It was through painful experience that our Ametax adopted the policy of observing the authority of the two marrying families as a living principle. We would very much wish that this matter be taken up by you as a representative of the Native people. Church.

Copies of this letter will be sent to the Secretary of the Representative Council in Pretoria, and to certain heads of the Missionary Societies <sup>and other bodies</sup>. If in your opinion it will serve any good purpose publishing this letter do so.

We have the honour to be

Sir,

your obedient servant

J. M. Matlejoane (Rev)

D. K. Mashabachaka

MATL

JDRJ/DAR:

27th March, 1946.

Mr. Julius Lewin,  
University of Witwatersrand,  
JOHANNESBURG.

Dear Mr. Lewin,

I attached hereto a letter I have received from a Louis Trichardt correspondent on the subject of Parents' Consents in Native Marriages, and I shall be glad to have your views on it. Will you kindly return the letter to me.

With kind regards.

Yours sincerely,

J.D. RHEINALLT JONES.

N. B.

Several of these cases have occurred, where parents appealed to the nearest Marriage Officer, (Native Commissioner) for help & advice, if possible raise a protest to the marriage of its kind we have a case here where parents a young man divorced his wife, whom he <sup>had</sup> married without the parents' consent and married another also against the wish and ~~the~~ without the consent of parents.

When parents protested, were told, she is of age (moudag) and could do as she pleased.

(Native Commissioner)

MATL

# SOUTH AFRICAN INSTITUTE OF RACE RELATIONS

(INCORPORATED)

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University of the Witwatersrand,  
Milner Park.

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P.O. Box 97,  
JOHANNESBURG.

In reply please quote JDRJ/DAR:

27th March, 1946.

Received	2 APR 1946
For Attention	.....
Recorded	.....
Acknowledged	.....
Answered	.....

Mr. Julius Lewin,  
University of Witwatersrand,  
JOHANNESBURG.

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With kind regards.

Yours sincerely,

Mr Jones

*J*  
J.D. RHEINALLT JONES.

The legal position (clearly stated in my Outline of N. law) is that a Native woman over 21 is free to marry under the Common law without parental consent and without lobolo. It is unusual but it happens - a sign of westernization of the Bantu. I should myself not favour any change in this law. / J Lewin

JDRJ/DAR.

4th April, 1946.

Julius Lewin, Esq.,  
University of Witwatersrand.  
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Many thanks for your note regarding the position of Native women over twenty-one. When I wrote you I was too unwell to handle matters and I am grateful for your help.

I am very much better and hope to go away for a week or so to Rustenburg.

Kind regards,

Yours sincerely,

JDRJ/DAR.

4th April, 1946

Rev. J. Matlejoane,  
P.O. Box 102,  
LOUIS TRICHARDT.

Dear Sir,

In reply to your letter of the 10th March, I have to inform you that, as the law stands, an African woman over twenty-one is free to marry under the common law without the consent of her parents and without lobolo. I do not think that the Government will agree to any change in this law.

Yours faithfully,

DIRECTOR.

127  
Mrs. Rheinallt-Jones,  
P.O. Box 97,

P.O. Box 102, MATL  
Louis Richardl:-

Johannesburg.

Dear Sir,

17-4 APR 1946  
Received  
For Amount  
1000/-  
Acknowledged ✓  
Answered

I am in receipt of yours of the 4<sup>th</sup> April; I am very grateful to you indeed for it, and for all the advice given.

Please pardon my delay in answering it; No, doubt it is a step towards the emancipation of women, as far as African women are concerned.

It is of course, according to that law, very interesting to note how the Government is anxious to keep the Native family as a unit; and at the same time; it would seem to suit her convenience - just ready to break it up & pretend she doesn't.

By suggesting that a girl over 21 yrs or even 40 years of age, is Never of age. (mondag). Or when we say the idea is foreign to Native Opinion, we mean that. The young (native) woman whether 21 or 40 years of age, is still dependent upon her parents.

That is partly the reason why they are

never asked to contribute towards the  
up keep of the family. They do that, just  
because they like to do it.

And no parent would dream of asking  
their grown up child to pay towards her  
boarding & lodging.

<sup>They would consider it breaking up  
the family - Unit.</sup>

For the simple reason that, she is  
considered as a child dependent upon  
her parents.

What one can only say about that law  
you referred to is. It was done by the  
Government without consulting  
Native interest, which one would  
consider fatal.

I am not trying to challenge the  
Government, but just expressing a  
personal opinion, to a friend.

May I end by wishing you a very happy  
Easter & Eastertide.

Yours sincerely

J. M. Mathejane

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